

ORDINANCE NO. 2623

AN ORDINANCE ANNEXING LAND TO THE CITY OF GARDNER, KANSAS.

WHEREAS, the following described land is located in Johnson County, Kansas;

WHEREAS, a written petition and/or consent for annexation of the following described land, signed by all of the owners thereof, have been filed with the City of Gardner, Kansas pursuant to K.S.A. 12-520(a)(7), as amended; and

WHEREAS, the governing body of the City of Gardner, Kansas, finds it advisable to annex such land.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

Section 1. That the following described land is hereby annexed and made a part of the City of Gardner, Kansas:

A TRACT OF LAND DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 2, TOWNSHIP 15, RANGE 22, IN JOHNSON COUNTY, KANSAS; THENCE SOUTH 89 DEGREES 36' 15" EAST, ALONG THE SOUTH LINE OF SAID SECTION, 423.95 FEET TO A TRUE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 36' 15" EAST, ALONG THE SOUTH LINE OF SAID SECTION, 2279.45 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE DUE NORTH ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 2656.76 FEET TO THE SOUTH RIGHT OF WAY LINE OF U.S. INTERSTATE HIGHWAY NO. 35; THENCE SOUTH 54 DEGREES 53' 18" WEST ALONG SAID RIGHT OF WAY LINE, 431.39 FEET; THENCE SOUTH 49 DEGREES 10' 40" WEST ALONG SAID RIGHT OF WAY LINE, 2038.08 FEET TO THE POINT OF CURVATURE; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 11,609.16 FEET, AN ARC DISTANCE OF 497.53 FEET THENCE DEPARTING SAID RIGHT OF WAY, SOUTH 0 DEGREES 03' 55", 743 FEET TO THE TRUE POINT OF BEGINNING, IN JOHNSON COUNTY, KANSAS; EXCEPT: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE SOUTH 89 DEGREES 36' 15" EAST ALONG THE SOUTH LINE OF SAID SECTION, 423.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 36; 15" EAST ALONG SAID SOUTH LINE, 2556.84 FEET; THENCE NORTH 0 DEGREES 03' 55" EAST, 954.76 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 35; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 11,609.16 FEET; AN ARC DISTANCE OF 331.67 FEET; THENCE DEPARTING SAID RIGHT OF WAY, SOUTH 0 DEGREES 03' 55" WEST, 743.43 FEET TO THE TRUE POINT OF BEGINNING, AND EXCEPT THAT PART IN ROADS AND HIGHWAYS OTHER THAN THOSE ROADS AND HIGHWAYS SPECIFICALLY ANNEXED AS PROVIDED BELOW;

(See the Deed conveying such property to the current property owner attached hereto at Exhibit A)

Also,

The entire width of the adjacent right of way immediately South of the above described real property, such right of way being 90 feet in width, such right of way being identified as 199th street.

Section 2. That this ordinance shall be effective from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Gardner, Kansas this 7th day of October, 2019.

(SEAL)

_____/s/
Steve Shute, Mayor

ATTEST:

_____/s/
Sharon Rose, City Clerk

APPROVED AS TO FORM:

_____/s/
Ryan B. Denk, City Attorney



20050729-0012968 07/29/2005
P: 1 of 3 F: \$16.00 12:51:40 PM
Register of Deeds T20050041760
Johnson Co ROD B: 200507 P: 012968

FIRST AMERICAN TITLE (SLT)

①

550172-C

PARCEL ID NO.

2F221502 - 2005
July 29 2005
nd

KANSAS WARRANTY DEED

Grantor(s): **Stumpff Family Partnership, L.P., a Kansas Limited Partnership**

Grantee(s): **L & J Development Co., a Kansas General Partnership**

Grantee(s) mailing address: ,

In consideration of One Dollar and other valuable consideration, the receipt of which is hereby acknowledged, the Grantor(s) **GRANT, BARGAIN, SELL AND CONVEY** to Grantee(s), the following described premises, to wit:

Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to all easements, restrictions, reservations and covenants, if any, now of record

The Grantor(s) hereby covenanting that the Grantor(s), their successors and assigns, will **WARRANT AND DEFEND** the title to the premises unto the Grantee(s), their successors and assigns, against the lawful claims of all persons whomsoever, excepting however the general taxes for the current calendar year and thereafter, and the special taxes becoming a lien after the date of this deed.

Dated: **July 15, 2005**

EXHIBIT 'A'

A TRACT OF LAND DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 2, TOWNSHIP 15, RANGE 22, IN JOHNSON COUNTY, KANSAS; THENCE SOUTH 89°36'15" EAST ALONG THE SOUTH LINE OF SAID SECTION, 423.95 FEET TO A TRUE POINT OF BEGINNING; THENCE SOUTH 89°36'15" EAST, ALONG THE SOUTH LINE OF SAID SECTION, 2279.45 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE DUE NORTH ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 2656.76 FEET TO THE SOUTH RIGHT OF WAY LINE OF U.S. INTERSTATE HIGHWAY NO. 35; THENCE SOUTH 54°53'18" WEST ALONG SAID RIGHT OF WAY LINE, 431.39 FEET; THENCE SOUTH 49°10'40" WEST ALONG SAID RIGHT OF WAY LINE, 2038.08 FEET TO THE POINT OF CURVATURE; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 11,609.16 FEET, AN ARC DISTANCE OF 497.53 FEET; THENCE DEPARTING SAID RIGHT OF WAY, SOUTH 0°03'55" WEST, 743.43 FEET TO THE TRUE POINT OF BEGINNING, IN JOHNSON COUNTY, KANSAS; EXCEPT: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE SOUTH 89°36'15" EAST ALONG THE SOUTH LINE OF SAID SECTION, 423.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°36'15" EAST ALONG SAID SOUTH LINE, 256.84 FEET; THENCE NORTH 0°03'55" EAST, 954.76 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 35; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 11,609.16 FEET; AN ARC DISTANCE OF 331.67 FEET; THENCE DEPARTING SAID RIGHT OF WAY, SOUTH 0°03'55" WEST, 743.43 FEET TO THE TRUE POINT OF BEGINNING, AND EXCEPT THAT PART IN ROADS AND HIGHWAY.

Stumpff Family Partnership, L.P., a Kansas Limited Partnership

By: Delbert Stumpff, Trustee of the Delbert Stumpff Living Trust dated November 22, 1995

Delbert Stumpff
By: Delbert Stumpff, Trustee

By: Mildred Stumpff, Trustee of the Mildred Stumpff Living Trust dated November 22, 1995

Mildred Stumpff
By: Mildred Stumpff, Trustee

STATE OF **Kansas**)
) ss.
COUNTY OF **Johnson**)

On **July 15, 2005** this deed was acknowledged before me by **Delbert Stumpff and Mildred Stumpff, Trustee of Delbert Stumpff Living Trust dated November 22, 1995, Partner, and Trustee of Mildred Stumpff Living Trust dated November 22, 1995, Partner of Stumpff Family Partnership, L.P., a Kansas Limited Partnership, Grantor(s).**

Donna K. Sams

Notary Public

My 3/20/06 appointment expires:

