

ORDINANCE NO. 2646

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

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

WHEREAS, written petitions and/or consents 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:

See Exhibit A attached hereto.

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

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PASSED AND APPROVED by the Governing Body of the City of Gardner, Kansas this 21st day of January, 2020.

_____/s/_____
Steve Shute, Mayor

ATTEST:

_____/s/_____
Sharon Rose, City Clerk

APPROVED AS TO FORM:

_____/s/_____
Ryan B. Denk, City Attorney

EXHIBIT A

Tract 1

The South 408.40 feet of the East 533.30 feet of the Southeast Quarter of Section 6, Township 15, Range 23, in Johnson County, Kansas, except the East 20 feet and except the South 40 feet, including the entirety of the width of the right of way immediately South of the annexed property know as 199th Street and including the entirety of the width of the right of way immediately Ease of the annexed property known as Cedar Niles Road.

Tract 2

Legal Description: The South 1/2 of the Southwest 1/4 of Section 5, Township 15, Range 23, in Johnson County, Kansas:

EXCEPT that part deeded in Book 823 at Page 573, described as follows:

A tract of land in the Southwest 1/4 of Southwest 1/4 of Section 5, Township 15, Range 23, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the Southwest 1/4 of the Southwest 1/4 of Section 5, thence South 89 degrees 11 minutes 30 seconds West along the South line of the Southwest 1/4 of said Section 5, a distance of 324.32 feet to the true point of beginning of subject tract, thence North 0 degrees 48 minutes 30 seconds West a distance of 330.0 feet; thence West parallel to South line of Section 5, a distance of 165 feet, thence South a distance of 330.0 feet, thence East along South line of Section 5 a distance of 165.0 feet to the true point of beginning;

EXCEPT that part deeded in Book 1360 at Page 65, described as follows:

Beginning at the Southeast corner of the Southeast 1/4 of the Southwest 1/4 of Section 5, Township 15, Range 23, Johnson County, Kansas; thence North 0 degrees 23 minutes 38 seconds West, along the East line of the Southeast 1/4 of the Southwest 1/4, 1334.74 feet to the Northeast corner; thence South 89 degrees 18 minutes 26 seconds West along the North line of the Southeast 1/4 of the Southwest 1/4, 325.35 feet; thence South 0 degrees 26 minutes 18 seconds East, 1335.39 feet to a point on the South line of the Southeast 1/4 of the Southwest 1/4 of Section 5, thence North 89 degrees 11 minutes 30 seconds East, along the South line of the Southeast 1/4 of the Southwest 1/4, 324.32 feet to the point of beginning.

EXCEPT that part deeded in Book 1481 at Page 348, described as follows:

The West 3/4 of the Southeast 1/4 of the Southwest 1/4 of Section 5, Township 15, Range 23, Johnson County, Kansas, described as follows: Beginning at a point on the South line of the West

3/4 of the Southeast 1/4 of the Southwest 1/4 of Section 5, 324.32 feet West of the Southeast corner thereof; thence South 89 degrees 11 minutes 30 seconds West, along the South line, 972.97 feet; thence North 0 degrees 34 minutes 17 seconds West, along the West line of the West 3/4 of the Southeast 1/4 of the Southwest 1/4 of Section 5, 1337.34 feet; thence North 89 degrees 18 minutes 26 seconds East, along the North line of the Southeast 1/4 of the Southwest 1/4, 976.06 feet; thence South 0 degrees 26 minutes 18 seconds East, along the East line of the West 3/4 of the Southeast 1/4 of the Southwest 1/4 of Section 5, 1335.39 feet to the point of beginning, except any part taken for public roads.

EXCEPT that part deeded in Book 5352 at Page 978, described as follows:

All that part of the Southwest 1/4 of the Southwest 1/4 of Section 5, Township 15, Range 23, in Johnson County, Kansas, being more particularly described as follows: Commencing at the Southwest corner of the Southwest 1/4 of said Section 5; thence North 0 degrees 44 minutes 53 seconds West, along the West line of the Southwest 1/4 of said Section 5, a distance of 643.76 feet, to the true point of beginning; thence continuing North 0 degrees 44 minutes 53 seconds West along the West line of the Southwest 1/4 of said Section 5, a distance of 695.76 feet, to the Northwest corner of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence North 89 degrees 17 minutes 09 seconds East, along the North line of the Southwest 1/4 of the Southwest 1/4 of said Section 5, a distance of 1301.63 feet, to the Northeast corner thereof; thence South 0 degrees 33 minutes 43 seconds East, along the East line of the Southwest 1/4 of the Southwest 1/4 of said Section 5, a distance of 1337.36 feet, to the Southeast corner thereof; thence South 89 degrees 11 minutes 25 seconds West, along the South line of the Southwest 1/4 of said Section 5, a distance of 324.32 feet; thence North 0 degrees 48 minutes 35 seconds West, along a line perpendicular to the last described course, a distance of 642.95 feet, to a point 26 feet South of the South line of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence South 89 degrees 14 minutes 17 seconds West, along a line 26 feet South of the South line of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence South 89 degrees 14 minutes 17 seconds West, along a line 26 feet South of the South line of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 5, a distance of 972.25 feet, to the true point of beginning, Except that part in streets or roads.

EXCEPT that part deeded in Book 5362 at Page 919, described as follows:

All that part of the Southwest 1/4 of Section 5, Township 15, Range 23, in Johnson County, Kansas, being more particularly described as follows: Commencing at the Southwest corner of the Southwest 1/4 of said Section 5; thence North 89 degrees 11 minutes 25 seconds East, along the South line of the Southwest 1/4 of said Section 5, a distance of 807.97 feet; thence North 0 degrees 48 minutes 35 seconds West, along a line perpendicular to the last described course, a distance of 300.00 feet, to the True Point of Beginning; thence continuing North 0 degrees 48 minutes 35 seconds West, a distance of 343.08 feet, to a point 26 feet South of the North line of the South Half of the Southwest 1/4 of the southwest 1/4 of said Section 5; thence North 89 degrees 14 minutes 17 seconds East along a line 26 feet South of and parallel to the North line of the South Half of the Southwest 1/4 of the Southwest 1/4 of said Section 5, a distance of 165.00 feet; thence South 0 degrees 48 minutes 35 seconds East, along a line perpendicular to the South line of the Southwest 1/4 of Section 5, a distance of 342.95 feet; thence South 89 degrees 11 minutes 25 seconds West, along line parallel to the South line of the Southwest 1/4 of said Section 5, a distance of 165.00 feet, to the true point of beginning, Except that part in streets and roads.

Also including the entirety of the width of the public right of way immediately West of the annexed property known as Cedar Niles Road and including the entirety of the width of the public right of way immediately South of the annexed property known as 199th Street.

Tract 3

A tract of land in the Southwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 5, Township 15, Range 23, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 5, thence South 89 degrees-11' 30" West along the South line of the Southwest $\frac{1}{4}$ of said Section 5, a distance of 324.32 feet to the true point of beginning of subject tract, thence North 0 degrees- 48' 30" West a distance of 330.0 feet thence West parallel to South line of Section 5 a distance of 165 feet, thence South a distance of 330.0 feet, thence East along South line of Section 5 a distance of 165.0 feet to true point of beginning.

Tract 4

All that part of the SW $\frac{1}{4}$ of Section 5, Township 15, Range 23, in Johnson County, Kansas, being more particularly described as follows: Commencing at the Southwest corner of the SW $\frac{1}{4}$ of said Section 5; thence N 89 11'25" E, along the South line of the SW $\frac{1}{4}$ of said Section 5, a distance of 807.97 feet; thence N 0 48'35" W, along a line perpendicular to the last described course, a distance of 300.00 feet, to the True Point of Beginning; thence continuing N 0 48'35" W, a distance of 343.08 feet, to a point 26 feet South of the North Line of the South Half of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 5; thence N 89 14'17"E, along a line 26 feet South of and parallel to the North line of the South Half of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 5, a distance of 165.00 feet; thence S 0 48'35" E, along a line perpendicular to the South line of the SW $\frac{1}{4}$ of Section 5, a distance of 342.95 feet; thence S 89 11'25" W, along a line parallel to the south line of the SW $\frac{1}{4}$ of said Section 5, a distance of 165.00 feet, to the true point of beginning containing 1.299 Acres, more or less.

Also including the entirety of the width of the public right of way immediately South of the annexed property known as 199th Street.

Tract 5

Lot 2, T & K FARMS, a subdivision of land in Johnson County, Kansas, including the entirety of the width of the public right of way immediately South of the annexed property known as 199th Street.