

ORDINANCE NO. 1076

AN ORDINANCE AMENDING ORDINANCE NO. 1070 TO REFLECT THE CORRECT LEGAL DESCRIPTION FOR PROPERTY ANNEXED INTO THE CITY OF EDGERTON, KANSAS BY CONSENT ANNEXATION

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

WHEREAS, the City of Edgerton received a written Consent for Annexation of certain land located outside the city limits, signed by the owner thereof; and

WHEREAS, the City desired to annex such land into the City of Edgerton pursuant to K.S.A. § 12-520(a)(7); and

WHEREAS, on December 28, 2017 the City Council of the City of Edgerton approved Ordinance No. 1070 annexing such land into the City by consent annexation; and

WHEREAS, Ordinance No. 1070 contained a legal description for the property which was obtained from Johnson County and mirrored the legal description attached to a deed for the property dated March 30, 2016 which was filed with the Register of Deeds on April 25, 2016; and

WHEREAS, subsequent to the passage of Ordinance No. 1070 it was determined that said legal description contained a misprint listing a direction as "South" where it should have read "North"; and

WHEREAS, the City of Edgerton wishes to amend Ordinance No. 1070, with the sole amendment being the listing of the correct legal description of the property annexed.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF EDGERTON, KANSAS:

Section 1. The following, correctly described land, is hereby annexed into the City of Edgerton, Kansas, upon the voluntary petition of the owner thereof, pursuant to K.S.A. § 12-520(a)(7):

A tract of land situated in the Southeast Quarter of the Southeast Quarter of Section 4, Township 15 South, Range 22 East of the Sixth Principal Meridian, in Johnson County, Kansas, being more particularly described as follows:

Commencing at the Southeast Corner, of the Southeast Quarter of said Section 4; thence South 88°29'12" West (all bearings described herein are referenced to the Johnson County Horizontal Control Network as published August 1998) along the South Line of the Southeast Quarter of said Section 4, a distance of 662.04 feet to the true point of beginning, said point being the Southwest Corner of the East 20 acres of the Southeast Quarter of the Southeast Quarter of said Section 4; thence continuing South 88°29'12" West along said South Line, a distance of 655.67 feet to the Southwest

Corner of the Southeast Quarter of the Southeast Quarter of said Section 4; thence North 02°11'59" West along the West Line of the Southeast Quarter, of the Southeast Quarter of said Section 4, a distance of 1,316.77 feet to the Northwest Corner of the Southeast Quarter, of the Southeast Quarter of said Section 4; thence North 88°31'47" East along the North Line of the Southeast Quarter of the Southeast Quarter of said Section 4, a distance of 655.44 feet to the Northwest Corner of the East 20 acres of the Southeast Quarter of the Southeast Quarter of said Section 4, thence South 02°12'35" East along the West Line of said East 20 acres, a distance of 1,316.28 feet to the true point of beginning, except that part in road.

Section 2. An official copy of this ordinance shall be attached to Ordinance No. 1070, the original Consent for Annexation and the Annexation Agreement and shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable hours.

Section 3. The Clerk of the City of Edgerton, Kansas shall cause a certified copy of this ordinance to be filed with the County Clerk, Register of Deeds and the County Election Commissioner of Johnson County, Kansas.

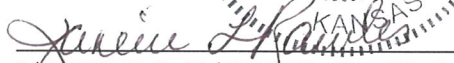
Section 4. This Ordinance shall become effective upon its publication in the official City newspaper.

Section 5. Ordinance No. 1070 is amended only insofar as to correctly reflect the above listed legal description. The remainder of the ordinance shall remain in full force and effect.

PASSED by the Council and APPROVED by the Mayor on this 8th day of March, 2018.

ATTEST:




JANEICE L. RAWLES, City Clerk


DONALD ROBERTS, Mayor

APPROVED AS TO FORM:

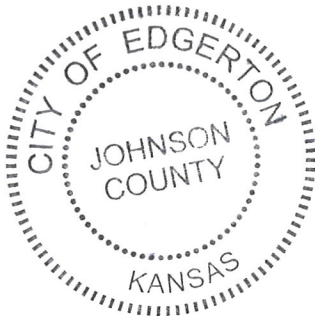

LEE W. HENDRICKS, City Attorney

CERTIFICATION

I, Scott Peterson, Interim City Clerk for the City of Edgerton, Kansas, do hereby certify the attached Ordinance No. 1076, approved by the City Council of the City of Edgerton, Kansas on March 8, 2018, and duly published on March 14, 2018, in the Gardner News, the official paper of the City of Edgerton, to be true and correct as same appears in my office.

Dated this 28th day of March, 2018.

(Seal)



Scott Peterson, Interim City Clerk