

CITY OF EDGERTON, KANSAS

Consent for Annexation Instructions

PRE-ANNEXATION CONFERENCE: Property owners seeking annexation into the City of Edgerton should contact the City Administrator to schedule a meeting to discuss their annexation request. This pre-annexation meeting will help both parties understand the intent of the annexation. The property owners will also have the opportunity to learn about the process and a timeline for the procedures.

CONSENT FORM: The owners of record must complete and sign a Consent for Annexation form provided by the City. Such form shall have the full legal description of the property being sought for annexation inserted in the form or attached to the form. Applicants may obtain a copy of the full legal description from the Johnson County Records and Tax Administration located at 111 S. Cherry Street, Suite 1200, Olathe, KS 66061. Obtaining a copy of the legal description may require a fee charged by Johnson County Records and Tax Administration. The City will not accept abbreviated legal descriptions from Johnson County AIMS or otherwise on the Consent for Annexation form.

FEES: There are no fees for a Consent Annexation.

NON-CONTIGUOUS ANNEXATION: In most circumstances, properties must be contiguous or adjacent to the existing corporate limits of the City in order to be annexed. The City may, however, agree to annex a property that is not contiguous or adjacent to the corporate limits. This method of annexation is also known as “island” annexation and requires the approval of the Johnson County Board of County Commissioners. Applicants seeking annexation where they would not meet the contiguous or adjacent requirements are asked to submit an application to the City.

The Governing Body will consider a resolution requesting the Johnson County Board of County Commissioners (the “BOCC”) to review and consider the annexation request. Following its adoption by the Governing Body, the resolution will be sent to the BOCC for their action. The BOCC is required to determine whether the annexation request will hinder the proper growth and development of the area or that of any other unincorporated city in the county. The BOCC has thirty (30) days following the receipt of the request from the City to make a determination. No specific notification or public hearing on the issue is required, nor is a Plan for the Extension of Services. Following approval by the BOCC, an annexation ordinance will be forwarded to the Governing Body for review and consideration. Applicants should allow at least two months for island annexation proceedings.

ANNEXATION AGREEMENT: In some cases, the City may require an annexation agreement with a property owner to address any issues that may affect the provision of public services, infrastructure, or other outstanding items concerning the annexation request. The agreement will be prepared by the City following negotiation with the property owners. The City Council will review and consider the approval of the annexation agreement inclusive of and simultaneous to the annexation ordinance.

STAFF REVIEW: All applications for Consent Annexation will be reviewed by City staff. Such review shall provide the Governing Body with the anticipated impact on public services that would result from the annexation. Such factors that will be considered include the impact on: streets and sidewalks, water and sewer utilities, police and fire protection, planning and zoning implications, and financial considerations. Staff will review the request in conjunction with the Comprehensive Plan and Future Land Use Map. Staff will also review the legality of the proposed annexed to determine if state statutes are met prior to moving the application forward to the Governing Body. Staff will prepare a memorandum outlining the anticipated affect on City services, which will be presented to the Governing Body.

GOVERNING BODY REVIEW AND DECISION: Applications for Consent Annexation should be filed with the City Clerk two weeks in advance of a City Council meeting. City Council meets on the second and fourth Thursdays of the month. Applications not meeting the submittal deadline will be considered at the next regular Council meeting. The Governing Body will review the recommendation of the City Administrator and will take action. The Governing Body is not required to approve any request for Consent Annexation.

PUBLICATION AND FILING: Following approval of an ordinance annexing land by the Governing Body, the City shall publish the ordinance in the next edition of the official City newspaper. Staff will file the ordinance with the Johnson County Records and Tax Administration. The publication date shall be the effective date of the annexation ordinance.

REZONING: Section 1.9 of the Unified Development Code requires that all property annexed into the City limits shall carry the county zoning designation for sixty (60) days following the effective date of the annexation. Following the effective date of the annexation, the property owner may apply for rezoning of the annexed property. The Planning Commission shall also prepare an amendment to the zoning map for the annexed property, conduct the necessary public hearing, and submit a rezoning recommendation to the Governing Body for approval.

QUESTIONS: Contact Beth Linn, City Administrator at (913) 893-6231 x115. Applicants may also email the City Administrator at blinn@edgertonks.org.

CONSENT FOR ANNEXATION FORM
(Adjoining Property by Request)

TO: The Governing Body of the City of Edgerton, Kansas.

The undersigned owner of record of the following described land hereby petitions the Governing Body of the City of Edgerton, Kansas to annex such land to the City. The land to be annexed is described as follows:

[Insert or attach full legal description]

The undersigned further warrants and guarantees that they are the only owner(s) of record of the land.

OWNERS OF LAND TO BE ANNEXED:

Signature	Printed Name	Date
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Signature	Printed Name	Date
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Signature	Printed Name	Date
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