

## ORDINANCE NO. 2525 SUMMARY

The City Council of De Soto, Kansas held a Special Meeting on January 11, 2022 to re-annex property that was previously intended to be annexed via Ordinance 2520 (approved on November 18, 2021) but since that time the City learned the legal description submitted for the property to be annexed inadvertently included around 130 acres of land titled in the name of the Johnson County Park & Recreation District (“JCPRD”) and which was not accompanied by a consent to annex. Therefore, on January 11, 2022 the City Council adopted Ordinance No. 2525 annexing into the corporate boundaries of the City of De Soto, Kansas roughly 380 acres of land located west of De Soto, bounded on the east by Edgerton Road, on the south by 103<sup>rd</sup> Street, and on the west and north by K-10 Highway and a separate but adjoining area of land (approximately 6,000 acres but now excluding the JCPRD titled land) that is generally bounded on the north by 103<sup>rd</sup> Street and Lexington Avenue, on the west by Evening Star Road, on the south by the future alignment of 127<sup>th</sup> Street, and on the east by future alignments of String Town Road and Spoon Creek Road, which comprises a majority of the land area north of the future alignment of 127<sup>th</sup> Street that was formerly and commonly known as Sunflower Army Ammunition Plant. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 32905 West 84<sup>th</sup> Street, De Soto, Kansas or at [www.desotoks.us](http://www.desotoks.us) by clicking the links for “Government”, then “City Ordinances”, then “Recently Passed Ordinances”. This summary is certified by Patrick G. Reavey, De Soto City Attorney pursuant to K.S.A. 12-3001, et seq.

## **ORDINANCE NO. 2525**

### **AN ORDINANCE GRANTING ANNEXATION FOR SPECIFIC LAND TO THE CITY OF DE SOTO, KANSAS, PURSUANT TO K.S.A. 12-520(a)(7)**

**WHEREAS**, the owners of the land described within **Exhibit A** attached hereto (which now excludes roughly 130 acres of land titled in the name of Johnson County Park & Recreation District) desire and consent to their land being annexed into the City of De Soto; and

**WHEREAS**, the owners of the land described within the attached **Exhibit A** have filed Consents for Annexation with the City Clerk; and

**WHEREAS**, a portion of the land area to be annexed adjoins the existing jurisdiction of the City of De Soto.<sup>1</sup>

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<sup>1</sup> See *City of Leawood v. City of Overland Park*, 245 Kan. 283, 287, 777 P.2d 830, 833 (1989) (“We thus hold that annexation of multiple contiguous tracts under one hearing and one ordinance is proper where the owners have consented pursuant to K.S.A.1988 Supp. 12–520(a)(7) and part of the annexed land adjoins the city.”).

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DE SOTO, KANSAS:**

**Section 1.** That the property described within **Exhibit A** (attached hereto) is hereby annexed to become part of the incorporated boundaries of the City of De Soto, Kansas, pursuant K.S.A. 12-520(a)(7).

**Section 2.** That pursuant to K.S.A. 12-522, the City Clerk is hereby ordered to file a Certified Copy of this ordinance with the Clerk of Johnson County, Johnson County Records and Tax Administration, and the Johnson County Election Commissioner.

**Section 3.** This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

**PASSED** by the Governing Body of the City of De Soto, Kansas, and approved by the Mayor on the 11<sup>th</sup> day of January 2022.

(Seal)

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Rick Walker, Mayor

ATTEST:

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Brandon Mills, City Clerk

APPROVED AS TO FORM:

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Patrick G. Reavey, City Attorney