

ORDINANCE NO. 2563 SUMMARY

On January 5, 2023, the City Council adopted Ordinance No. 2563 re-annexing (due to an error in the legal description attached to Ordinance 2552) into the corporate boundaries of the City of De Soto, Kansas 2,675.386 acres of land located west of De Soto, generally bounded on the north by an alignment corresponding to 127th Street, on the west by an alignment corresponding to Evening Star Road and, on the south by 143rd Street, and on the east by alignments corresponding to Dillie Road, Sunflower Road, and Spoon Creek Road, which comprises a majority of the land area south of the future alignment of 127th 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 84th Street, De Soto, Kansas or at www.desotoks.us. This summary is certified by Patrick G. Reavey, De Soto City Attorney pursuant to K.S.A. 12-3001, et seq.

ORDINANCE NO. 2563

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

WHEREAS, on December 15, 2022, the City Council adopted Ordinance 2552 annexing land into the corporate boundaries of the City; and

WHEREAS, it has recently come to the City's attention that there was an error in the legal description submitted by the landowner for the annexation.

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

Section 1. That the property described within the attached **Exhibit A** (2,675.386 acres) 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.

Section 4. Ordinance 2552 is hereby repealed due to the error in the legal description attached thereto.

PASSED by the Governing Body of the City of De Soto, Kansas, and approved by the Mayor on the 5th day of January 2023.

(Seal)

Rick Walker, Mayor

ATTEST:

Brandon Mills, City Clerk

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney

EXHIBIT A

A TRACT OF LAND BEING LOCATED IN JOHNSON COUNTY, KANSAS, BEING ALL THAT PART OF SECTIONS 29, 30, 31 AND 32, TOWNSHIP 13 SOUTH, RANGE 22 EAST AND ALL THAT PART OF SECTION 25 AND ALL OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 21 EAST ALL EAST OF THE SIXTH PRINCIPAL MERIDIAN, JOHNSON COUNTY, KANSAS. THE INTENDED USE OF THIS DESCRIPTION IS FOR CREATING AN ANNEXATION MAP AND THEREFORE DOES NOT FALL UNDER K.S.A. 19-1434. IF THIS DESCRIPTION IS USED FOR THE TRANSFER OF PROPERTY OR OWNERSHIP A FIELD SURVEY AND CERTIFICATE OF SURVEY, AND NEW DESCRIPTION, MEETING THE MINIMUM STANDARDS FOR LAND SURVEYS IN KANSAS AND THE REQUIREMENTS OF K.S.A. 19-1434 WOULD NEED TO BE PERFORMED AND FILED FOR RECORD AT THE REGISTER OF DEEDS OFFICE IN JOHNSON COUNTY, KANSAS. THIS PARCEL WAS DESCRIBED BY KENNETH J. DEDRICK, PS-1067 ON THIS 5TH DAY OF OCTOBER 2022 AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE S 89°31'26" W ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1261.93 FEET TO THE POINT OF BEGINNING, THENCE S 18°15'44" W, A DISTANCE OF 1324.47 FEET; THENCE S 00°30'55" W, A DISTANCE OF 261.62 FEET; THENCE S 26°49'18" W, A DISTANCE OF 240.14 FEET; THENCE S 19°23'59" W, A DISTANCE OF 393.04 FEET; THENCE S 22°02'37" E, A DISTANCE OF 108.10 FEET; THENCE S 67°07'30" E, A DISTANCE OF 115.06 FEET; THENCE S 01°59'36" E, A DISTANCE 361.85 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE N 88°00'24" E ON SAID SOUTH LINE, A DISTANCE OF 396.14 FEET; THENCE S 15°31'51" E, A DISTANCE OF 326.81 FEET; THENCE S 19°42'48" E, A DISTANCE OF 174.26 FEET, THENCE S 06°05'06" E, A DISTANCE OF 847.76 FEET, THENCE S 01°03'01" W, A DISTANCE OF 494.40 FEET; THENCE S 21°07'12" W, A DISTANCE OF 845.15 FEET; THENCE S 88°13'49" W, A DISTANCE OF 1523.39 FEET; THENCE N 35°12'53" W, A DISTANCE OF 198.08 FEET; THENCE N 02°04'45" W, A DISTANCE OF 183.68 FEET; THENCE N 02°04'53" W, A DISTANCE OF 194.44 FEET; THENCE S 87°07'31" W, A DISTANCE OF 216.81 FEET; THENCE S 87°07'40" W, A DISTANCE OF 594.39 FEET; THENCE S 02°04'45" E, A DISTANCE OF 1324.33 FEET; THENCE S 73°53'47" E, A DISTANCE OF 1717.15 FEET; THENCE ON A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 700.00 AND AN ARC LENGTH OF 134.18 FEET; THENCE S 84°52'44" E, A DISTANCE OF 567.84 FEET; THENCE ON A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 700.00 FEET AND AN ARC LENGTH OF 147.70 FEET; THENCE N 83°01'54" E, A DISTANCE OF 1617.35 FEET; THENCE N 74°24'08" E, A DISTANCE OF 1357.25 FEET; THENCE S 01°51'19" E, A DISTANCE OF 1105.29 FEET TO A POINT; THENCE S 31°05'10" W, A DISTANCE OF 2422.05 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE S 01°52'56" E ON THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1355.56 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE S 88°20'21" W ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2633.35 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 13 SOUTH, RANGE 22 EAST; THENCE S 88°18'48" W ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2635.41 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 31; THENCE S 88°14'55" W ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2369.18 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 21 EAST; THENCE S 88°30'13" W

ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2641.14 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 36; THENCE S 88°26'30" W ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2645.94 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE N 01°44'54" W ON THE WEST LINE OF SAID SECTION 36, A DISTANCE OF 2689.07 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 36; THENCE N 01°41'46" W ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2692.28 FEET TO THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 13 SOUTH, RANGE 21 EAST; THENCE N 01°53'05" W ON THE WEST LINE OF SAID SECTION 25, A DISTANCE OF 930.44 FEET TO A POINT; THENCE N 65°25'45" E, A DISTANCE OF 2838.80 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 25; THENCE N 02°04'49" W ON THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 573.45 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 25; THENCE N 02°04'49" W ON THE WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 2652.42 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 25; THENCE N 89°24'30" E ON THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 2612.54 FEET TO THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 13 SOUTH, RANGE 22 EAST; THENCE N 87°35'40" E ON THE NORTH LINE OF SAID SECTION 30, A DISTANCE OF 5,026.57 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 13 SOUTH, RANGE 22 EAST; THENCE N 89°31'26" E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1367.55 FEET TO THE POINT OF BEGINNING.

NO FIELD WORK WAS PERFORMED AT THIS TIME AND THIS DESCRIPTION DOES NOT MEET THE REQUIREMENTS OF K.S.A. 19-1434, WHICH REQUIRES A SURVEY TO BE FILED WHEN CREATING A NEW PARCEL OR DESCRIPTION FOR THE TRANSFER OF REAL PROPERTY. THE ABOVE DESCRIPTION IS BASED ON A SURVEY BY DAVID J. SCHAFFER, LS-1240 FILED AT THE JOHNSON COUNTY REGISTER OF DEEDS OFFICE, FOUND IN BOOK 200707, AT PAGE 009088 AND CONTAINS 2,675.386 ACRES MORE OR LESS.