

ORDINANCE NO. 8714

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, ANNEXING APPROXIMATELY 0.35 ACRES, GENERALLY LOCATED EAST OF THE INTERSECTION OF NORTH MICHIGAN STREET AND RIVER RIDGE ROAD IN DOUGLAS COUNTY, KANSAS, INTO THE CITY OF LAWRENCE, KANSAS, PURSUANT TO K.S.A. 12-520(a)(2).

WHEREAS, the City of Lawrence, Kansas, is the owner of record of certain real property, generally located east of the intersection of North Michigan Street and Riverridge Road in Douglas County, Kansas, the legal description of which is set forth at Section 3, *infra*;

WHEREAS, under K.S.A. 2010 Supp. 12-520(a)(2), the City may, by adoption of an ordinance, annex land that it owns;

WHEREAS, under K.S.A. 2010 Supp. 12-520a(f), the City may annex land that it owns under K.S.A. 2010 Supp. 12-520(a)(2) by adoption of an ordinance, without resolution, notice, or a public hearing as generally required by K.S.A. 2010 Supp. 12-520a(a);

WHEREAS, as the owner of record, the City initiated a petition to annex that real property, the legal description of which is set forth at Section 3, *infra*;

WHEREAS, the petition for annexation was referred to the Lawrence-Douglas County Metropolitan Planning Commission for recommendation;

WHEREAS, on February 29, 2012, after giving due and lawful notice, the Lawrence-Douglas County Metropolitan Planning Commission conducted a public hearing on the proposed annexation;

WHEREAS, at the February 29, 2012, public meeting, the Lawrence-Douglas County Metropolitan Planning Commission considered the report and recommendation of City staff, entertained public comment, weighed the evidence adduced at the public hearing, and voted to recommend to the City Commission that it annex the land in question; and

WHEREAS, at its March 27, 2011, public meeting, the Governing Body considered the petition for annexation and the recommendation of the Lawrence-Douglas County Metropolitan Planning Commission.

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

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if repeated verbatim.

SECTION 2. The Governing Body finds that the annexation of that certain real property, generally located east of the intersection of North Michigan Street and River Ridge Road in Douglas County, Kansas, the legal description of which is set forth at Section 3, *infra*, is in the public interest and that such annexation is proper under K.S.A. 2010 Supp. 12-520(a)(2).

SECTION 3. In accordance with the Governing Body's finding, the City hereby annexes into the City the following legally described real property, located in Douglas County, Kansas, to-wit:

THAT PART OF A TRACT OF LAND RECORDED IN BOOK 1024, PAGE 5155 IN THE OFFICE OF THE REGISTER OF DEEDS AND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN IN DOUGLAS COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER ON AN ASSUMED BEARING OF N88°13'06"E, 360.00 FEET TO POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE N88°13'06"E, 140.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE ALONG THE EAST LINE OF SAID TRACT S01°51'55"E, 105.00 FEET; THENCE S88°13'06"W, 140.00 FEET; THENCE N01°51'55"W, 105.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED CONTAINS 14,700 SQUARE FEET, MORE OR LESS.

SECTION 4. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

ADOPTED by the Governing Body of the City of Lawrence, Kansas, this 27th day of March, 2012.

APPROVED:

Aron E. Cromwell
Mayor

ATTEST:

Jonathan M. Douglass
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni R. Wheeler

City Attorney

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.