

Resolution #15-4

A RESOLUTION OF THE CITY OF DOWNS, KANSAS DECLARING AN INTEREST IN, AND ESTABLISHING A PUBLIC HEARING DATE FOR CONSIDERING THE ANNEXATION OF CERTAIN LANDS TO THE CITY OF DOWNS, KANSAS

WHEREAS, the governing body of the City of Downs, Kansas is interested in the unilateral annexation of certain eligible properties to the city of Downs, Kansas pursuant to K.S.A. 12-519 et seq.: and

WHEREAS, a Report Setting Forth Plans for Extension of Services to the area proposed to be annexed has been prepared as required by K.S.A. 12-520b

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DOWNS, KANSAS:

SECTION 1. The City of Downs, Kansas is considering annexing eligible properties in Osborne County, Kansas located North of Highway 24 in the South Half of Section 21, Township 6, Range 11 West of the 6th P.M.. These include the lots tracts and lands in Osborne, County, Kansas legally described in "Exhibit A" attached hereto, and incorporated herein by reference.

SECTION 2. A report setting forth plans for extending to the area proposed to be annexed the major municipal services available to residents of the City of Downs, Kansas is on file with the city clerk at 715 Railroad Ave., and is available for inspection during regular office hours.

SECTION 3. A sketch of the lots, tracts and lands proposed to be annexed is marked as Sketch No. 1, attached hereto, and incorporated herein by this reference.

NOTICE OF PUBLIC HEARING

SECTION 4. Notice is hereby given that a public hearing will be held by the Governing Body of the City of Downs, Kansas on FEBRUARY 1, 2016 AT 6:00 P.M. at City Hall located at 715 Railroad Ave., during which the proposal for annexation, including the plan for extension of municipal services, will be presented and comments from all interested persons shall be heard.

SECTION 5. Within 10 days of the adoption, the City Clerk of the City of Downs, Kansas shall by certified mail serve a copy of this Resolution and sketch of the area proposed to be annexed on all owners of land within the area proposed to be annexed and other interested parties and entities prescribed in K.S.A. 12-519 et seq..

SECTION 6. This Resolution and sketch of the area proposed to be annexed shall be published once in the official city newspaper not less than one week nor more than two weeks preceding

said public hearing..

ADOPTED AND APPROVED by the Governing Body of the City of Downs, Kansas, this 21st day of December, 2015.

ATTEST:

Jennifer Brush, Mayor

Vickie Oviatt, City Clerk
[seal]

SKETCH

EXHIBIT A
LEGAL DESCRIPTIONS.

Begnoche's

A tract of land in the Southeast Quarter (SE $\frac{1}{4}$) of Section 21, Township 6 South, Range 11 West of the 6th P.M., Osborne County, Kansas, more particularly described as follows: Beginning 70 feet West of the West end of the East and West diameter of the Standpipe owned by the City of Downs, Kansas, running thence South to the North line of the right-of-way of the US Highway No. 24, thence West 150 feet, thence North 110 feet, thence East 150 feet, thence South to the place of beginning subject to restrictions, reservations and easements of records

Jason's LLC

A tract of land situated in the Southeast Quarter (SE $\frac{1}{4}$) of Section 21, Township Six (6) South, Range Eleven (11) West of the sixth p.m., Osborne County, Kansas, more particularly described as follows: BEGINNING at a point 6 feet South of the South end of the North and South diameter of the standpipe owned by the City of Downs, Kansas, thence East To the West line of Highway 181, thence South on the West line of said highway to the north line of U.S Highway 24, thence West 150 feet, thence North to a point directly West of the point of beginning, thence East to the point of beginning, all being located in the Southeast Corner of said Section 21 and

A tract of land situated in the Southeast Quarter of Section 21, Township 6 South, Range 11 West of the 6th P.M., Osborne County, Kansas, more particularly described as follows: Beginning at a point 40 feet West and 6 feet South of the South end of the North and South diameter of the standpipe owned by the City of Downs, Kansas, thence North 88.2 feet parallel with Highway 181 to a point, thence West 36 feet parallel with US. Highway 24 to a point, thence South 88.2 feet parallel with Highway 181, thence East 36 feet parallel with U.S. Highway 24 to the point of beginning.

All subject to easements, rights-of-way, highway condemnations, reservations and restrictions of record.

Miller's

A tract of land in the Southwest Quarter (SW $\frac{1}{4}$) of Section 21, Township 6 South, Range 11 West of the 6th P.M., Osborne County, Kansas, more particularly described as follows: Beginning at a point 376 feet West of the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) Section 21, Township 6 South, Range 11 West of the 6th P.M., Osborne County, Kansas; thence West along the South line of said Section line 592.21 feet to a point; thence North 710 feet to a point; thence East 592.21 feet to a point; thence South 710 feet to the point of beginning. Subject to existing highways, easements, water and other rights of way as appears of record.

Brian R Sharp

A tract of land 23 rods North and South and 31 rods East and West in the Southeast corner of the South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 21, Township 6 South, Range 11 West of the 6th P.M., Osborne County, Kansas, except tracts owned by the City of Downs and James VanderGeisen, said tract being more particularly described as follows: Beginning at a point on the North line of US Highway 24, 350 feet West and 50.6 feet North of the Southeast corner of Section 21, Township 6 South, Range 11 West of the 6th P.M.; thence West along the North right-of-way of US Highway 24 a distance of 215.8 feet, thence North parallel with West Line of Kansas Highway No. 181 a distance of 379.5 feet, thence East parallel with the North line of US Highway No. 24 a distance of 511.5 feet to a point on the West line of Kansas Highway No. 181, 430.1 feet North and 54.3 feet West of the Southeast corner of Section 21, Township 6 South, Range 11 West of the 6th P.M.; thence South along the West line of Kansas Highway No. 181 a distance of 230.1 feet, thence West parallel with the North line of US Highway No. 24 a distance of 145.7 feet, thence South parallel with the West line of Kansas Highway No. 181 a distance of 39.4 feet, thence West parallel with the North line of US Highway No. 24 a distance of 150 feet; thence South 110 feet to the place of beginning.