

ORDINANCE NO. 2395 SUMMARY

On March 17, 2016, the City of De Soto, Kansas adopted Ordinance No. _____ annexing approximately two acres of land at the Southeast corner of 95th Street and Sunflower Road into the corporate boundaries of the City of De Soto, Kansas so that, upon commencement of the City's construction of a water tower on the site, the land will be subject to the jurisdiction of the City. A complete copy of this ordinance is available at www.desotoks.us or at City Hall, 32905 West 84th Street, De Soto, Kansas. This summary is certified by Patrick G. Reavey, City Attorney.

ORDINANCE NO. 2395

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

WHEREAS, the City has entered into a lease agreement for approximately two acres of land at the Southeast corner of 95th Street and Sunflower Road (hereinafter "Water Tower Site"), and said lease will eventually be converted to fee simple ownership of the Water Tower Site by the City; and

WHEREAS, the City will be constructing a new City water tower on the Water Tower Site and, in so doing, desires that the Water Tower Site be subject to the jurisdiction of the City; and

WHEREAS, K.S.A. 12-520(a)(7) allows the City to annex any land adjoining the City that the owner thereof has signed a consent authorizing annexation of the land; and

WHEREAS, the owner of the Water Tower Site has submitted a consent to annex with the City Clerk, said consent attached hereto as **Exhibit A**.

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

Section 1. That the Water Tower Site described in **Exhibit B** hereto is hereby annexed to become part of the incorporated boundaries of the City of De Soto, Kansas pursuant to 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, the Register of Deeds of Johnson County, 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.

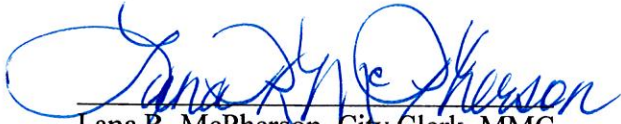
PASSED by the Governing Body of the City of De Soto, Kansas, and approved by the Mayor on the _____ day of March, 2016.

(Seal)



Timothy J. Maniez, Mayor

ATTEST:



Lana R. McPherson, City Clerk, MMC

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney

Exhibit A

Consent to Annex

To be inserted prior to the Council
meeting on March 17, 2016

RECEIVED

MAR 13 2016

CITY OF DE SOTO

CONSENT FOR ANNEXATION
(Adjoining Property By Consent)

TO: The Governing Body of the City of De Soto, Kansas.

The undersigned owner of record of the land described in the attached **Exhibit A** hereby consents to the City of De Soto, Kansas annexing such land, but this consent is conditioned on the City's agreement that it: (1) Will not use its ownership and/or leasehold rights of the land to fulfill any conditions of annexation for any other portions of Sunflower Army Ammunition Plant without the prior written consent of the undersigned landowner, or their successors; and (2) In the event that the City permanently discontinues its operation of the water tower located on the land, then the City agrees to de-annex the land in a diligent and timely manner following a written request thereof from the undersigned landowner, or their successors.

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

OWNER OF LAND TO BE ANNEXED:

SUNFLOWER REDEVELOPMENT, LLC

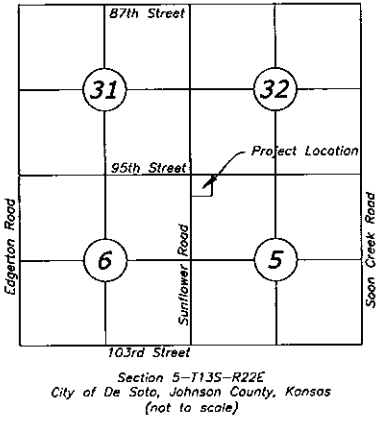
By: KH Sunflower LLC, its Manager

By: _____


John DeHardt, Member

Dated: 3-8-16

Boundary Lease Description



Survey Legend

- Section Line
- Right of Way Line
- Property Line
- Overhead Electrical Line
- Underground Communications Line
- Water Supply Line
- Sanitary Sewer Line
- Fence Line
- Natural Gas Line
- Section Corner (as noted)
- Set Survey Monument (as noted)
- Power Pole
- Fire Hydrant
- Water Valve
- Water Meter
- Communications Box
- Sanitary Sewer Manhole
- Post / Ballord
- Tree (as noted)
- Natural Gas Meter

