

ORDINANCE NO. 2426 SUMMARY

On October 19, 2017, the City of De Soto, Kansas adopted Ordinance No. 2426 annexing tracts of land titled in the name of “Intervet, Inc.” and with its consent, which tracts adjoin Sunflower Road and within such tracts are portions of raw water mains that transport water from the City operated water wells to the Sunflower Water Treatment Plant. 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. 2426

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

WHEREAS, the City recently approved Plats of land titled in the name of Intervet, Inc., specifically the “Final Plat of Merck Main Campus” and the “Final Plat of Merck Farm II” (hereinafter “Merck Plats”); and

WHEREAS, when the Merck Plats were submitted to Johnson County for recording, Johnson County did not accept them because a portion of the land depicted on the Plats (listed as being owned by the U.S. Government on Johnson County’s land records) had not been annexed into the City; and

WHEREAS, the un-annexed land on the Merck Plats adjoins the City boundary and contains within it a portion of the raw water mains that the City currently uses to transport water from the well field to the Sunflower Water Treatment Plant; and

WHEREAS, following discussion with Johnson County about the land interest held by the U.S. Government being an “easement”, and not fee simple title to the land, Johnson County has agreed the un-annexed land should be reflected in Johnson County’s land records as being owned by Intervet, Inc. and not the U.S. Government; and

WHEREAS, the City now has received a Consent to Annex from Intervet, Inc. (attached as **Exhibit A**), which allows the City to annex the land -- pursuant to K.S.A. 12-520(a)(7) -- by passage of an Ordinance; and

WHEREAS, the City has future plans for upgrading the water mains that are within the un-annexed land and desires that any such work be subject to the jurisdiction of the City, rather than Johnson County; and

WHEREAS, annexing the un-annexed land will allow the Merck Plats to be recorded with Johnson County.

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

Section 1. That the Tracts of land described in the attached Consent for Annexation (*See Exhibit A and Exhibit B* thereto) are 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 19th day of October, 2017.

(Seal)

Timothy J. Maniez, Mayor

ATTEST:

Lana R. McPherson, City Clerk, MMC

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney