

RESOLUTION NO. ____ - ____

A RESOLUTION OF THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS, NOTIFYING THE CITY OF ANDOVER (THE CITY) OF THE EXISTENCE OF A HIGHWAY WHICH HAS NOT BECOME PART OF THE CITY BY ANNEXATION AND WHICH HAS A COMMON BOUNDARY WITH THE CITY.

WHEREAS, under K.S.A. 2011 Supp. 12-520(f), the Board of County Commissioners of Sedgwick County, Kansas, (the Board) may notify a city whenever there exists any highway which has not been made part of a city by annexation, and said highway has a common boundary with the city; and

WHEREAS, under K.S.A. 77-201 *Fifth* the term “highway” includes public bridges and county roads; and

WHEREAS, the Board has determined the highway described below (the highway), as shown in the attached map, is not part of the City of Andover (the City), and the highway shares a common boundary with the City; and

WHEREAS, following receipt of this notification from the Board the City is required to certify by ordinance that the described highway is not currently part of the City and shares a common boundary with the City; and then in said ordinance declare the highway is annexed to the City as of the date of publication of said ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS:

SECTION 1. The Board hereby certifies and notifies the City the highway described below, and as further shown on the attached map, is not currently part of the City by annexation, and the highway shares a common boundary with the City.

SECTION 2. The highway legal description is:

That portion of 159th Street East located generally between Highway US-54 and Central and more particularly described as: Beginning at the Southwest corner of Section 19, Township 27 South, Range 3 East, of the 6th P.M., Butler County, Kansas; thence N 00°50'00” W, along the West line of said Section 19, a distance of 2653.35 feet to the West Quarter corner of said Section 19, also being the Southwest corner of Government Lot 2 in said Section; thence N 00°44'09” W, along the West line of said Section, a distance of 2068.86 feet, more or less, to a point 588.55 feet South of the Northwest corner of said Section 19; said point being on the North line of the South 20 acres of Government Lot 1 in said Section 19; thence East along the North line of the South 20 acres of said Government Lot 1, a distance of 25 feet; thence S 00°44'09” E, 25 feet East of and parallel to the West line of said Section 19, a distance of 2068.86 feet, more or less, to a point 25 feet East of the

West Quarter corner of said Section 19, also being on the South line of Government Lot 2 in said Section 19; thence S 00°50'00" E, parallel to the West line of said Section 19, a distance of 2653.35 feet, more or less, to a point on the South line of said Section 19; thence West 25 feet to the point of Beginning.

SECTION 3. This Resolution shall become effective upon its approval and passage by the governing body of the Sedgwick County, Kansas. The Director of Public Works is authorized to send this resolution to the City following its approval and passage. Following receipt of the resolution, the City is requested to certify the facts certified in Section 1 are correct; and the City declare annex the highway described in Section 2 as part of the City of Andover.

PASSED AND APPROVED by the governing body of Sedgwick County, Kansas this ___ day of _____, 2012.

BOARD OF COUNTY COMMISSIONERS
Sedgwick County, Kansas

By _____
Tim R. Norton, Chairman – Second District

ATTEST:

APPROVED AS TO FORM:

By _____
Kelly B. Arnold, County Clerk

By: Robert W. Parnacott
Robert W. Parnacott
Assistant County Counselor

[Attachment – Map showing highway to be annexed]