

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION PURSUANT TO K.S.A. 12-520c TO FIND AND DETERMINE THAT THE PROPOSED ANNEXATION BY THE CITY OF CLEARWATER WILL NOT HINDER OR PREVENT THE PROPER GROWTH AND DEVELOPMENT OF THE AREA OR THAT OF ANY OTHER INCORPORATED CITY LOCATED IN SEDGWICK COUNTY**

**WHEREAS**, K.S.A. 12-520c sets forth a procedure where a city may request the Board of County Commissioners (the Board) to find and determine whether a proposed annexation by the City of Clearwater (the City) will hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County; and

**WHEREAS**, on December 29, 2015, the clerk of the City submitted a certified copy of a Resolution No. 14-2015 requesting the Board make the statutory finding; and

**WHEREAS**, the Board, after considering the information provided, has found and determined that the proposed annexation by the City will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, THAT THE CITY BE NOTIFIED OF THESE FINDINGS AND DETERMINATIONS:**

**Section I.** On December 29, 2015, the clerk of the City filed with the Sedgwick County Board of County Commissioners a certified copy of Resolution No. 13-2015, pursuant to K.S.A. 12-520c. The Board considered this matter at its regular agenda on January 20, 2016.

**Section II.** The land proposed to be annexed is located entirely within Sedgwick County, and it is generally described as land located near the intersection of 79<sup>th</sup> Street South and 135<sup>th</sup> Street West, and is specifically described in the City's resolution cited in the above section.

**Section III.** The owners of the land described have consented to annexation into the City by filing a Petition for Annexation with the City.

**Section IV.** The Board hereby finds and determines that sufficient information has been presented to the Board to support a finding that the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County; and therefore, the Board finds and determines that based on the available evidence, the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County.

**Section V.** This resolution will take effect upon its passage. The County Counselor's office is directed to send a copy of this resolution by mail to the City of Clearwater.

Commissioners present and voting were:

|                 |       |
|-----------------|-------|
| DAVID M. UNRUH  | _____ |
| TIM R. NORTON   | _____ |
| KARL PETERJOHN  | _____ |
| RICHARD RANZAU  | _____ |
| JAMES M. HOWELL | _____ |

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

ATTEST:

\_\_\_\_\_  
KELLY B. ARNOLD, County Clerk

\_\_\_\_\_  
JAMES M. HOWELL, Chairman  
Commissioner, Fifth District

\_\_\_\_\_  
RICHARD RANZAU, Chair Pro Tem  
Commissioner, Fourth District

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JUSTIN M. WAGGONER,  
Assistant County Counselor

\_\_\_\_\_  
DAVID M. UNRUH  
Commissioner, First District

\_\_\_\_\_  
TIM R. NORTON  
Commissioner, Second District

\_\_\_\_\_  
KARL PETERJOHN  
Commissioner, Third District