

RESOLUTION NO. _____

A RESOLUTION PURSUANT TO K.S.A. 12-520c TO FIND AND DETERMINE THAT THE PROPOSED ANNEXATION BY THE CITY OF DERBY 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 Derby (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 August 8, 2018, Sedgwick County received a copy of City Resolution No. 15-2018, which had been submitted by the Clerk of the City, and within which the City requests 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 August 8, 2018, the Clerk of the City filed with the Sedgwick County Board of County Commissioners a certified copy of Resolution No. 15-2018, pursuant to K.S.A. 12-520c. The Board considered this matter at its regular agenda on September 5, 2018.

Section II. The land proposed to be annexed is located entirely within Sedgwick County, and it is generally described as land located to the south and east of the intersection of 79th Street South and Webb Road, and is specifically described in the City's resolution cited in the above section.

Section III. The owners of the land described have requested annexation into the City by filing a Request for Annexation by Consent form 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.

Commissioners present and voting were:

DAVID M. UNRUH
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
RICHARD RANZAU
JAMES M. HOWELL

Dated this _____ day of _____, 2018.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS


ATTEST:

KELLY B. ARNOLD, County Clerk

DAVID T. DENNIS, Chairman
Commissioner, Third District

DAVID M. UNRUH, Chair Pro Tem
Commissioner, First District

APPROVED AS TO FORM:



JUSTIN M. WAGGONER
Assistant County Counselor

MICHAEL B. O'DONNELL, II
Commissioner, Second District

RICHARD RANZAU
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District