

ORDINANCE NO. 8771

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, ANNEXING APPROXIMATELY 0.37 ACRES, LOCATED GENERALLY ON NORTH MICHIGAN STREET, EAST OF PIN OAK DRIVE, IN THE NORTHEAST QUARTER OF SECTION OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, INTO THE CITY OF LAWRENCE, KANSAS, PURSUANT TO K.S.A. 12-520(a)(2).

WHEREAS, the City of Lawrence, Kansas, is the owner of record of certain real property located generally on North Michigan Street, east of Pin Oak Drive, in Douglas County, Kansas, the legal description of which is set forth at Section 3, *infra*;

WHEREAS, under K.S.A. 2010 Supp. 12-520(a)(2), the City may, by adoption of an ordinance, annex land that it owns;

WHEREAS, under K.S.A. 2010 Supp. 12-520a(f), the City may annex land that it owns under K.S.A. 2010 Supp. 12-520(a)(2) by adoption of an ordinance, without resolution, notice, or a public hearing as generally required by K.S.A. 2010 Supp. 12-520a(a);

WHEREAS, as the owner of record, the City initiated a petition to annex that real property, the legal description of which is set forth at Section 3, *infra*;

WHEREAS, the petition for annexation was referred to the Lawrence-Douglas County Metropolitan Planning Commission for recommendation;

WHEREAS, on July 23, 2012, after giving due and lawful notice, the Lawrence-Douglas County Metropolitan Planning Commission conducted a public hearing on the proposed annexation;

WHEREAS, at the July 23, 2012, public meeting, the Lawrence-Douglas County Metropolitan Planning Commission considered the report and recommendation of City staff, entertained public comment, weighed the evidence adduced at the public hearing, and voted to recommend to the City Commission that it annex the land in question; and

WHEREAS, at its August 7, 2012, public meeting, the Governing Body considered the petition for annexation and the recommendation of the Lawrence-Douglas County Metropolitan Planning Commission.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if repeated verbatim.

SECTION 2. The Governing Body finds that the annexation of that certain real property, located generally on North Michigan Street, east of Pin Oak Drive, in Douglas County, Kansas, the legal description of which is set forth at Section 3, *infra*, is in the public interest and that such annexation is proper under K.S.A. 2011 Supp. 12-520(a)(2).

SECTION 3. In accordance with the Governing Body's finding, the City hereby annexes into the City the following legally described real property, located in Douglas County, Kansas, to-wit:

THE NORTH 120.00 FEET OF THE WEST 133.00 FEET OF A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE NORTH ONE-HALF OF THE NORTHEAST QUARTER; THENCE SOUTH ON THE WEST LINE OF SAID NORTHEAST QUARTER, 427 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, 919 FEET; THENCE NORTH PARALLEL TO THE WEST LINE OF THE NORTHEAST QUARTER, 427 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE WEST ON THE NORTH LINE OF SAID NORTHEAST QUARTER, 919 FEET TO THE POINT OF BEGINNING

THE ABOVE DESCRIBED CONTAINS 15,960 SQUARE FEET, MORE OR LESS; ENCUMBERED BY 3,960 SQUARE FEET OF ROAD RIGHT-OF-WAY.

SECTION 4. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

ADOPTED by the Governing Body of the City of Lawrence, Kansas, this ___ day of August, 2012.

APPROVED:

Robert J. Schumm
Mayor

ATTEST:

Jonathan M. Douglass
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni R. Wheeler
City Attorney

NOTICE TO PUBLISHER

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.