

(Published at www.belaireks.gov on December, _____, 2024.)

ORDINANCE NO. _____

AN ORDINANCE INCLUDING, INCORPORATING, AND ANNEXING
CERTAIN LAND INTO THE LIMITS AND BOUNDARIES OF THE CITY
OF BELAIRE, KANSAS.

WHEREAS, the Sedgwick County Board of County Commissioners (the "Board")
passed Resolution No. 223-2024 on October 23, 2024, notifying the City of Bel Aire
(the City) under K.S.A. 12-520(e) of the existence of highways which have not become
part of the City by annexation and which have common boundaries with the City; and

WHEREAS, the Board requests the City certify by ordinance that the facts
shown in Section 1 of Resolution No. 223-2024 are correct and declare the highways
described in Section 2 of Resolution No. 223-2024 to be annexed to the City, as of the
date of the publication of this City ordinance; and

WHEREAS, K.S.A. 12-520(f) allows the governing body of any city by one
ordinance to annex one or more separate, platted tracts or lands when some part of
the land adjoins the City. Pursuant to K.S.A. 12-520(1)(f), no resolution, notice, or public
hearing is required in these instances; and

WHEREAS, the Governing Body of the City finds it reasonable to annex such
land.

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

SECTION 1. The City certifies that the facts shown in Section 1 of Resolution
NO. 223-2024 are correct. The highways described in Section 2 below, and as further
shown on the attached map, are not currently part of the City by annexation and have
a common boundary with the City. In accordance with K.S.A. 12-520(e), the City
declares the highways described in Section 2 below to be annexed into the corporate
limits of the City, as of the date of the publication of this ordinance.

SECTION 2. The highways' legal descriptions are:

- a. A tract of land in the Southeast Quarter of Section 18, Township 26 South,
Range 2 East of the 6th P.M., Sedgwick County, Kansas described as follows:
Beginning at the Southeast Corner of said Southeast Quarter; thence West
along the South line of said Southeast Quarter, to a point 50 feet West of the

East line of said Southeast Quarter; thence North parallel with said East line, to a point 486.03 feet North of the Southeast Corner of said Southeast Quarter; thence East perpendicular to the East line of said Southeast Quarter a distance of 50 feet, to the East line of said Southeast Quarter; thence South along said East line a distance of 486.03 feet to the Point of Beginning. EXCEPT the South 30 feet thereof previously annexed; and

- b. A tract of land in the Northeast Quarter of Section 17, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence S 0°38'35" E along the East line of said Northeast Quarter, a distance of 364.28 feet to the Point of Beginning; thence S 89°21'25" W perpendicular to the East line of said Northeast Quarter a distance of 50 feet; thence N 65°12'30" W along the southerly line of State Highway Right-of-Way, a distance of 22.15 feet, to a point 70 feet West of the East line of said Northeast Quarter thence S 0°38'35" E parallel with the East line of said Northeast Quarter, to the South line of said Northeast Quarter; thence East along the South line of said Northeast Quarter a distance of 70 feet, more or less, to the Southeast Corner of said Northeast Quarter; thence N 0°38'35" W along the East line of said Northeast Quarter to the Point of Beginning; and

- c. A tract of land in the Northwest Quarter of Section 16, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas described as follows: Commencing at the Northwest Corner of said Northwest Quarter; thence South along the West line of said Northwest Quarter a distance of 364.28 feet to the Point of Beginning; thence East perpendicular to the West line of said Northwest Quarter a distance of 60 feet; thence South parallel with the West line of said Northwest Quarter, to the South line of the North Half of said Northwest Quarter; thence East along the South line of said North Half a distance of 10 feet, more or less, to a point 70 feet East of the West line of said Northwest Quarter; thence South parallel with the West line of said Northwest Quarter to the South line of said Northwest Quarter; thence West along the South line of said Northwest Quarter, a distance of 70 feet, more or less, to the Southwest Corner of said Northwest Quarter; thence North along the West line of said Northwest Quarter to the Point of Beginning.

SECTION 3. The Board's Notice and Resolution No. 223-2024 are attached as Exhibit A and incorporated herein, by reference. A map illustrating the (3) tracts of land to be annexed by the City is attached as Exhibit B and incorporated herein by reference.

SECTION 4. Should any section, clause, sentence, or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent

jurisdiction, such invalidity shall not affect the validity of any remaining provisions nor the annexation of any unaffected tract described herein.

SECTION 5. Effective Date. This ordinance shall take effect and be in full force from and after its adoption by the Governing Body of the City, approval by the Mayor and publication once in the official city newspaper.

SECTION 6. The City Clerk shall certify a copy of this ordinance to the Sedgwick County Clerk, the Sedgwick County Register of Deeds, and the Sedgwick County Election Commissioner for filing, all in accordance with K.S.A. 12-522, and amendments thereto.

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125 Passed by the Governing Body of the City of Bel Aire, Kansas on the ____ day of
126 December, 2024.

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128 Signed by the Mayor on the ____ day of December, 2024.

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131 CITY OF BEL AIRE, KANSAS
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136 Jim Benage, Mayor
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138 ATTEST:
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143 Melissa Krehbiel, City Clerk
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146 APPROVED AS TO FORM ONLY:
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151 Maria A. Schrock, City Attorney