CITY OF BEL AIRE

CONSENT TO AND AGREEMENT FOR ANNEXATION

This consent to and agreement for annexation is made and entered into as of the _____ day of _____,2023, by and between the City of Bel Aire, Kansas, a municipal corporation of the State of Kansas, and LEONAL W. KILGORE REVOCABLE TRUST who hold(s) fee simple title to the real property hereinafter described.

WHEREAS, LEONAL W. KILGORE REVOCABLE TRUST who hold(s) fee simple title to the real property hereinafter described, desires the annexation of said real property into the corporate boundaries of the City of Bel Aire, Kansas; and

WHEREAS, the Governing Body of the City of Bel Aire, Kansas desires to annex said real property into the corporate boundaries of the City of Bel Aire, Kansas;

WHEREAS, Parties agree to the following conditions of Annexation:

1.   Property Owner(s) may elect when to attach to City water and sewer services unless the City determines by the City Engineer there is a demonstrable need to require the property be attached at a specific time, owner(s) shall be required to connect to City water and/or sewer services upon written City request. The right to connect at a later times shall inure to and run with said real property and as such shall be binding upon their heirs and assigns. No Specials for additional taxes for water or sewer services shall be levied on Owner until such time Owner is required to connect to the service.

2.   Upon owner request, City shall grant the legally described property a 5 year rebate for City taxes. Bel Aire taxes may be rebated in the following increments for the first 5 tax years following this annexation:

    YEAR 1: 100 percent of Bel Aire tax portion

    YEAR 2: 100 percent of Bel Aire tax portion

    YEAR 3: 100 percent of Bel Aire tax portion

    YEAR 4: 75 percent of Bel Aire tax portion

YEAR 5: 75 percent of Bel Aire tax portion

This rebate shall inure to and run with said real property until the year 2029 and as such shall be available to their heirs and assigns through that year.

3. Pursuant to Bel Aire Code 7.3.2. (E), the current owners of this property and heirs shall be authorized to maintain animals, pets, livestock and structures to house those animals, pets, and livestock on the property pursuant to this agreement, so long as those animals are maintained in ratios and conditions that are in accordance with the Sedgwick County Code and Kansas State livestock care standards. Exotic snakes, turtles, pigs and all inherently dangerous animals as defined in the City code are prohibited. As with any other property within City limits, limitations or prohibitions may be invoked by the City if the City makes a finding that any animal, pet, or livestock is violating an aspect of the City Code.

4. Zoning will be AG until such time as applied for change if any by Owner(s).

NOW, THEREFORE, LEONAL W. KILGORE REVOCABLE TRUST who hold(s) fee simple title to the following real property, does hereby request, petition and consent to the annexation to be effective as of June 30, 2023, pursuant to K. S. A. 12-520 (7), into the corporate boundaries of the City of Bel Aire, Kansas by the Governing Body of the City of Bel Aire, Kansas, of the following real property, to-wit:

[W 328.7 FT N 1123 FT E1/2 NW1/4 EXC BEG 318.85 FT E NW COR E 1/2 NW 1/4 TH E 9.86 FT TH S 532.22 FT TH NWLY 447.95 FT TH N 84.30 FT TO BEG & EXC RD ON N SEC 24-26-1E]

AND

[E 135 FT N 1123 FT W1/2 NW1/4 SEC 24-26-1E]

AND

[BEG NE COR LOT 15 JOHN SAVUTE ADD TH N 590.82 FT TH SELY 52.33 FT TH SELY 439.48 FT TH S 89.62 FT TH SWLY 14.44 FT TO E LI LOT 15 JOHN SAVUTE ADD TH N TO BEG SEC 24-26-1E]

AND

[NLY 1 FT M/L LOT 15 JOHN SAVUTE ADD TO BEL AIRE]

AND

[RESERVE EE CHAPEL LANDING ADD]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.
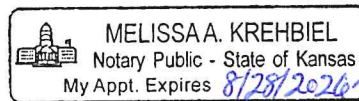
Executed this _____9th_____ day of _____March_____, 2023.

LEONAL W. KILGORE REVOCABLE TRUST

By:_____

Leonal W. Kilgore, Trustee

By:_____

Joanna L. Kilgore, Trustee

State of Kansas
County of Sedgwick

This instrument was acknowledged before me on March 9, 2023

by Leonal W. Kilgore, Trustee and Joanna L. Kilgore, Trustee

NOTARY PUBLIC
(Notary stamp)
My appointment expires: 8/28/2026

THIS AGREEMENT was approved by vote the City Council of the City of Bel Aire, Kansas on the _____ day of _____, 2023 and is hereby executed on this _____ day of _____, 2023.

_____
MAYOR, JIM BENAGE

SEAL

ATTEST:

_____
CITY CLERK, MELISSA KREHBIEL

State of Kansas

County of Sedgwick

This instrument was acknowledged before me on _____

by _____.

_____
NOTARY PUBLIC
(Notary stamp)

My appointment expires: _____