

(Published in Miami County Republic on February 8, 2023)

ORDINANCE NO. 3823

ORDINANCE 3823 AN ORDINANCE EXCLUDING LAND FROM THE CITY OF OSAWATOMIE, KANSAS

WHEREAS, the following described land is completely bounded by the city of Osawatomie, Kansas; and

WHEREAS, a petition from the landowners of this area was duly filed with the City Clerk of the City of Osawatomie, Kansas dated June 23, 2022, pursuant to K.S.A. 12-504 and K.S.A. 12-505, as amended.

Section 1. Land to be excluded from the city. That the following described land, meeting the conditions for deannexation described in K.S.A. 12-504 and K.S.A. 12-505, as amended be excluded from the City of Osawatomie.

All that part of the Southwest Quarter of Section 1, Township 18, Range 22, Miami County, Kansas described as follows: All of the West Half of the Southwest Quarter of said Section 1, lying West of the Westerly right-of-way line of U.S. 169 Highway as now established, and all of the East Half of the Southwest Quarter of said Section 1, lying West of the Westerly right-of-way line of U.S. Highway 169 and South of the Southerly right-of-way line of West 339th Street as now established. Excepting the following:

Bk. 2018 Pg. 2370

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Osawatomie, County of Miami, State of Kansas.

A tract of land in the Northeast Quarter of the Southwest Quarter of Section 1, Township 18 South, Range 22 East of the Sixth Principal Meridian, being more particularly described as follows: Beginning at the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 1, Township 18 South, Range 22 East of the Sixth Principal Meridian; thence South 01 degrees 43 minutes 24 seconds East for a distance of 229.70 feet, deed and measured, along the West line of the Northeast Quarter of said Quarter Section to the true point of beginning, said point being on the right of way line of Highway 169; thence South 78 degrees 05 minutes 00 seconds East for a distance 284.50 feet, deed and measured, along said Highway right of way; thence South 57 degrees 38 minutes East for a distance of 509.2 feet, by deed, South 57 degrees 23 minutes 21 seconds East for a distance of 509.24 feet, measured, along said right of way; thence South 23 degrees 16 minutes West, by deed, South 23 degrees 24 minutes 45 seconds West for a distance of 825.79 feet, measured, along said right of way to a point on the South line of the Northeast Quarter of said Southwest Quarter; thence South 89 degrees 30 minutes 17 seconds West for a distance of 346.30 feet, deed and measured, along said South

line to the Southwest corner of the Northeast Quarter of said Quarter Section; thence North 01 degrees 43 minutes 24 seconds West for a distance of 1094.48 feet along the West line of the Northeast Quarter of said Quarter Section to the true point of beginning, in Miami County, Kansas, EXCEPT:

A tract of land in the Northeast Quarter of the Southwest Quarter of Section 1, Township 18 South, Range 22 East of the 6th P.M., described as follows: Commencing at the Southwest corner of said Northeast Quarter of said Southwest Quarter Section, thence on an assumed bearing of North 89 degrees 19 minutes 16 seconds East, 105.552 meters (346.30 feet) along the South line of said Northeast Quarter to the Westerly right of way line of the existing highway and the point of beginning, First Course, thence North 23 degrees 14 minutes 54 seconds East, 251.640 meters (825.59 feet) along said right of way line, Second Course, thence North 57 degrees 39 minutes 06 seconds West, 14.875 meters (48.80 feet) along said right of way line, Third Course, thence South 17 degrees 08 minutes 24 seconds West, 100.742 meters (330.52 feet), Fourth Course, thence South 27 degrees 35 minutes 54 seconds West, 106.972 meters (350.96 feet); Fifth Course, thence South 08 degrees 52 minutes 42 seconds West, 48.682 meters (159.72 feet) to the point of beginning. Note: Being Parcel No. 171-01-0-30-01-001.000, of the City of Osawatomie, County of Miami.

Bk. 2017 Pg. 1241

A tract of land described in Section 1, Township 18 South, Range 22 East of the 6th P.M., Miami County, Kansas, Being all the land described in the instrument recorded in Book 511, Page 24-25 in the Office of the Register of Deeds in and for said Miami County, Kansas and described verbatim as follows:

“(u) A tract of land in the Southeast Quarter of the East Half of the Southwest Quarter of Section 1, Township 18 South, Range 22 East of the 6th P.M., described as follows: COMMENCING at the Northwest corner of said Southeast Quarter; thence on an assumed bearing of South 01 degree 54 minutes 25 seconds East, 24.844 meters (81.51 feet) along the West line of said Southeast Quarter to the POINT OF BEGINNING; FIRST COURSE, thence South 19 degrees 54 minutes 25 seconds East, 99.075 (325.05 feet); SECOND COURSE, thence South 20 degrees 20 minutes 55 seconds East, 55.255 meters (181.28 feet) to the Westerly right of way line of the proposed highway; THIRD COURSE, thence South 54 degrees 57 minutes 04 seconds West, 47.073 meters (154.44 feet) along said right of way line; FOURTH COURSE, thence South 14 degrees 47 minutes 25 seconds West, 30.209 meters (99.11 feet) along said right of way line to the West line of said Southeast Quarter; FIFTH COURSE, thence North 01 degree 54 minutes 25 seconds West, 201.314 meters (660.48 feet) along said West line to the point of beginning. The above described tract contains 0.436 hectare (1.08 acre), more or less.” Subject to county road rights of way.

Section 2. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City and publication (or publication of a summary thereof) in the official City newspaper.

PASSED by the governing body of the City on February 2, 2023 and signed and **APPROVED** by the Mayor.

(SEAL)

Nick Hampson, Mayor

ATTEST:

Tammy Seamands, City Clerk