

ORDINANCE NO. 1856

AN ORDINANCE DEANNEXING CERTAIN LAND FROM THE CITY OF BURLINGAME, KANSAS.

WHEREAS, the City of Burlingame, Kansas, on the 3rd day of May, 1999, passed and adopted a Resolution And Petition for the deannexation of the following tract of land, to-wit:

follows:

All that part of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 23, Township 15 South, Range 14 East of the 6th P.M., lying West of the Right of Way of the Atchison, Topeka and Santa Fe Railroad except a tract in the Southwest corner of said South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ described as follows: Commencing at the Southwest corner of said Southwest $\frac{1}{4}$; thence North 425 feet, thence East 386.30 feet; thence at an approximate 45 degree angle Southeasterly 99.8 feet to a point 352.20 feet North of the south section line; thence South on a line parallel with the West section line 352.20 feet to the South section line; thence West 452 feet to the point of beginning, in Osage County, Kansas;

and,

WHEREAS, a public hearing on the petition was established for June 7, 1999, and publication of the notice was duly made for two consecutive weeks with the last publication of the 20th day of May, 1999, and mailing of notice of hearing was duly made to all affected parties; and

WHEREAS, on June 7, 1999, a public hearing on the deannexation of said tract of land was held and no objection being made to the petition for deannexation, the governing body of the City of Burlingame found that due and legal notice had been provided of the

hearing and that the exclusion of the property from the City will not cause any loss or inconvenience to the public and no private party will be injured by such action, and that the petition should be granted and approved for the deannexation of said tract.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURLINGAME, KANSAS AND ORDERED:

That the following tract of land is hereby vacated, deannexed and excluded as a part of the incorporated portion of the City of Burlingame, Kansas, to-wit:

All that part of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 23, Township 15 South, Range 14 East of the 6th P.M., lying West of the Right of Way of the Atchison, Topeka and Santa Fe Railroad except a tract in the Southwest corner of said South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ described as follows: Commencing at the Southwest corner of said Southwest $\frac{1}{4}$; thence North 425 feet, thence East 386.30 feet; thence at an approximate 45 degree angle Southeasterly 99.8 feet to a point 352.20 feet North of the south section line; thence South on a line parallel with the West section line 352.20 feet to the South section line; thence West 452 feet to the point of beginning, in Osage County, Kansas;

subject to reservation of any easements, right-of-ways and restrictions of record as existing on the date such property was annexed to the city.

PASSED by the Governing Body and **APPROVED** by the Mayor of Burlingame, Kansas, this 21st day of June 1999.

ATTEST:

Cheryl D. Holloway
Cheryl D. Holloway, City Clerk

Raymond L. Hovestadt
Raymond L. Hovestadt
President of the Council