

**ORDINANCE NO. 1927**

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

**WHEREAS**, the City of Burlingame, Kansas, on the 5th day of February, 2001, passed and adopted a Resolution and Petition for deannexation of the following tract of land, to-wit: follows:

A tract of land located in the Southeast 1/4 of Section 15, Township 15, Range 14, Osage County, Kansas, described as follows:

Commencing at a point 25 feet North of the Southwest corner of said Southeast Quarter of Section 15, Township 15, Range 14, being the North side of the public road, thence East 663 ½ feet, thence North about 663 ½ feet to the South line of the right-of-way of the M.A. & B Railroad, thence on a Southwesterly direction along the said right-of-way to the West line of said Section 15, thence South about 422 feet to the place of beginning; and,

**WHEREAS**, a public hearing on the petition was established for March 19, 2001, and publication of the notice was duly made for two consecutive weeks with the last publication of the 22nd day of February, 2001, and mailing of notice of hearing was duly made to all affected parties; and

**WHEREAS**, the public hearing scheduled for March 19, 2001, was continued to April 2, 2001, and at that time 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:

A tract of land located in the Southeast 1/4 of Section 15, Township 15, Range 14, Osage County, Kansas, described as follows:

Commencing at a point 25 feet North of the Southwest corner of said Southeast Quarter of Section 15, Township 15, Range 14, being the North side of the public road, thence East 663 ½ feet, thence North about 663 ½ feet to the South line of the right-of-way of the M.A. & B Railroad, thence on a Southwesterly direction along the said right-of-way to the West line of said Section 15, thence South about 422 feet to the place of beginning; and,

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 2<sup>nd</sup> day of April, 2001.

**ATTEST:**

  
Cheryl D. Holloway  
**Cheryl D. Holloway, City Clerk**

  
**Donald D. Parker, Mayor**



# The Osage County Chronicle

Burlingame, KS 66413

## AFFIDAVIT OF PUBLICATION:

STATE OF KANSAS, OSAGE COUNTY,

K. Kurt Kessinger, and/or Kathleen M. Kessinger, Publishers, being first duly sworn depose and say: That the Osage County Chronicle, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Osage County, Kansas with a general paid circulation on a yearly basis in Osage County, Kansas, and that said newspaper is not a trade, religious, or fraternal publication.

Said newspaper is a weekly, published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Burlingame, Kansas, in said county as second class (periodical) matter. That the attached copy is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 weeks, the first publication thereof being made as aforesaid on 4-12-01

subsequent publications being made on the following dates:

Kathleen M. Kessinger

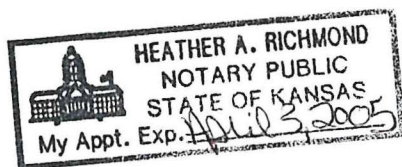
Publisher

Subscribed and sworn to before me

4-26-01

Heather A. Richmond

Notary Public



## PUBLIC NOTICE

(First published in The Osage County Chronicle Thursday, April 12, 2001.)

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A tract of land located in the Southeast 1/4 of Section 15, Township 15, Range 14, Osage County, Kansas, described as follows:

Commencing at a point 25 feet North of the Southwest corner of said Southeast Quarter of Section 15, Township 15, Range 14, being the North side of the public road, thence East 663 1/2 feet, thence North about 663 1/2 feet to the South line of the right-of-way of the M.A. & B Railroad, thence on a Southwesterly direction along the said right-of-way to the West line of said Section 15, thence South about 422 feet to the place of beginning; and,

WHEREAS, a public hearing on the petition was established for March 19, 2001, and publication of the notice was duly made for two consecutive weeks with the last publication of the 22nd day of February, 2001, and mailing of notice of hearing was duly made to all affected parties; and

WHEREAS, the public hearing scheduled for March 19, 2001, was continued to April 2, 2001, and at that time 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:

A tract of land located in the Southeast 1/4 of Section 15, Township 15, Range 14, Osage County, Kansas, described as follows:

Commencing at a point 25 feet North of the Southwest corner of said Southeast Quarter of Section 15, Township 15, Range 14, being the North side of the public road, thence East 663 1/2 feet, thence North about 663 1/2 feet to the South line of the right-of-way of the M.A. & B Railroad, thence on a Southwesterly direction along the said right-of-way to the West line of said Section 15, thence South about 422 feet to the place of beginning; and,

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 2nd day of April, 2001.

/s/ Donald D. Parker,  
Mayor

ATTEST:

Cheryl D. Holloway,  
City Clerk

CERTIFICATE

I, the undersigned, do hereby certify that I am the duly appointed and acting City Clerk of the City of Burlingame, Kansas; that the foregoing is a true and accurate copy of Ordinance No. 1927 of said City was passed by the Council and signed by the Mayor on the 2nd day of April, 2001; that the record of the final vote on its passage is found in the Minute Book of the proceedings of the Governing Body of said City; and that it was duly published in the Osage County Chronicle, the official newspaper of said City on the 12th day of April, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 13th day of April, 2001.

*Cheryl D. Holloway*  
City Clerk, Burlingame, Kansas

STATE OF KANSAS }  
County of Osage } SS

This instrument Filed for Record this  
16th day of April A.D. 20 01  
at 8:20 o'clock A. M., and duly  
recorded in Vol. M 93 Page 194  
*Linda L. Massey*  
Linda L. Massey Reg. of Deeds

ORIGINAL COMPARED WITH RECORD

dh Filed in Office City of Burlingame  
City Clerk  
101 East Santa Fe Ave.  
Burlingame, KS 66413

10274/300