

(Summary First Published in the Times-Sentinel
on the ____ day of _____, 2022.)

THE CITY OF CLEARWATER, KANSAS

ORDINANCE NO. 1086

AN ORDINANCE ANNEXING AND INCORPORATING
CERTAIN LAND WITHIN THE BOUNDARIES OF THE CITY
OF CLEARWATER, KANSAS PURSUANT TO AND IN
ACCORDANCE WITH THE PROVISIONS OF K.S.A. 12-
520c.

WHEREAS, in October 2022, a written Consent to and Petition for Annexation was filed with the City Clerk of the City of Clearwater, Kansas; and

WHEREAS, the land described in said written Consent to and Petition for Annexation is legally Lot 3 Block 1 Prairie Meadows to Sedgwick County, Kansas, with a commonly known address of 8030 S Butterfly St W Clearwater, Kansas 67026, and is located between 79th Street South on the north, 135th Street West on the east, 87th Street South on the south and 151st Street West on the west; and

WHEREAS, said tract does not currently adjoin the boundaries of the City of Clearwater, Kansas but is proximate to and within the natural growth area of the City of Clearwater, Kansas and may be served with potable water from an existing adjacent City of Clearwater, Kansas water main; and

WHEREAS, K.S.A. 12-520c (c) requires that the Board of County Commissioners of Sedgwick County, Kansas, by a 2/3 vote of the members thereof, find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Sedgwick County, Kansas before the City of Clearwater, Kansas may annex such land; and

WHEREAS, on October 11, 2022 the governing body of the City of Clearwater, Kansas adopted Resolution Number 20-2022 finding it advisable, desirable, beneficial and in the interests of the public to island annex said land and requesting the Board of Sedgwick County Commissioners to find and determine that such annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Sedgwick County, Kansas pursuant to K.S.A. 12-520c; and

WHEREAS, on October 12, 2022 the City of Clearwater, Kansas filed with the Sedgwick County Board of County Commissioners a certified copy of Resolution Number 20-2022, pursuant to K.S.A. 12-520c; and

WHEREAS, on November 2, 2022 the Sedgwick County Board of County Commissioners, by a 2/3 vote of the members thereof, adopted Resolution Number 167-2022 finding and determining that based upon the available evidence, the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Sedgwick County, Kansas, pursuant to K.S.A. 12-520c.

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

Section 1. Annexation

Pursuant to K.S.A. 12-520c, the following described land is hereby annexed and incorporated within the corporate limits of the City of Clearwater, Kansas, to-wit:

Lot 3 Block 1 Prairie Meadows to Sedgwick County, Kansas, with a commonly known address of 8030 S Butterfly St W Clearwater, Kansas 67026

Section 2. Effective Date

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

Adopted by the City Council this 22nd day of November 2022.

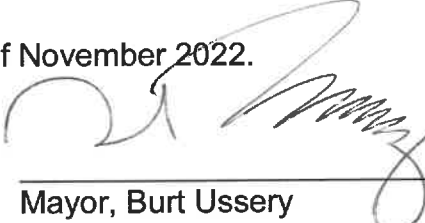
Approved by the Mayor this 22nd day of November 2022.



SEAL
ATTEST:



City Clerk, Jaye Poe



Mayor, Burt Ussery

RESOLUTION NO. 167-2022

A RESOLUTION PURSUANT TO K.S.A. 12-520c TO FIND AND DETERMINE THAT THE PROPOSED ANNEXATION BY THE CITY OF CLEARWATER WILL NOT HINDER OR PREVENT THE PROPER GROWTH AND DEVELOPMENT OF THE AREA OR THAT OF ANY OTHER INCORPORATED CITY LOCATED IN SEDGWICK COUNTY

WHEREAS, K.S.A. 12-520c sets forth a procedure where a city may request the Board of County Commissioners (the Board) to find and determine whether a proposed annexation by the City of Clearwater (the City) will hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County; and

WHEREAS, on October 12, 2022, the clerk of the City submitted a copy of City Resolution No. 20-2022 requesting the Board make the statutory finding; and

WHEREAS, the Board, after considering the information provided, has found and determined that the proposed annexation by the City will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, THAT THE CITY BE NOTIFIED OF THESE FINDINGS AND DETERMINATIONS:

Section I. On October 12, 2022, the clerk of the City filed with the Sedgwick County Board of County Commissioners a certified copy of Resolution No. 20-2022, pursuant to K.S.A. 12-520c. The certification date was October 13, 2022. The Board considered this matter at its regular agenda on November 2, 2022.

Section II. The land proposed to be annexed is located entirely within Sedgwick County, and it is described as the commonly known address of 8030 S. Butterfly Street, Clearwater, Kansas 67026, is generally located north of Clearwater, between 79th Street South on the North, 135th Street West on the East, 87th Street South on the South, and 151st Street West on the West, and is specifically described in the City's Resolution No. 20-2022.

Section III. The owners of the land described have consented to annexation into the City by filing a Consent for Annexation with the City.

Section IV. The Board hereby finds and determines that sufficient information has been presented to the Board to support a finding that the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County; and therefore, the Board finds and determines that based on the

available evidence, the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County.

Section V. This resolution will take effect upon its passage. The County Counselor's office is directed to send a copy of this resolution by mail to the City.


Commissioners present and voting were:

DAVID T. DENNIS	<u>AYC</u>
SARAH A. LOPEZ	<u>AYC</u>
PETER F. MEITZNER	<u>AYC</u>
LACEY D. CRUSE	<u>AYC</u>
JAMES M. HOWELL	<u>AYC</u>

Dated this 2nd day of November, 2022.


BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

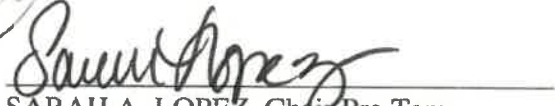


KELLY B. ARNOLD, County Clerk





DAVID T. DENNIS, Chairman
Commissioner, Third District



SARAH A. LOPEZ, Chair Pro Tem
Commissioner, Second District


APPROVED AS TO FORM:




KIRK W. SPONSEL,
Assistant County Counselor



PETER F. MEITZNER
Commissioner, First District



LACEY D. CRUSE
Commissioner, Fourth District



JAMES M. HOWELL
Commissioner, Fifth District