

Passed: 05/25/2021  
Published: 06/02/2021

ORDINANCE NO. 2461

**AN ORDINANCE INCLUDING, INCORPORATING AND ANNEXING CERTAIN LAND INTO THE LIMITS AND BOUNDARIES OF THE CITY OF DERBY, KANSAS.**

**WHEREAS**, pursuant to K.S.A. 12-520(e), the Board of County Commissioners of Sedgwick County, Kansas (the "Board"), may notify a city whenever there exists any highway which has not been made part of a city by annexation, and where said highway has a common boundary with the city; and

**WHEREAS**, K.S.A. 77-201 *Fifth*, defines the term "highway" to include public bridges and county roads; and

**WHEREAS**, the Board has determined the highway described in Section 2 below is not part of the City of Derby (the "City"), and the highway shares a common boundary with the City; and

**WHEREAS**, following receipt of notification from the Board, the City is required to certify by ordinance that the highway described in Section 2 below is not currently part of the City, that said highway shares a common boundary with the City; and declare the highway annexed into the City as of the date of publication of said ordinance.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DERBY, KANSAS:**

**Section 1.** That the highway described in Section 2 below shares a common boundary with the city limits, but is not currently included in the boundaries of the City of Derby, Kansas.

**Section 2.** That the following-described real estate is hereby included, incorporated, annexed, and brought within the corporate limits of the City of Derby, Sedgwick County, Kansas, pursuant to K.S.A. 12-520(e), as amended and other relevant authority:

A tract of land in the Southwest Quarter of Section 29, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas described as follows:

Commencing at the Southwest corner of said Southwest Quarter; thence East along the South line of said Southwest Quarter a distance of 45 feet to the point of beginning; thence North parallel with the West line of said Southwest Quarter, a distance of 175 feet; thence East parallel with the South line of said Southwest Quarter a distance of 30 feet to the Northwest corner of Lot 1, Block 1, "Hullett Addition", Sedgwick County, Kansas; thence South along the West line of said Lot 1, a distance of 100 feet to the Southwest corner of said Lot 1; thence East along the South line of said Lot 1, a distance of 175 feet; thence continuing along the Southerly line of said Lot 1, a distance of 100.97 feet; thence East along the South line of said Lot 1, a distance of 19.60 feet to the Southeast corner of said Lot 1; thence South parallel

with the West line of the Southwest Quarter of said Section 29, a distance of 15 feet, said point being 45 feet North of the South line of said Southwest Quarter; thence East parallel with the South line of said Southwest Quarter, a distance of 180.4 feet, said point being on the East line of the West 550 feet of said Southwest Quarter; thence South parallel with the West line of said Southwest Quarter a distance of 5 feet; thence East, 40 feet North of and parallel with the South line of said Southwest Quarter, a distance of 822 feet, more or less; thence South perpendicular to the South line of said Southwest Quarter to a point 1372.03 feet East of the Southwest Corner of said Southwest Quarter; thence West along the south line of said Southwest Quarter, a distance of 1327.03 feet to the point of beginning.

A tract of land in the Northwest Quarter of Section 32, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas described as follows:

Commencing at the Northwest Corner of said Northwest Quarter; thence East along the North line of said Northwest Quarter a distance of 45 feet to the point of beginning; thence East along the North line of said Northwest Quarter a distance of 1327.03 feet; thence South parallel with the West line of said Northwest Quarter, a distance of 60 feet to the Northeast Corner of Amber Ridge Street as dedicated and platted in "El Paso Crossing Addition," Derby, Sedgwick County, Kansas; thence West along the North line of said Amber Ridge Street a distance of 84 feet to the Northeast corner of Lot 1, Block A, "El Paso Crossing 2nd Addition," Derby, Sedgwick County, Kansas, said point also lying 60 feet South of the North line of the Northwest Quarter of said Section 32; thence West parallel with the North line of said Northwest Quarter to a point lying on the East line of the West 522 feet; thence North parallel with the West line of said Northwest Quarter, a distance of 20 feet; thence West parallel with the North line of said Northwest Quarter a distance of 477 feet; thence North parallel with the West line of said Northwest Quarter, a distance of 40 feet to the point of beginning.

**Section 3.** If any part or parts of this ordinance shall be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

**Section 4.** This ordinance shall take effect and be in full force and effect from and after its passage and publication once in the official City newspaper.

**PASSED BY THE CITY COUNCIL** this 25th day of May, 2021, and **SIGNED** by the Mayor.

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Randy White, Mayor

Attest:

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Lynn Ciarleglio, City Clerk

Approved as to form:

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/s/ Jacqueline R. Butler  
City Attorney