

ORDINANCE NO. 2017-10-4442

AN ORDINANCE AUTHORIZING THE RE-ZONING OF 10.82 ACRES IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 34 SOUTH, RANGE 3 EAST OF THE 6TH PRINCIPAL MERIDIAN, FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO I-2 (HEAVY INDUSTRIAL DISTRICT).

WHEREAS, the City of Arkansas City Planning Commission, after providing notice and holding a hearing pursuant to K.S.A. § 12-756 and K.S.A. § 12-757, has considered the proposed request to re-zone newly annexed territory from the initial zoning of R-1 (Low Density Residential District), and recommended the City grant the Petition to re-zone; and

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, after due investigation and consideration has determined that the nature and extent of the public use and interest to be subserved is such as to warrant the re-zoning of the property at issue.

NOW THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: The property legally described as:

A tract of land situated in the Southeast Quarter of Section 12, Township 34 South, Range 3 East of the 6th Principal Meridian, Cowley County, Kansas, being more particularly described as follows: Commencing at the Southwest Corner of said Southeast Quarter; thence North 88 degrees, 44 minutes, 36 seconds East (assumed), along the South Line of said Southeast Quarter, a distance of 360.00 feet to a point; thence North 00 degrees, 45 minutes, 56 seconds West, parallel with the West line of said Southeast Quarter, a distance of 80.00 feet to a point on the North Right-of-Way of Skyline Road and the Point of Beginning of the herein described tract; thence continuing North 00 degrees, 45 minutes, 56 seconds West, parallel with the West Line of said Southeast Quarter, a distance of 1504.79 feet, more or less, to a point on the North Right-of-Way of Goff Industrial Park Road; thence North 88 degrees, 37 minutes, 01 seconds East, along the North Right-of-Way of Goff Industrial Park Road, a distance of 313.24 feet to a point; thence South 00 degrees, 45 minutes, 56 seconds East, a distance of 1505.48 feet, more or less, to a point on the North Right-of-Way of Skyline Road; thence South 88 degrees, 44 minutes, 36 seconds West, along the North Right-of-Way of Skyline Road, a distance of 313.23 feet, to the Point of Beginning, containing 10.82 acres, more or less.

IS HEREBY RE-ZONED from an R-1 (Low Density Residential District) to an I-2 (Heavy Industrial District).

SECTION TWO: This ordinance shall take effect and be in full force from and after its adoption by the governing body of the City of Arkansas City and either (a) publication once in the official newspaper of the City, or (b) publication of a summary of this Ordinance certified as legally accurate and sufficient by the City Attorney.

SECTION THREE: A certified copy of this ordinance signed by the City Clerk for the City of Arkansas City, Kansas, shall be recorded in the Office of the Register of Deeds, Cowley County, Kansas.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas this 3rd day of October, 2017.

Dan Jurkovich, Mayor

ATTEST:

Lesley Shook, City Clerk

APPROVED AS TO FORM
Tamara Niles, City Attorney