

ORDINANCE NO. 1566

AN ORDINANCE ANNEXING A PORTION OF THE NORTHEAST QUARTER OF SECTION TWELVE, TOWNSHIP EIGHT SOUTH, RANGE THIRTY-FOUR WEST OF THE 6TH PRINCIPAL MERIDIAN, THOMAS COUNTY, KANSAS. (New Western State Bank Site)

WHEREAS, all of the owners of the land described below and subject to this ordinance have petitioned the City of Colby, Kansas (governing body) for annexation; and

WHEREAS, pursuant to K.S.A. 12-520 and K.S.A. 12-520a, the proposed annexation may be considered and approved by the governing body without resolution, notice and public hearing.

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

SECTION 1. The following described property is hereby annexed to the City of Colby, Kansas:

Legal Description Tract A

A portion of the Northeast Quarter (NE/4) of Section Twelve (12), Township Eight (8) South, Range Thirty-four (34) West of the 6th Principal Meridian, Thomas County, Kansas, more particularly described as follows:

COMMENCING at the Southeast Corner (SE/c) of said Northeast Quarter (NE/4); thence on an assumed bearing of N87°30'38"W along the South line of said Quarter a distance of 110.00 feet to the West right-of-way line of K-25 Highway, said point being the TRUE POINT OF BEGINNING; thence continuing N87°30'38"W along said South line a distance of 390.01 feet; thence N2°11'00"E a distance of 235.18 feet; thence S87°30'38"E a distance of 398.52 feet to said right-of-way line; thence S4°15'24"W along said right-of-way line a distance of 235.29 feet to the POINT OF BEGINNING.

TOGETHER WITH:

An easement (Easement A of this survey) for driveway purposes for vehicular and pedestrian access and ingress and egress, in a portion of the Northeast Quarter (NE/4) of Section Twelve (12), Township Eight (8) South, Range Thirty-four (34) West of the 6th Principal Meridian, Thomas County, Kansas, more particularly described as follows:

COMMENCING at the Southeast Corner (SE/c) of said Northeast Quarter (NE/4); thence on an assumed bearing of N87°30'38"W along the South line of said Quarter a distance of 110.00 feet to the West right-of-way line of K-25 Highway; thence N4°15'24"E along said right-of-way line a distance of 235.29 feet, said point being the TRUE POINT OF BEGINNING; thence N87°30'38"W a distance of 60.00 feet; thence N1°55'29"E a distance of 30.00 feet; thence S87°30'38"E a distance of 60.00 feet to said right-of-way line; thence S1°55'29"W along said right-of-way line a distance of 30.00 feet to the POINT OF BEGINNING.

Said tract contains 2.13 acres, more or less, subject to Easement B as described in this survey, a 20' wide utility easement along the East side more particularly described in Book 37 at Page 425 of the Thomas County Records, a travel way easement for the purpose of ingress and egress beginning at the existing entrance or entrances along the west side of K-25 highway and over and across said Northeast Quarter (NE 1/4) until such time as streets or other roadways are constructed as described in Book 91 at Page 916, a right-of-way agreement to Kinder Morgan Interstate Gas Transmission Company L.L.C. recorded in Book 145 at Page 753 of the Thomas County Records, and any other easements, reservations, restrictions, and conveyances of record.

Legal Description Easement A

An easement for driveway purposes for vehicular and pedestrian access and ingress and egress, in a portion of the Northeast Quarter (NE/4) of Section Twelve (12), Township Eight (8) South, Range Thirty-four (34) West of the 6th Principal Meridian, Thomas County, Kansas, more particularly described as follows:

COMMENCING at the Southeast Corner (SE/c) of said Northeast Quarter (NE/4); thence on an assumed bearing of N87°30'38"W along the South line of said Quarter a distance of 110.00 feet to the West right-of-way line of K-25 Highway; thence N4°15'24"E along said right-of-way line a distance of 235.29 feet, said point being the TRUE POINT OF BEGINNING; thence N87°30'38"W a distance of 60.00 feet; thence N1°55'29"E a distance of 30.00 feet; thence S87°30'38"E a distance of 60.00 feet to said right-of-way line; thence S1°55'29"W along said right-of-way line a distance of 30.00 feet to the POINT OF BEGINNING.

Legal Description Easement B

An easement for driveway purposes for vehicular and pedestrian access and ingress and egress, in a portion of the Northeast Quarter (NE/4) of Section Twelve (12), Township Eight (8) South, Range Thirty-four (34) West

of the 6th Principal Meridian, Thomas County, Kansas, more particularly described as follows:

COMMENCING at the Southeast Corner (SE/c) of said Northeast Quarter (NE/4); thence on an assumed bearing of N87°30'38"W along the South line of said Quarter a distance of 110.00 feet to the West right-of-way line of K-25 Highway; thence N4°15'24"E along said right-of-way line a distance of 235.29 feet, said point being the TRUE POINT OF BEGINNING; thence N87°30'38"W a distance of 60.00 feet; thence S1°55'29"W a distance of 30.00 feet; thence S87°30'38"E a distance of 58.78 feet to said right-of-way line; thence N4°15'24"E along said right-of-way line a distance of 30.01 feet to the POINT OF BEGINNING.

SECTION 2. This Ordinance shall take effect and be in force from and after its passage and publication in the official city newspaper.

PASSED BY THE GOVERNING BODY AND SIGNED BY THE MAYOR this 19th day of January, 2016.

Gary L. Adrian, Mayor

ATTEST:

Joni L. Ketchum, City Clerk

SEAL