

(First published in the Horton Headlight the ____ day of January, 2010. 1t)

ORDINANCE NO. 1105

AN ORDINANCE RELATING TO THE DE-ANNEXATION OF REAL PROPERTY LOCATED IN SECTION 36, TOWNSHIP 4, RANGE 16 IN BROWN COUNTY, KANSAS MORE PARTICULARLY DESCRIBED BELOW:

WHEREAS the City Commission of Horton, Kansas, has been requested to de-annex certain real property described as follows:

The North Half of the Southeast Quarter of Section 36, Township 4, Range 16; AND the North Half of the Southwest Quarter of Section 36, Township 4, Range 16 LESS a tract of real estate located in the Northwest corner of said property consisting of approximately 10 acres, more or less, Brown County, Kansas

AND

The West Half of the Northeast Quarter of Section 36, Township 4 South, Range 16 East of the 6th P.M., LESS 0.40 acres for Highway right-of-way; AND

The Northwest Quarter of Section 36, Township 4 South, Range 16 East of the 6th P.M., LESS 0.06 acre for Highway right-of-way, AND LESS a tract of land in the Northwest Quarter of Section 36, Township 4 South, Range 16 East of the 6th P.M., described as follows: Beginning at a point 444.04 feet East of the Northwest corner of said Section line; thence South 00°00'00" West, 410.92 feet; thence South 90°00'00" West, 462.49 feet; thence North 00°00'00" East, 410.92 feet; thence North 90°00'00" West, 462.49 feet to the point of beginning, said tract containing 4.36 acres, more or less, except 0.53 acres for highway right-of-way, Brown County, Kansas; and

WHEREAS, at a hearing on said request conducted on January 4, 2010, the Horton City Commission determined that legal notice of said hearing had been given as provided by law; no private rights will be injured or endangered by the proposed de-annexation; the public will suffer no loss or inconvenience thereby; and "in justice" said request should be granted; the City Commission finds that said request to de-annex is reasonable and should be granted.

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

SECTION 1: That the real property specifically described above is hereby de-annexed pursuant to K.S.A. 12-504 et. seq. The City of Horton, Kansas hereby reserves to itself, the owners of lesser property rights and public utilities such rights-of-way and easements currently in existence on the above-described real property being de-annexed.

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

PASSED, APPROVED AND ADOPTED by the City Commission of Horton, Kansas this 4th day of January, 2010.

Mayor

Attested to:

City Clerk