

(Ordinance Summary published in The Butler County Times-Gazette on January 4, 2014 and the full text of the Ordinance made available at www.andoverks.com for a minimum of one (1) week from the date of publication.)

ORDINANCE NO. 1560

AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT DISTRICT FOR THE ANDOVER FARM AT CEDAR PARK SUBDIVISION PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN TO REMOVE A PORTION THEREOF.

WHEREAS, on September 24, 2002, the City of Andover, Kansas (the "City") enacted Ordinance No. 1187, which Ordinance was duly published and which provided for the adoption of and incorporation therein of certain Zoning Regulations for said City, official copies of said being on file with the City Clerk; and

WHEREAS, the governing body of the City previously established the Planned Unit Development District for the Andover Farm at Cedar Park Subdivision (the "PUD District"), by Ordinance No. 901, on January 28, 1997, and approved the Preliminary Planned Unit Development Plan (the "PUD Plan"), by Ordinance No. 1533, on February 26, 2013; and

WHEREAS, the landowner has requested that a certain portion of the PUD District legally described below (the "Vacated Property") be removed from the PUD District and PUD Plan; and

WHEREAS, the City of Andover Planning Commission has provided notice, held a public hearing, made findings of fact, and submitted its recommendation to the governing body, all as required by the Zoning Regulations; and

WHEREAS, the governing body of the City desires to approve such a request to amend the Zoning Regulations to remove the Vacated Property from the PUD District and PUD Plan.

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

SECTION 1. That the PUD District and PUD Plan are hereby amended to remove the following described real property:

Tract 1:

That part of the Southeast Quarter of Section 7, Township 27 South, Range 3 East of the Sixth Principal Meridian, Butler County, Kansas described as follows: Beginning at the southwest corner of said Southeast Quarter; thence N90°00'00"E along the south line of said Southeast Quarter, 318.00 feet to the intersection with the southerly extension of the west line of Block 1, Cedar Park, an Addition to the

City of Andover, Butler County, Kansas; thence $N00^{\circ}17'02''W$ along said extended west line and along the west line of said Block 1, 541.77 feet to the northwest corner of Lot 1 in said Block 1; thence $N87^{\circ}33'13''E$ along the north line of Lot 1 in said Block 1, 160.69 feet to the northeast corner of Lot 1 in said Block 1; thence $N37^{\circ}19'15''E$ along the westerly right-of-way line of Valley Ct. as dedicated in said Cedar Park, 19.65 feet to the intersection with the southerly right-of-way line of Gatewood Lane as dedicated in said Cedar Park; thence $N26^{\circ}20'47''E$ along the west line of said Gatewood Lane, 66.58 feet to the southwest corner of Lot 1, Block 2, in said Cedar Park; thence $N32^{\circ}42'26''E$ along the northwest line of Lot 1 in said Block 2, 134.84 feet to the northwest corner of Lot 1 in said Block 2; thence $N41^{\circ}15'26''W$ along the southwest line of Reserve "E" in said Cedar Park, 111.35 feet to the most westerly corner of said Reserve "E", thence $N49^{\circ}21'15''E$ along the northwest line of said Reserve "E", 240.41 feet to the most northerly corner of said Reserve "E", said most northerly corner also being a deflection corner in the west line of Lot 2, Block 3, Second Phase of Cedar Park Addition to the City of Andover, Butler County, Kansas; thence $N00^{\circ}17'02''W$ along the west line of said Block 3, 161.00 feet to the northwest corner of Lot 1 in said Block 3; the northwest corner of Lot 1 in said Block 3 also being the southwest corner of Lot 2, Block A, Andover Farm at Cedar Park-Fifth Phase, Andover, Butler County, Kansas; thence continuing $N00^{\circ}17'02''W$ along the west line of said Lot 2 and Lot 1 in said Block A, 150.00 feet to a deflection corner in the west line of said Lot 1; thence $N62^{\circ}12'04''E$ along the northwest line of said Lot 1, 42.85 feet to a deflection corner in said northwest line; thence $S89^{\circ}58'25''E$ along the north line of said Lot 1, 75.00 feet to the northeast corner of said Lot 1, said northeast corner also being on the west right-of-way line of Lakeside Drive as dedicated in said Second Phase of Cedar Park Addition; thence $N00^{\circ}17'02''W$ along the west right-of-way line of said Lakeside Drive, 28.00 feet to the southeast corner of Lot 23, Block 1, in said Second Phase of Cedar Park Addition; thence $N89^{\circ}58'25''W$ along the south line of said Block 1, 482.01 feet to the southwest corner of Lot 19 in said Block 1; thence $N00^{\circ}17'02''W$ along the west line of said Block 1, 655.01 feet to the northwest corner of Lot 6 in said Block 1; thence $S89^{\circ}58'25''E$ along the north line of said Block 1, 240.00 feet to the southwest corner of Lot 1, Block A, Andover Farm at Cedar Park-Sixth Phase, Andover, Butler County, Kansas; thence $N12^{\circ}51'20''E$ along the west line of Lot 1 in said Block A, 187.58 feet to the northwest corner of said Lot 1, said northwest corner also being the most westerly corner of Lakeside Drive as dedicated in said Andover Farm at Cedar Park-Sixth Phase; thence $N25^{\circ}55'31''E$ along the northwest line of Lakeside Drive as dedicated in said Andover Farm at Cedar Park-Sixth Phase, 66.46 feet to the most northerly corner of Lakeside Drive as dedicated in said Andover Farm at Cedar Park-Sixth Phase, said most northerly corner also being the southwest corner of Lot 1, Block B in said Andover Farm at Cedar Park-Sixth Phase; thence $N08^{\circ}07'17''E$ along the west line of Lot 1 in said Block B, 211.62 feet to the northwest corner of said Lot 1, said northwest corner also being on the southerly right-of-way line of the St. Louis & San Francisco Railway Company Railroad, (now abandoned); thence westerly along said southerly railroad right-of-way line, being a curve to the left, through a central

angle of 03°25'41" and having a radius of 11409.19 feet, and arc distance of 682.62 feet, (having a chord length of 682.51 feet bearing N83°37'49"W), to the intersection with the west line of said Southeast Quarter; thence S00°17'02"E along the west line of said Southeast Quarter, 2519.66 feet to the point of beginning, subject to road rights-of-way of record.

AND

Tract 2:

Lot 1, Block A, together with Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block B, Final Planned Unit Development, "Andover Farm at Cedar Park – Sixth Phase", Andover, Butler County, Kansas.

(the "Vacated Property"), and the PUD District and PUD Plan for such Vacated Property are hereby revoked, abandoned and vacated. Nothing herein shall affect the remainder of the property included in the PUD District and PUD Plan.

SECTION 2. The Vacated Property will remain zoned R-2 Single-Family Residential District.

SECTION 3. The above zoning change shall be entered and shown on the Official Zoning Map(s) as previously adopted by reference and said map(s) is hereby reincorporated as a part of the Zoning Regulations, as amended, and the applicant shall file a revised statement incorporating this change with the County Register of Deeds with all the information required by Section 4-116E2, within 15 days of receiving notice hereof.

SECTION 4. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City, approval by the Mayor and either (a) publication once in the official newspaper of the City, or (b) publication of a summary hereof certified as legally accurate and sufficient by the City Attorney.

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PASSED AND APPROVED by the Governing Body of the City of Andover, Kansas this 30th day of December, 2013.



CITY OF ANDOVER, KANSAS


Ben Lawrence, Mayor

ATTEST:



Susan C. Renner, City Clerk

I hereby certify that the foregoing is the original ordinance; that said ordinance was passed on the 30 day of December, 2013; that the record of the final vote on its passage is found on page 3 of the minutes from December 30, 2013; that it was published in the Augusta Daily Gazette on the 4 day of JANUARY, 2014.

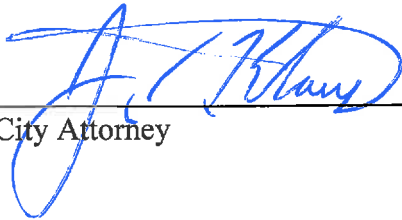
City Clerk 

Ordinance Summary published in The Butler County Times-Gazette on January 4, 2014 and the full text of the Ordinance made available at www.andoverks.com for a minimum of one (1) week from the date of publication.

Ordinance No. 1560 Summary

On December 30, 2013, the City of Andover, Kansas adopted Ordinance No. 1560 amending the zoning regulations of the City of Andover, Kansas to remove a certain portion of Parcel 1 of the Planned Unit Development District for Andover Farm at Cedar Park Subdivision and Preliminary Planned Unit Development Plan from said district and plan. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 1609 E. Central or at www.andoverks.com. This summary is certified legally accurate and sufficient by the Andover City Attorney pursuant to K.S.A. 12-3001, *et seq.*

SUMMARY CERTIFIED:

A handwritten signature in blue ink, appearing to read "J. H. Hays", is written over a horizontal line.

City Attorney