

**ORDINANCE NO. 1533**

**AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE CITY OF ANDOVER, KANSAS, AS ORIGINALLY ADOPTED BY ORDINANCE NO. 1187, AND INCORPORATING AS A PART THEREOF AN AMENDMENT TO REPEAL ORDINANCE NO. 1383 AND, THUS, REVOKE, ABANDON AND MAKE NULL AND VOID PARCEL 3 OF THE ANDOVER FARM AT CEDAR PARK SUBDIVISION PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN.**

**THAT WHEREAS**, on February 26, 2013, the City of Andover, Kansas 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 same being on file with the City Clerk; and

**WHEREAS**, THE City Council of the City of Andover, Kansas has prior hereto passed and adopted Ordinance No. 1383, on May 13, 2008, which approved and established a Planned Unit Development District for Parcel 3 of the Andover Farm at Cedar Park Subdivision; and

**WHEREAS**, a Preliminary Planned Unit Development Plan of Andover Farm at Cedar Park Subdivision was subsequently approved; and

**WHEREAS**, it is the request of the present landowner to revoke, abandon and make null and void the Parcel 3 portion of the Planned Unit Development District of Andover Farm at Cedar Park Subdivision and the subsequent approval and establishment of the Preliminary Planned Unit Development Plan; and

**WHEREAS**, the Governing Body of the City of Andover, Kansas desires to approve such a request to change the Zoning Regulations in accordance therein;

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

SECTION 1. That the Parcel 3 portion of Planned Unit Development District of Andover Farm at Cedar Park Subdivision and the subsequent approved and establishment of the Preliminary Plan Unit Development Plan and recorded Statement, are hereby revoked, abandoned, make null and void and vacated.

SECTION 2. That the R-2 Single-Family Residential District created by the Planned Unit Development is revoked and the underlying A-1 Agricultural District is restored on the following described parcel and the district boundaries continue to be delineated on the Official Zoning Map(s).

**LEGAL DESCRIPTION "B"**  
**A-1 Agricultural District Zoning**

Government Lots 3 and 4 and the East Half of the Southwest Quarter of Section 7, Township 27 South, Range 3 East of the Sixth Principal Meridian, Butler County, Kansas, EXCEPT that part of the East Half of said Southwest Quarter described as follows: Commencing at the southwest corner of said Government Lot 4; thence S89°57'45"E along the south line of said Government Lot 4 and along the south line of the East half of said Southwest Quarter, 1390.31 feet for a point of beginning; thence N00°02'15"E perpendicular to said south line, 1018.65 feet to a point on the south line of the Westar Right-of-Way Easement as recorded in Misc. Book 278 at Page 497; thence S68°09'21"E along the south line of said Westar Right-of-Way Easement, 1215.76 feet to a point on the east line of said Southwest Quarter; thence S00°17'02"W along said east line, 1018.65 feet to the southeast corner of said Southwest Quarter; thence N89°57'45"W along said south line, 1134.48 feet to the point of beginning.

And that the R-2 Single-Family Residential District remains on the remainder legally described as follows:

**LEGAL DESCRIPTION "A"**  
**R-2 Single-Family Residential District Zoning**

That part the East Half of the Southwest Quarter of Section 7, Township 27 South, Range 3 East of the Sixth Principal Meridian, Butler County, Kansas described as follows: Commencing at the southwest corner of Government Lot 4 in said Section 7; thence S89°57'45"E along the south line of said Government Lot 4 and along the south line of the East half of said Southwest Quarter, 1390.31 feet for a point of beginning; thence N00°02'15"E perpendicular to said south line, 1018.65 feet to a point on the south line of the Westar Right-of-Way Easement as recorded in Misc. Book 278 at Page 497; thence S68°09'21"E along the south line of said Westar Right-of-Way Easement, 1215.76 feet to a point on the east line of said Southwest Quarter; thence S00°17'02"W along said east line, 1018.65 feet to the southeast corner of said Southwest Quarter; thence N89°57'45"W along said south line, 1134.48 feet to the point of beginning.

SECTION 3. Ordinance No. 1383 is hereby repealed in its entirety.

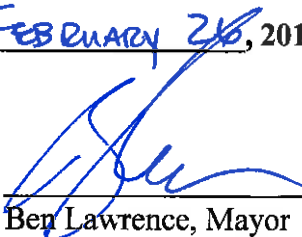
SECTION 4. Any provisions of this Ordinance, which shall be declared to be unconstitutional or otherwise invalid, shall not affect the validity and authority of the other sections of this Ordinance.

SECTION 5. This Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official city newspaper.

**PASSED BY THE GOVERNING BODY** of the City of Andover, Kansas on FEBRUARY 26, 2013.

**APPROVED BY THE MAYOR ON** FEBRUARY 26, 2013.



/s/   
Ben Lawrence, Mayor

**ATTEST:** (SEAL)

  
/s/ \_\_\_\_\_  
Susan C. Renner, City Clerk

I hereby certify that the foregoing is the original ordinance; that said ordinance was passed on the 26<sup>th</sup> day of FEBRUARY, 2013; that the record of the final vote on its passage is found on page 4 of the minutes from FEBRUARY 26, 2013; that it was published in the Augusta Daily Gazette on the 2 day of MARCH, 2013.  
City Clerk 