

**ORDINANCE NO. 2023-3207**

**AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS,  
EXCLUDING PROPERTY FROM THE CITY OF CONCORDIA,  
KANSAS, PURSUANT TO K.S.A. 12-504 ET SEQ.**

**WHEREAS**, On May 4, 2022, the governing body of the City of Concordia, Kansas, adopted Resolution No. 2022-2136, creating Commission Policy Statement #2022-2 and establishing a procedure for exclusion of land (de-annexation) from the Concordia city limits pursuant to K.S.A. 12-504 et seq; and

**WHEREAS**, On July 25, 2023 the Planning Commission of the City of Concordia, Kansas, held a public hearing, considered the de-annexation requested by the property owner, Cody J. Odette, and made certain finding pursuant to K.S.A. 12-505(a); and

**WHEREAS**, On August 16, 2023 the governing body of the City of Concordia, Kansas considered the recommendation of the Planning Commission, finding, pursuant to K.S.A. 12-505(a), that

- A. The exclusion of land will not hinder, delay or impede the proper present or future growth and development of the City; and
- B. No private rights will be injured or endangered by exclusion of the land; and
- C. The public will suffer to no loss or inconvenience by exclusion of the land; and
- D. No written objection was filed with the city clerk at the time of or before the public hearing;

and notified the Board of County Commissioners of Cloud County, Kansas of its findings.

**NOW, THEREFORE, BE IT ORDAINED** by the governing body of the City of Concordia, Kansas:

SECTION 1. The governing body finds that the property in Section 2 of this ordinance qualifies for exclusion of land (de-annexation) pursuant to state law. The governing body finds that the Planning Commission of the City of Concordia, Kansas made lawful findings pursuant to K.S.A. 12-505(a).

SECTION 2. The following described property is hereby excluded from the City of Concordia, Kansas to-wit:

Said tract of land is located on the South side of Union Road, and West of 150<sup>th</sup> road, just East of the Kansas Department of Transportation Maintenance Facility at 1480 Union Road. Said tract is bordered on the East by the City limits of the island annexation of the North Development Business and Industrial Park Subdivision plat. More particularly described as follows:

A tract of land located in the Northeast Quarter of Section 21, Township 5 South, Range 3 West of the 6th Principal Meridian in Cloud County, Kansas, as described by Jason P. Johnson Professional Surveyor #1410 on December 16, 2021, and is more fully described as follows:

Commencing at the Northeast corner of said Northeast Quarter; thence on an assumed bearing of S 87°44'34" W along the North line of said Northeast Quarter a distance 162.00 feet to the Point of Beginning; thence continuing S 87°44'34" W along said North line a distance of 586.29; thence S 02°15'26" E a distance of 30.00 feet to the Northeast corner of the Concordia North Development Business and Industrial Park an addition to the City of Concordia, Cloud County, Kansas; thence S 04°35'17" W along the East line of said addition a distance of 63.25 feet; thence S 02°01'02" W along said East line a distance of 39.30 feet; thence S 01°12'28" E along said East line a distance of 78.51 feet; thence S 02°52'28" E along said East line a distance of 38.01 feet; thence S 18°01'44" E along said East line a distance of 35.68 feet; thence S 12°50'00" E along said East line a distance of 24.53 feet; thence S 03°53'06" W along said East line a distance of 46.95 feet;

thence N 83°21'50" E along said East line a distance of 23.74 feet; thence S 05°24'03" E along said East line a distance of 47.78 feet; thence S 38°56'22" E along said East line a distance of 20.36 feet; thence N 86°33'48" E along said East line a distance of 42.03 feet; thence S 60°17'56" E along said East line a distance of 20.61 feet; thence S 29°20'05" E along said East line a distance of 71.59 feet; thence S 22°39'56" W along said East line a distance of 17.68 feet; thence S 08°46'09" W along said East line a distance of 46.01 feet; thence S 53°09'53" E along said East line a distance of 30.96 feet; thence S 26°57'21" E along said East line a distance of 86.47 feet; thence S 01°54'32" W along said East line a distance of 25.78 feet; thence S 45°58'43" W along said East line a distance of 51.25 feet; thence S 55°16'36" W along said East line a distance of 36.82 feet; thence S 31°15'06" E along said East line a distance of 135.06 feet; thence S 19°00'46" E along said East line a distance of 78.53 feet; thence S 06°38'57" E along said East line a distance of 40.77 feet; thence S 40°53'25" E along said East line a distance of 81.08 feet; thence S 03°05'21" E along said East line a distance of 68.63 feet; thence S 33°51'45" E along said East line a distance of 73.74 feet; thence S 42°26'13" E along said East line a distance of 54.17 feet; thence S 32°58'52" E along said East line a distance of 83.57 feet; thence S 19°59'56" E along said East line a distance of 58.13 feet; thence S 04°40'47" W along said East line a distance of 44.92 feet; thence S 09°08'43" E along said East line a distance of 50.30 feet; thence S 05°52'16" E along said East line a distance of 26.03 feet to the Southeast corner of said addition; thence N 87°55'36" E along the South line of the North 60.0 acres of the East 110.0 acres of said Northeast Quarter as determined by Ralph Campbell PE#102 in Miscellaneous Book 38, Page 591 a distance of 319.32 feet to a point on the East line of the Southeast Quarter of said Northeast Quarter; thence N 00°52'20" W along said East line a distance of 127.17 feet to the Southeast corner of the Northeast Quarter of said Northeast Quarter; thence N 00°16'11" W along the East line of said Northeast Quarter of the Northeast Quarter a distance of 451.07 feet; thence S 87°44'34" W a distance of 162.00 feet; thence N 00°16'11" W a distance of 870.00 feet to the Point of Beginning; Said tract contains 15.56 acres, more or less, and is subject to easements, reservations and restrictions of record.


SECTION 3. The City Clerk shall file a certified copy of this ordinance with the County Clerk, and the Register of Deeds of Cloud County, Kansas, following ratification by the Board of County Commissioners of Cloud County, Kansas, on or before October 1, 2023 and proper payment of fees by the property owner of excluded land.

SECTION 4. This ordinance shall be summarized for publication as follows:

On August 16, 2023, the City of Concordia adopted Ordinance No. 2023-3207, approving an exclusion of land (de-annexation) from the city limits of the City of Concordia, pending the ratification by the Board of County Commissioners on or before October 1, 2023. A reproduction of this ordinance will be available for not less than one week following the publication of this summary of the ordinance at the website address of the City of Concordia, <http://www.concordiaks.org>. This summary is certified by the city attorney to be legally accurate and sufficient.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication of the above ordinance summary in the official city newspaper. The provisions hereof are severable, and in the event of invalidity, for any reason, of any portion of this ordinance, the remaining provisions of the ordinance shall remain in full force and effect, with the invalid provisions deemed excised.

PASSED by the governing body of the City of Concordia, Kansas, this 16th day of August 2023.

  
Charles P. Lambertz  
Mayor

(SEAL)

ATTEST:

*Stacey Smith*

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Stacey Smith  
City Clerk

**ORDINANCE CERTIFICATE**

I hereby certify that the foregoing is an original ordinance; that said ordinance was passed on the 16th day of August 2023; that the record of the final vote on its passage is found on page \_\_\_\_ of the minutes journal; that the ordinance summary was published in the Concordia Blade-Empire on the 18th day of August, 2023.

*Stacey Smith*

\_\_\_\_\_, City Clerk

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