

AGENDA
Joint City/County Meeting
City Commission Chambers
Friday, September 21, 2007 5:00 p.m.
SPECIAL MEETING

CALL TO ORDER

ROLL CALL

ORDINANCES & RESOLUTIONS

City Approval of Annexation Ordinance No. 3438

NEW BUSINESS

1. City/County endorsement of Boot Hill Gaming/Butler National Casino Management Application Proposal
2. Adjournment

City of Dodge City

Memorandum

Date: August 27, 2007

TO: Ken Strobel, City Manager

FROM: Dennis Veatch, Development Services



RE: Proposed Annexation Ordinance

Attached for your review and approval by the City Commission is an ordinance annexing certain property on the west side of U.S. Highway 50. This is a voluntary annexation of property owned by Joseph J. Bogner and Shirley R. Bogner and Butler National Service Corporation, purchasers under contract. This property is adjacent to the existing city boundary. No resolution, notice and public hearing are required as a prerequisite to the annexation of this land.

I have also attached maps showing the area of annexation and the relationship to the city boundary line.

If you have any questions or need additional information, please let me know.

Ordinance No. 3438

AN ORDINANCE ANNEXING TO THE CITY OF DODGE CITY THE DESCRIBED PROPERTY, IN ACCORDANCE WITH K.S.A. 12-520 ET. SEQ; PROVIDING FOR THE ZONING THEROF; AND PLACING THE PROPERTY IN A VOTING WARD.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KS. :

SECTION 1: By the virtue of the authority granted by K.S.A. 12-520 and by one or more of the conditions listed therein being fulfilled, the following described real property located in Ford County, Ks. is hereby annexed to, and made part of the City of Dodge City:

See attached Exhibit A, Exhibit B and Exhibit C
for a complete description of this property.

SECTION 2: The property annexed is currently zoned A, "Agricultural" and will be designated RS, "Residential Suburban", in accordance with the Dodge City Zoning Regulations.

SECTION 3: The property annexed is placed in the 8th voting precinct.

SECTION 4: The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Ford County, pursuant to K.S.A. 12-522.

SECTION 5: This ordinance shall take effect, from and following its publication in the official City paper, as provided for by law.

PASSED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, IN REGULAR SESSION AND APPROVED BY THE MAYOR THIS TWENTYFIRST DAY OF SEPTEMBER, 2007.

KENT SMOLL, MAYOR

NANNETTE POGUE, CITY CLERK

EXHIBIT A
Legal Description
"Parcel A"

A tract of land in the West One-Half (W/2) and the Northwest corner of the Northeast Quarter (NE/4) of Section Twenty-eight (28), Township Twenty-six (26) South, Range Twenty-five (25) West of the 6th P.M. in Ford County, Kansas, being more fully described by Metes and Bounds as follows: Commencing at the Southwest corner of Section Twenty-eight (28), Township Twenty-six (26) South, Range Twenty-five (25) West of the 6th P.M., in Ford County, Kansas; thence on an assumed bearing of North 00°00'00" East, along the West Line of said Section Twenty-eight (28), a distance of 2,633.20 feet to the West Quarter corner of said Section Twenty-eight (28); thence continuing on a bearing of North 00°00'00" East along the West Line of Section Twenty-eight (28), a distance of 440.00 feet to the TRUE POINT OF BEGINNING; thence continuing on a bearing of North 00°00'00" East, along the West Line of said Section Twenty-eight (28), a distance of 1,784.58 feet; thence on a bearing of North 89°58'35" East, parallel to the North Line of said Section Twenty-eight (28), a distance of 417.59 feet; thence on a bearing of North 00°00'00" East, parallel to the West Line of said Section Twenty-eight (28), 417.42 feet to a point on the North Line of said Section Twenty-eight (28); thence on a bearing of North 89°58'35" East, along the North Line of the Northwest Quarter (NW/4) of said Section Twenty-eight (28), a distance of 2,224.73 feet, more or less, to the North Quarter Corner of said Section Twenty-eight (28); thence on a bearing of North 89°55'26" East, along the North Line of the Northeast Quarter (NE/4) of said Section Twenty-eight (28), a distance of 741.78 feet to a point on the Northwesterly right of way line of U.S. Highway 50 By-pass; thence on a bearing of South 34°22'45" West, along the Northwesterly right of way line of U.S. Highway 50 By-pass, a distance of 1,301.36 feet, more or less, to the West Line of the Northeast Quarter (NE/4) of said Section Twenty-eight (28); thence on a bearing of North 00°22'15" West, along said highway right of way line on the East Line of said Northeast Quarter (NE/4) of said Section Twenty-eight (28), 26.39 feet; thence on a bearing of South 34°22'45" West, along the Northwesterly right of way line of said U.S. Highway 50 By-pass a distance of 2,306.01 feet, more or less, to the Northeast corner of a Tract recorded in the Ford County Register of Deeds, Book 176, page 274; thence on a bearing of South 89°49'33" West, along the North line of two tracts described in the Ford County Register of Deeds Book, 176, page 274 and Book 188, page 563, a distance of 807.95 feet to a point on the East line of a tract described in the Ford County Register of Deeds, Book 151, page 233; thence on a bearing of North 00°00'00" East, along the East line of and the projection thereof, of a tract described in the Ford County Register of Deeds, Book 151, page 233, a distance of 749.23 feet; thence on a bearing of North 90°00'00" West, a distance of 539.03 feet to the POINT OF BEGINNING. Containing 6,392,527 square feet or 146.7522 acres, more or less, and being subject to easements and rights of way of record. The above described tract also contains parts of Tracts 7 through 13 of Hiram T. Burr Tracts, a platted Addition in Ford County, Kansas, recorded at the Ford County Register of Deeds Office in Plat Book A, Page 5 1/2.

EXHIBIT B
Legal Description
"Parcel B"

The Southwest Quarter (SW/4), and all of the Southeast Quarter (SE/4) lying North and West of right-of-way of U. S. Highway 50 By Pass in Section Twenty-one (21), Township Twenty-six (26) South, Range Twenty-five (25) West of the 6th P.M., EXCEPT a tract described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 21; thence North 89°39'54" West along the North line of the Southeast Quarter of said Section 21 for 222.21 feet to the point of beginning, said point of beginning being on the Northwesterly right-of-way line of U.S. Highway 50 By Pass; thence South 34°50'32" West along said right-of-way line for 402.92 feet; thence South 26°58'43" East along said right-of-way line for 158.80 feet; thence South 34°50'32" West along said right-of-way line for 217.00 feet; thence North 55°09'28" West for 1009.61 feet; thence North 0°20'06" East for 80.0 feet to a point on the North line of the Southeast Quarter of said Section 21; thence South 89°39'54" East along the North line of the Southeast Quarter of said Section 21 for 1110.29 feet to the point of beginning; and further EXCEPTING a tract described by metes and bounds as follows: Commencing at the northeast corner of the Southeast Quarter of Section 21, Township 26 South, Range 25 West of the 6th P.M., Ford County, Kansas; thence North 89°39'54" West along the north line of the Southeast Quarter of said Section 21 for a distance of 1460.18 feet to a point of beginning; thence South 24°12'58" West for a distance of 320.00 feet; thence South 52°09'42" West for a distance of 85.00 feet; thence South 86°53'26" West for a distance of 165.00 feet; thence South 63°33'08" West for a distance of 210.00 feet; thence South 80°45'53" West for a distance of 200.00 feet; thence North 73°25'46" West for a distance of 100.00 feet; thence North 31°22'13" West for a distance of 110.00 feet; thence North 12°12'36" West for a distance of 370.23 feet to a point on the north line of the Southwest Quarter of said Section 21 that is 200.00 feet east of the center of said Section 21, said center being the southwest corner of Mariah West Addition, a platted subdivision of the Northeast Quarter of said Section 21, thence South 89°39'54" East along the north line of the Southeast Quarter of said Section 21 for a distance of 980.00 feet to the point of beginning, containing 8.00 acres, more or less. (The land conveyed herewith contains 239.4 acres, more or less.)

AND

A tract of land located in the Southeast Quarter of Section 21, Township 26 South, Range 25 West of the Sixth Principal Meridian, Ford County, Kansas, more particularly described as follows:

Commencing at the northeast corner of the Southeast Quarter of said Section 21; thence on an assumed bearing of North 89 degrees 39 minutes 54 seconds West along the north line of the Southeast Quarter of said Section 21 for a distance of 22.21 feet to the Northwesterly right of way line of U.S. Highway 50 by-pass; thence South 34 degrees 50 minutes 32 seconds West along said right of way line for a distance of 402.92 feet to the TRUE POINT OF BEGINNING; thence South 26 degrees 58 minutes 43 seconds East along said right of way line for a distance of 158.82 feet (158.80 feet record); thence South 34 degrees 50 minutes 32 seconds West along said right of way line for a distance of 217.00 feet; thence North 55 degrees 09 minutes 28 seconds West for a distance of 140.00 feet; thence North 34 degrees 50 minutes 32 seconds East for a distance of 292.00 feet to the point of beginning, containing 0.818 acres, more or less.

EXHIBIT C
Legal Description
"Parcel C"

A tract of land located in the Southeast Quarter (SE/4) of Section Twenty-one (21), Township Twenty-six (26) South, Range Twenty-five (25) West of the 6th P.M., Ford County, Kansas, more fully described as follows: Commencing at the northeast corner of the Southeast Quarter of Section 21, Township 26 South, Range 25 West of the 6th P.M., Ford County, Kansas; thence North 89°39'54" West along the north line of the Southeast Quarter of said Section 21 for a distance of 1460.18 feet to the point of beginning; thence South 24°12'58" West for a distance of 320.00 feet; thence South 52°09'42" West for a distance of 85.00 feet; thence South 86°53'26" West for a distance of 165.00 feet; thence South 63°33'08" West for a distance of 210.00 feet; thence South 80°45'53" West for a distance of 200.00 feet; thence North 73°25'46" West for a distance of 100.00 feet; thence North 31°22'13" West for a distance of 110.00 feet; thence North 12°12'36" West for a distance of 370.23 feet to a point on the north line of the Southwest Quarter of said Section 21 that is 200.00 feet east of the center of said Section 21, said center being the southwest corner of Mariah West Addition, a platted subdivision of the Northeast Quarter of said Section 21, thence South 89°39'54" East along the north line of the Southeast Quarter of said Section 21 for a distance of 980.00 feet to the point of beginning, containing 8.00 acres, more or less;

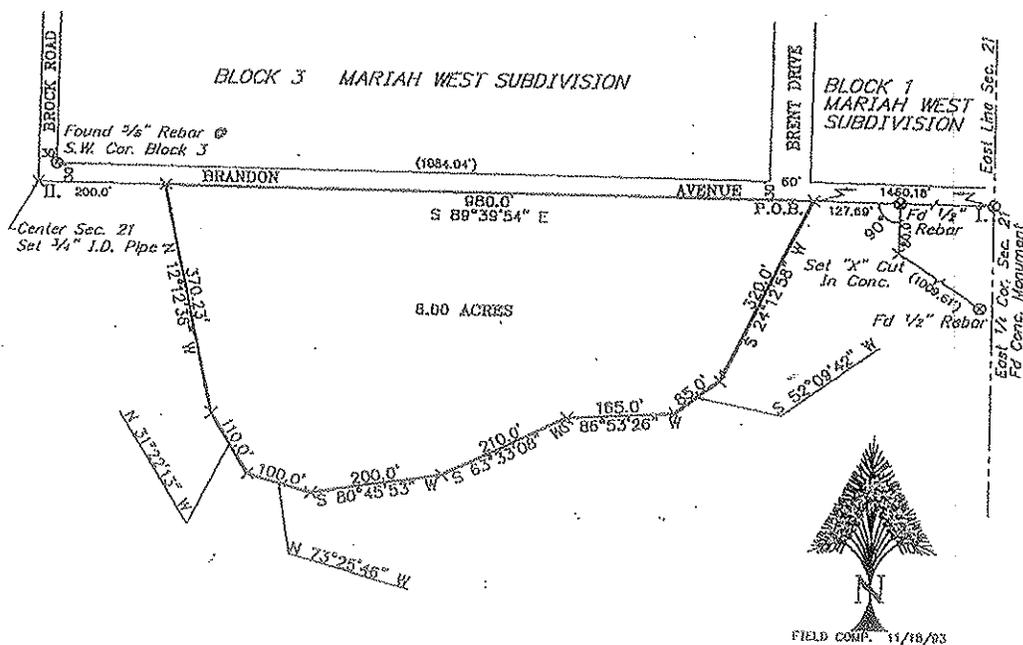
EXHIBIT C "Parcel C" Map

FORD COUNTY, KANSAS
 This instrument was filed in this office
 of the 24 day of Nov. A.D.
 1993 at 2:50 o'clock P.M.
 and duly Recorded in Book 80
 Page 827
 Fee \$6.00
Francis J. Jurek
 Registrar of Deeds

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 26 SOUTH, RANGE 25 WEST OF THE SIXTH P.M., FORD COUNTY, KANSAS, MORE FULLY DESCRIBED AS FOLLOWS:

Commencing at the northeast corner of the Southeast Quarter of Section 21, Township 26 South, Range 25 West of the Sixth P.M., Ford County, Kansas; thence North 89°39'54" West along the north line of the Southeast Quarter of said Section 21 for a distance of 1460.18 feet to the point of beginning; thence South 24°12'58" West for a distance of 320.00 feet; thence South 52°09'42" West for a distance of 85.00 feet; thence South 86°53'26" West for a distance of 165.00 feet; thence South 63°33'08" West for a distance of 210.00 feet; thence South 80°45'53" West for a distance of 100.00 feet; thence North 73°25'46" West for a distance of 110.00 feet; thence North 12°12'36" West for a distance of 370.23 feet to a point on the north line of the Southwest Quarter of said Section 21 that is 200.00 feet east of the center of said Section 21, said center being the southwest corner of Mariah West Addition, a platted subdivision of the Northeast Quarter of said Section 21, thence South 89°39'54" East along the north line of the Southeast Quarter of said Section 21 for a distance of 980.00 feet to the point of beginning, containing 8.00 acres, more or less.

Job #93-196
Nov. 22, 1993



REFERENCES

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| <p>I. East 1/4 Cor. Sec. 21, T26S, R25W</p> <ol style="list-style-type: none"> 1. Fd. 4"x4" Conc. Mon. @ Cor. 2. W. Edge conc. ditch liner 14.5' N.E. 3. Nail & Wahr. in conc ditch liner 24.01' N. 4. Spk. & Wahr. in P.P. 85.09' W. 5. Spk. & Wahr. in P.P. 193.63' N.-N.E. 6. "X" cut in & top 4"x3" R.C.B. 89.76' E. 7. Fd. 5/8" Rebar, 1.5' deep, 1.8' N. of Mon. | <p>II. Center Sec. 21, T26S, R25W</p> <ol style="list-style-type: none"> 1. Fd. 5/8" Rebar by Winfrey destroyed 2. Set 3/4" I.D. Pipe @ Cor. 3. 30.0' South & 30.0' West of 5/8" Rebar by Winfrey @ S.W. Cor. Blk. 3, Mariah West Subdivision 4. 5/8" Rebar @ S.W. Cor. Blk. 3 42.18' N.E. 5. No permanent objects avail. for reference |
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I hereby certify that the sketch hereon correctly represents a survey made under my supervision and, to the best of my knowledge, property boundary lines have been established, or re-established, in accordance with recorded plats, existing land monuments and/or evidence of obliterated monument locations and other information of public record.

- ⊙ Previous Survey Points Found and Used
- X Points Established in this Survey (3/4" I.D. Pipe)
- (50.0) Platted Distances
- 50.0 Measured Distances



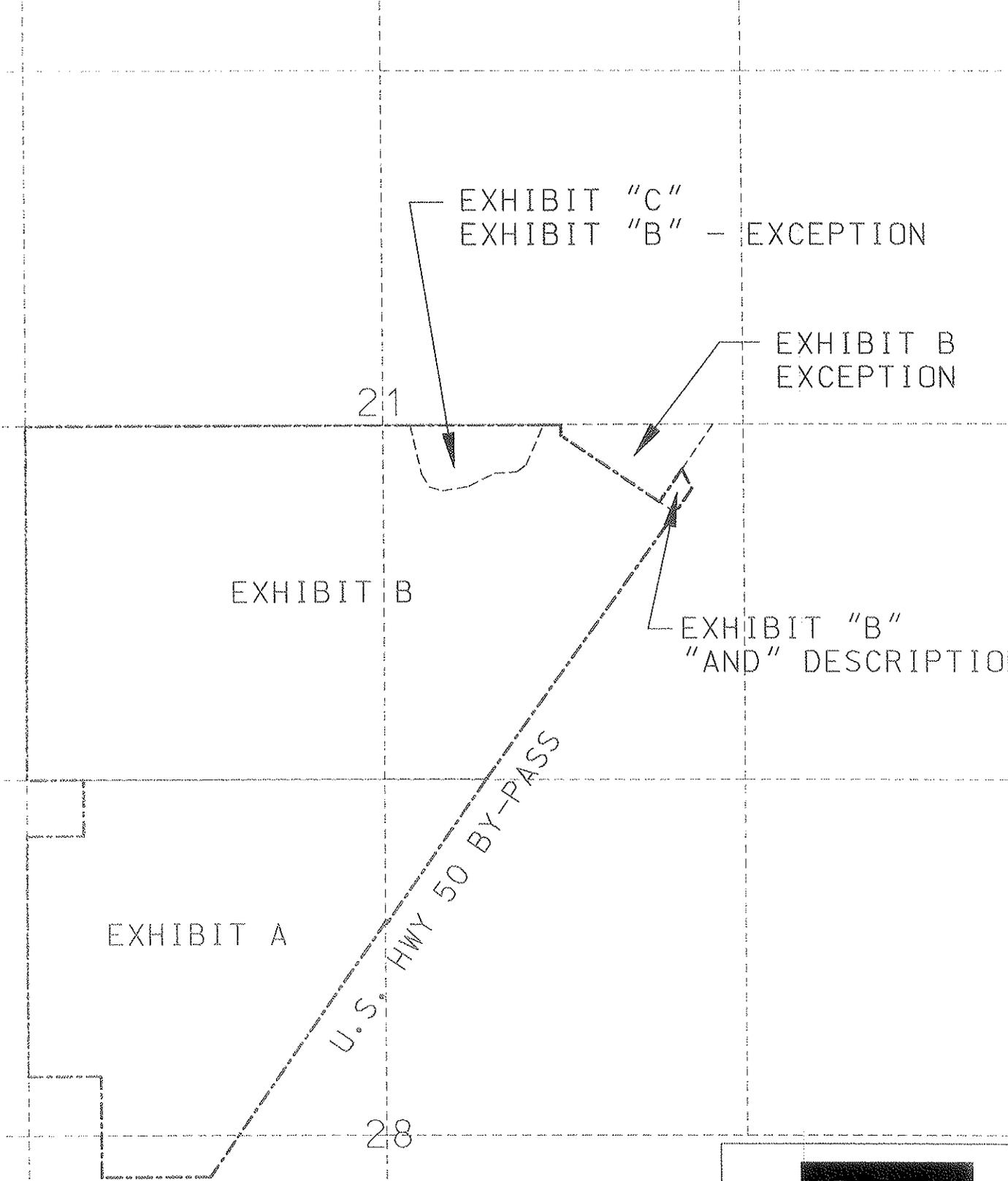


EXHIBIT "C"
EXHIBIT "B" - EXCEPTION

EXHIBIT B
EXCEPTION

EXHIBIT B

EXHIBIT "B"
"AND" DESCRIPTION

EXHIBIT A

U.S. HWY 50 BY-PASS

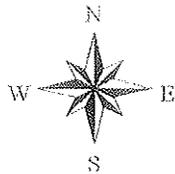
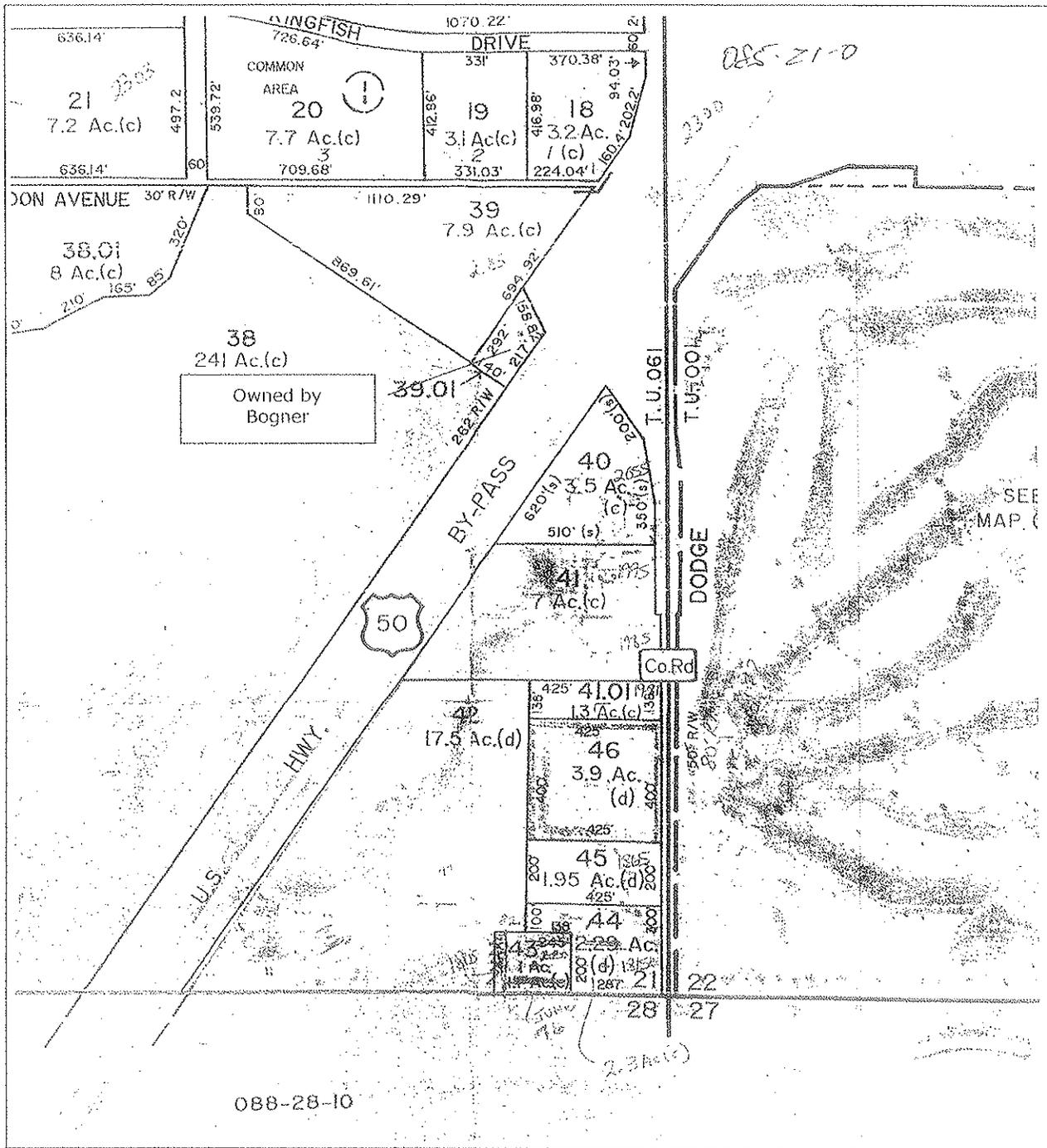
21

28



Cook, Flatt & Strobel
ENGINEERS, P.A.

3005 WARD PARKWAY, SUITE 110
KANSAAS CITY, MISSOURI 64111



County Ownership Map
 Matt Down / Highway 50 Bypass