

**ORDINANCE NO. S-10-05**

**AN ORDINANCE REZONING A TRACT OF LAND SITUATED IN LOT 7 OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 34 SOUTH, RANGE 17 EAST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, MONTGOMERY COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST RIGHT-OF-WAY FOR U.S. HIGHWAY 169 ON THE SOUTH LINE OF SAID LOT 7; THENCE NORTH 01°21'14" WEST (WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER ON AN ASSUMED BEARING OF NORTH 88°34'04" WEST) ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 234.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE SOUTH 88°32'05" WEST, PERPENDICULAR TO THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 441.00 FEET TO A POINT; THENCE SOUTH 01°27'55" EAST, PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 211.15 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAID LOT 7; THENCE NORTH 88°29'48" WEST, ALONG THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 339.44 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF A TRACT RECORDED IN BOOK 573, PAGE 228 AT THE MONTGOMERY COUNTY REGISTER OF DEEDS; THENCE NORTH 01°19'28" WEST, ALONG THE EAST LINE OF SAID RECORDED TRACT, A DISTANCE OF 572.07 FEET TO A POINT; THENCE NORTH 01°53'27" EAST, ALONG THE EAST LINE OF SAID RECORDED TRACT, A DISTANCE OF 585.26 FEET TO A POINT, THENCE NORTH 07°37'14" EAST, ALONG THE EAST LINE OF SAID RECORDED TRACT, A DISTANCE OF 168.44 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 88°34'04" EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 720.70 FEET, MORE OR LESS, TO A POINT ON THE WEST RIGHT-OF-WAY FOR U.S. HIGHWAY 169; THENCE SOUTHERLY, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 1,092.65 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 21.07 ACRES, MORE OR LESS, IN THE CITY OF COFFEYVILLE, MONTGOMERY COUNTY, KANSAS;**

**A/K/A 2629 NORTH HIGHWAY 169**

WHEREAS, the Coffeyville Planning Commission received an application from Mr. Fred Wigley, representing Big Chief Land Company of Kansas, Inc., requesting a tract of land, as more particularly described below, be rezoned from A-1 (Agriculture District) to M, (Mobile Home Court District), for the purpose of constructing and operating an RV Park facility; and

WHEREAS, pursuant to K.S.A. 12-757(b), at least twenty days prior to the hearing, a notice of hearing was published in the official city newspaper and written notice was mailed to all owners of record of real property located within at least 1,000 feet of the tract of land being considered for rezoning; and

WHEREAS, pursuant to K.S.A. 12-757(b), the Coffeyville Planning Commission held a public hearing on April 6, 2010, regarding said rezoning request; and

WHEREAS, in regular session on April 6, 2010, the Coffeyville Planning Commission after considering the matters set forth in the City's zoning regulations determined by a majority vote, to submit to the governing body a recommendation of approval of the rezoning said property to M (Mobile Home Court District) and that the Official Zoning District Map of Coffeyville, Kansas be amended.

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

S-10-05

SECTION 1. That the specific real property as more particularly described below be and is hereby rezoned from A-1 (Agriculture District) to M (Mobile Home Court District).

Coffeyville Planning Commission Rezoning Case Number **ZC 2010-02**.

A tract of land situated in Lot 7 of the Southwest Quarter of Section 7, Township 34 South, Range 17 East of the 6<sup>th</sup> Principal Meridian, Montgomery County, Kansas, being more particularly described as follows: Commencing at a point on the West Right-Of-Way for U.S. Highway 169 on the South Line of said Lot 7; thence North 01°21'14" West (with the North Line of said Southwest Quarter on an assumed bearing of North 88°34'04" West) along said West Right-Of-Way, a distance of 234.00 feet to the Point of Beginning of the herein described tract; thence South 88°32'05" West, perpendicular to the East Line of said Southwest Quarter, a distance of 441.00 feet to a point; thence South 01°27'55" East, parallel to the East Line of said Southwest Quarter, a distance of 211.15 feet, more or less, to a point on the South Line of said Lot 7; thence North 88°29'48" West, along the South Line of said Lot 7, a distance of 339.44 feet, more or less, to a point on the East Line of a tract recorded in Book 573, Page 228 at the Montgomery County Register of Deeds; thence North 01°19'28" West, along the East Line of said recorded tract, a distance of 572.07 feet to a point; thence North 01°53'27" East, along the East Line of said recorded tract, a distance of 585.26 feet to a point; thence North 07°37'14" East, along the East Line of said recorded tract, a distance of 168.44 feet to a point on the North Line of said Southwest Quarter; thence South 88°34'04" East, along the North Line of said Southwest Quarter, a distance of 720.70 feet, more or less, to a point on the West Right-Of-Way for U.S. Highway 169; thence Southerly, along said West Right-Of-Way, a distance of 1,092.65 feet, more or less, to the Point of Beginning, containing 21.07 acres, more or less, in the City of Coffeyville, Montgomery County, Kansas;

a/k/a/ 2629 North Highway 169

SECTION 2. That the Official Zoning District Map of Coffeyville, Kansas be amended to reflect the approved rezoning of said property.

SECTION 3. That all former ordinances and any parts thereof concerned with the rezoning of this particular property in conflict herewith be and are hereby repealed.

Passed and approved this 11th day of May, 2010.

Alec Hendryx, Mayor

ATTEST:

Cindy Price, City Clerk