

ORDINANCE NUMBER 576

AN ORDINANCE OF THE CITY OF HIGHLAND, KANSAS ENACTED IN ACCORDANCE WITH ARTICLE 13 OF ORDINANCE NUMBER 513 OF SAID CITY, AMENDING BOUNDARIES OF ZONING DISTRICTS IN EFFECT PURSUANT TO SAID ORDINANCE, DEFINING THE CHANGES AS AMENDED, AND CHANGING THE OFFICIAL ZONING MAP OF SAID CITY, SPECIFICALLY, CHANGING THE ZONING CLASSIFICATION OF A 5.0 ACRE TRACT, ANNEXED INTO SAID CITY BY ORDINANCE NO. 570, FROM COUNTY ZONE A-1, AGRICULTURE, TO R-2, MEDIUM DENSITY RESIDENTIAL.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HIGHLAND, KANSAS:

SECTION 1: The City of Highland, Kansas has heretofore enacted a comprehensive zoning ordinance, entitled the *Zoning Regulations & Subdivision Regulations & Procedures Manual for City of Highland, Kansas*, and also referred to as *City of Highland Land Development Ordinance*, as established and incorporated by Ordinance Number 513 and subsequent amendments of said City thereto.

SECTION 2: At a meeting of the Doniphan County Regional Planning Commission held on the 11th day of August, 2021, pursuant to prior publication and notice of hearing, the said commission considered and recommended approval of the changes in zoning of the real estate set out in Section 4 hereof, and communicated said recommendations to the governing body of the City.

SECTION 3: The changes set out in Section 4 hereof is required by reason of public necessity, convenience and general welfare and is in accordance with the factors considered under Section 12 of Article 13 - Amendments of Ordinance 513.

SECTION 4: The following described real estate situated in the original town, now City of Highland, Kansas, recently annexed into said city by Ordinance No. 570, is hereby rezoned and changed from county zone A-1, Agriculture, a zone that does not exist in said city, to R-2, Medium Density Residential, as defined by Article 4 – District Regulations, all as referenced in Ordinance 513:

A tract of land of 5.0 acres, more or less, located in the Northeast 1/4 of Section 22, Township 2 South, Range 19 East, Doniphan County, Kansas, as referenced on a plat of survey dated May 25, 2004, Project 12002.280, by David P. Clark, RLS, licensed land surveyor, described as follows:

TRACT NO. 1:

Commencing at the Southwest corner of the Northeast one-quarter (NE 1/4) of Section 22, Township 2 South, Range 19 East of the Sixth Principal Meridian, Doniphan County, Kansas; thence North 0°13'50" West (assumed bearing), 125.00 feet along the West line of said NE

1/4 to the True Point of Beginning; thence continuing North 0° 13'50" West, 535.00 feet; thence leaving said West line, South 89°46'47" East, 330.00 feet (20 rods) along a line parallel with the South line of said NE 1/4; thence South 0°13'50" East, 535.00 feet along a line parallel with the West line of said NE 1/4; thence North 89°46'47" West, 330.00 feet (20 rods) along a line parallel with the South line of said NE 1/4 to the Point and Place of Beginning. Said tract contains 4.05 acres, more or less. Subject to all public roads, easements, restrictions, reservations, covenants and conditions, if any, now of record.

TRACT NO. 2:

Beginning at the Southwest corner of the Northeast one-quarter (NE 1/4) of Section 22, Township 2 South, Range 19 East of the Sixth Principal Meridian, Doniphan County, Kansas; thence North 0°13'50" West (assumed bearing), 125.00 feet along the West line of said NE 1/4; thence leaving said West line, South 89°46'47" East, 195.00 feet along a line parallel with the South line of said NE 1/4; thence South 0°13'50" East, 125.00 feet along a line parallel with the West line of said NE 1/4 to a point on the South line of said NE 1/4; thence following said South line, North 89°46'47" West, 195.00 feet to the Point and Place of Beginning. Said tract contains 0.56 acres, more or less. Subject to all public roads, easements, restrictions, reservations, covenants and conditions, if any, now of record.

TRACT NO. 3:

Commencing at the Southwest corner of the Northeast one-quarter (NE 1/4) of Section 22, Township 2 South, Range 19 East of the Sixth Principal Meridian, Doniphan County, Kansas; thence South 89°46'47" East (assumed bearing), 195.00 feet along the south line of said NE 1/4 to the True Point of Beginning; thence leaving said South line, North 0°13'50" West, 125.00 feet along a line parallel with the West line of said NE 1/4; thence South 89°46'47" East, 55.00 feet along a line parallel with the South line of said NE 1/4; thence South 0°13'50" East, 125.00 feet along a line parallel with the West line of said NE 1/4 to a point on the South line of said NE 1/4; thence North 89°46'47" West, 55.00 feet along the South line of said NE 1/4 to the Point and Place of Beginning. Said tract contains 0.16 acres, more or less, subject to all public roads, easements, restrictions, reservations, covenants and conditions, if any, now of record.

TRACT NO. 4:

Commencing at the Southwest corner of the Northeast one-quarter (NE 1/4) of Section 22, Township 2 South, Range 19 East of the Sixth Principal Meridian, Doniphan County, Kansas; thence South 89°46'47" East (assumed bearing) 250.00 feet along the South line of said NE 1/4 to the True Point of Beginning; thence leaving said South line, North 0°13'50" West, 125.00 feet along a line parallel with the West line of said NE 1/4; thence South 89°46'47" East, 80.00 feet along a line parallel with the South line of said NE 1/4; thence South 0°13'50" East, 125.00 feet along a line parallel with the West line of said NE 1/4 to a point on the South line of said NE 1/4; thence North 89°46'47" West, 80.00 feet to the Point and

Place of Beginning. Said tract contains 0.23 acres, more or less. Subject to all public roads, easements, restrictions, reservations, covenants and conditions, if any, now of record.

COMBINED DESCRIPTION OF TRACT NO. 3 AND 4:


Commencing at the Southwest corner of the Northeast one-quarter (NE 1/4) of Section 22, Township 2 South, Range 19 East of the Sixth Principal Meridian, Doniphan County, Kansas; thence South 89°46'47" East (assumed bearing), 195.00 feet along the South line of said NE 1/4 to the True Point of Beginning; thence leaving said South line, North 0°13'50" West, 125.00 feet along a line parallel with the West line of said NE 1/4; thence South 89°46'47" East, 135.00 feet along a line parallel with the South line of said NE 1/4; thence South 0°13'50" East, 125.00 feet along a line parallel with the West line of said NE 1/4 to a point on the South line of said NE 1/4; thence North 89°46'47" West, 135.00 feet to the Point and Place of Beginning. Said tract contains 0.39 acres, more or less. Subject to all public roads, easements, restrictions, reservations, covenants and conditions, if any, now of record.

SECTION 5: The official zoning district map of the City of Highland, Kansas, known as the *City of Highland, Kansas Zoning Districts Map*, as referenced in Article 3 – General Provisions, Section 4 - Zoning Districts Map, as incorporated by reference into said Ordinance 513, shall be changed and amended to reflect the changes set out in Section 4 of this ordinance, and said map is reincorporated by reference.

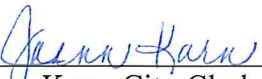
SECTION 6: This ordinance is enacted in accordance with the provisions of Article 13 – Amendments of the *Zoning Regulations & Subdivision Regulations & Procedures Manual for City of Highland, Kansas*, as incorporated by Ordinance Number 513 of the City of Highland, Kansas.

SECTION 7: This ordinance shall take effect immediately upon publication, in summary format, in the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of Highland, Kansas, this 8th day of September, 2021.


Charles N. Batchelder, Mayor

ATTEST:


Joann Karn, City Clerk

(Seal)