

RESOLUTION NO. 087 - 2018

Published on 5-30-2018

**A RESOLUTION REGARDING THE ALTERATION AND
MODIFICATION OF BOUNDARIES OF SEDGWICK COUNTY
FIRE DISTRICT NUMBER ONE, SEDGWICK COUNTY, KANSAS**

WHEREAS, under the provisions of K.S.A. 19-3604(b), the territory of any organized fire district may be subsequently altered by the exclusion of lands upon petition to the Board of County Commissioners signed by the owners of at least ten percent (10%) of the area of lands sought to be excluded; and

WHEREAS, Paul J. and Dani Rau, III, owners of property located in Union Township, have presented their petition to the Board of County Commissioners seeking to be excluded from the boundaries of the Sedgwick County Fire District Number One; and

WHEREAS, proper notice has been given pursuant to K.S.A. 19-270(b).

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that:

SECTION I. The owners, listed in Exhibit "A", have filed their petition with the Board of County Commissioners pursuant to K.S.A. 19-3604(b) seeking exclusion of certain tracts of land, from the boundaries of Sedgwick County Fire District Number One. Said tracts of land are generally located in Union Township and are more specifically described in Exhibit "A", entitled Property Address and Legal Description, attached hereto and incorporated herein. Said property is further noted on the map identified as Exhibit "B" attached hereto and incorporated herein.

SECTION II. After considering any testimony offered at the public hearing concerning:

- (1) The size and population of the cities of Colwich, Maize and Wichita;
- (2) The growth in population, business and industry of said cities;
- (3) The extension of said cities' boundaries during the past 10 years;
- (4) The probability of the growth of the cities toward the territory during the ensuing 10 years, taking into consideration natural barriers and other reasons which might influence growth toward the territory;
- (5) The willingness of the cities to annex the respective territory and the cities' ability to provide city services in case of annexation;
- (6) The general effect upon the entire affected community; and

- (7) Other considerations having to do with the overall orderly and economic development of the area and to prevent an unreasonable multiplicity of independent municipal and special district governments;

the Board of County Commissioners finds and determines that the real property described herein shall be and the same is hereby excluded from the boundaries of the Sedgwick County Fire District Number One.

SECTION III. In compliance with K.S.A. 19-3604(b), this Resolution shall be published once each week for two (2) consecutive weeks in a newspaper of general circulation in an area where said lands are located. Such publication shall include a map, attached hereto and incorporated herein as Exhibit B, showing the territory of the district and the lands proposed to be removed thereto. If within thirty (30) days after the last publication of said Resolution and map, a petition protesting the exclusion of such land, signed by the owners (whether residents of the County or not) of more than nineteen percent (19%) of the area of lands sought to be excluded within said fire district is filed with the County Clerk, this Resolution shall have no force or effect, but if such protest petition(s) shall not be filed within said time, this Resolution shall become final and said lands shall thereupon be deemed detached from said fire district.

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Commissioners present and voting were:


DAVID M. UNRUH
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
RICHARD RANZAU
JAMES M. HOWELL

Aye
Aye
Aye
Aye

Dated this 23 day of May, 2018.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KBA
KELLY B. ARNOLD
Clerk


[Signature]
DAVID T. DENNIS, Chairman
Commissioner, Third District

[Signature]
DAVID M. UNRUH, Chair Pro Tem
Commissioner, First District

APPROVED AS TO FORM:

[Signature]
WILLIAM F. DEER
Assistant County Counselor

[Signature]
MICHAEL B. O'DONNELL, II
Commissioner, Second District

[Signature]
RICHARD RANZAU
Commissioner, Fourth District

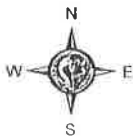
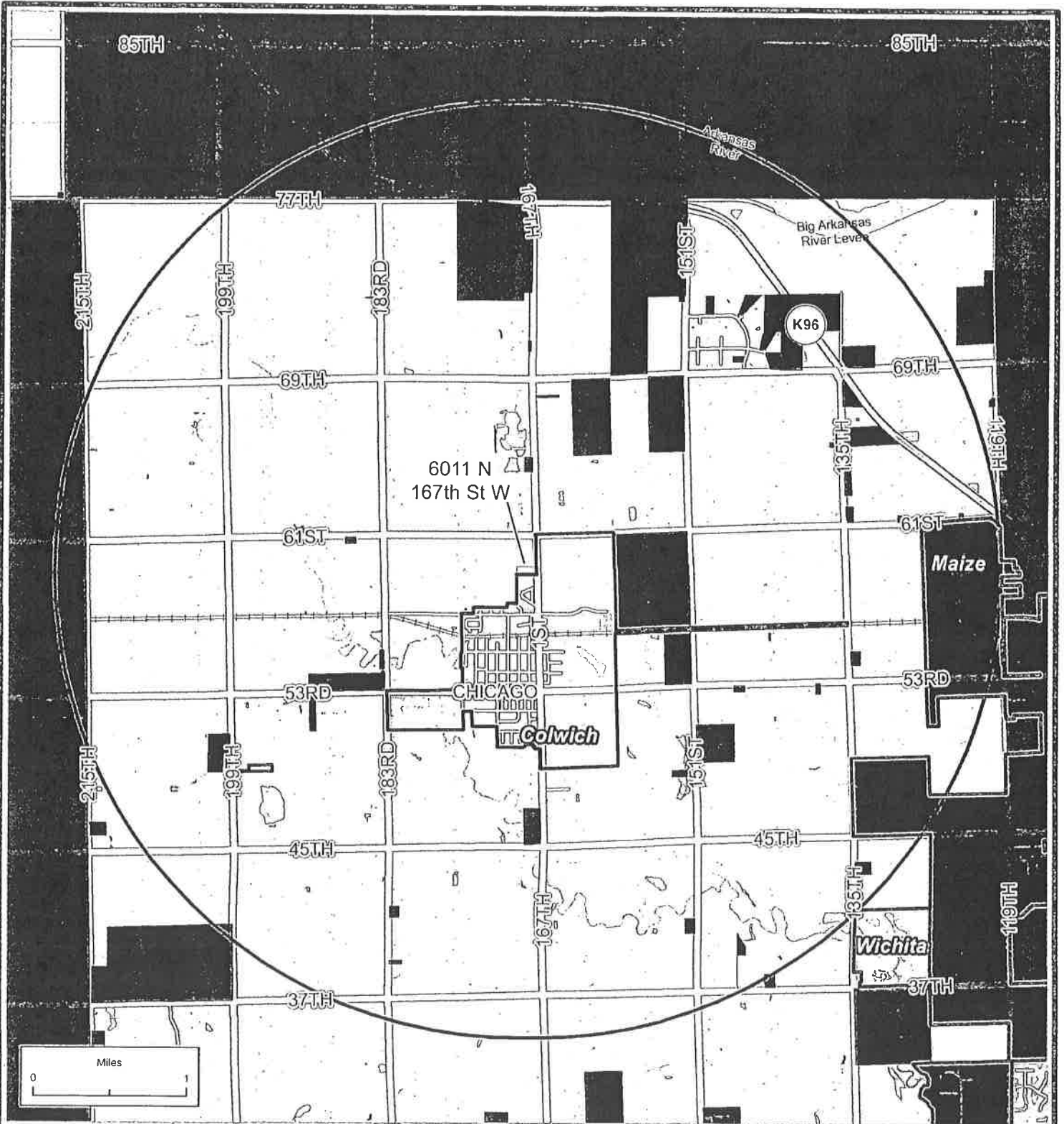
[Signature]
JAMES M. HOWELL
Commissioner, Fifth District

EXHIBIT "A"
Property Address and Legal Description

EXCLUSION

Rau, Paul J., III and Dani – 6011 N. 167th St. W, Colwich, KS 67030.

Legally described as S 250 FT E 697 FT N1/2 NE1/4 EXC E 30 FT FOR RD SEC 16-26-2W.



It is understood that the Sedgwick County GIS, Division of Information and Operations, has no indication or reason to believe that there are inaccuracies in information incorporated in the base map.
 The GIS personnel make no warranty or representation, either expressed or implied, with respect to the information or the data displayed.

Fire Petition #17-8
6011 N 167th St W

Sedgwick County, Kansas

EXHIBIT B

Legend

-  Exclusion Parcel
-  3 Mile Buffer
-  Sedgwick County Fire District
-  City Limits