

ORDINANCE NO. 1250

AN ORDINANCE REZONING A PARCEL OF PROPERTY FROM A-L (AGRICULTURE DISTRICT ) TO C-S (HIGHWAY SERVICE DISTRICT) AS PROVIDED FOR BY ARTICLE 34, SECTION 1 OF THE ZONING REGULATIONS FOR THE CITY OF HILLSBORO, KANSAS.

THAT WHEREAS under K.S.A. 12-741 et seq., a city is authorized to amend an adopted zoning ordinance; and

WHEREAS, the Governing Body of Hillsboro, Kansas established a Community Planning and Development Commission for Hillsboro; and

WHEREAS, the Community Planning and Development Commission adopted a zoning ordinance after notice by publication in the official city newspaper, at a public hearing on January 8, 1996; and

WHEREAS, the Governing Body revised, approved and adopted the Zoning Regulations on April 19, 2011 through the passage of Ordinance No. 1208; and

WHEREAS, the Community Planning and Development Commission, by a vote of all members present on June 5, 2014, recommended to the Governing Body that the below described parcel be rezoned from the A-L (Agriculture District) to C-S (Highway Service District) zoning district as provided for by Article 34 of the Zoning Regulations; and

WHEREAS, the Community Planning and Development Commission has sent a certified copy of such amendment together with a written summary of the public hearing to the Governing Body; and

WHEREAS, the Governing Body of the City of Hillsboro, Kansas wishes to rezone the below described parcel as recommended by the Community Planning and Development Commission:

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

Section 1. The land legally described as follows shall be zoned as C-S (Highway Service District):

Legal description: A portion of Lot 4, Block 1, County Clerk's Fifth Hillsboro Plat, City of Hillsboro, Marion County Kansas described as follows: Commencing at the Southeast corner of Lot 4, Block 1, County Clerk's Fifth Hillsboro Plat; thence on Kansas State Plane Zone 1502 bearing North 00°54'59" West along the East line of said Lot 4 a distance of 155.13 feet to the point of beginning; thence South 88° 28'14" West 461.98 feet to the West line of said Lot 4; thence North 00° 55'29" West along said West line 233.43 feet to the South Right of Way line of Orchard Drive; thence North 89° 19'39" East along said Right of Way 462.00 feet to the East line of said Lot 4; thence South 00° 54'59" East along said East line 226.52 feet to the point of beginning, containing 2.439 Acres, subject to any easements or restrictions of record. Generally located at 501 N. Ash.

Section 2. The Official Zoning Map of the City of Hillsboro is hereby changed to reflect the rezoning of this property.

Section 3. Any provisions of this Ordinance which shall be declared to be unconstitutional or otherwise invalid shall not affect the validity and authority of any other section of said Ordinance.

Section 4. This ordinance shall take effect from and after its passage, approval and publication once in the official city newspaper.

PASSED THIS 17<sup>TH</sup> DAY OF JUNE, 2014.

\_\_\_\_\_/s/\_\_\_\_\_  
Delores Dalke, Mayor

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Janice K. Meisinger, City Clerk

On June 17, 2014 the City of Hillsboro, Kansas adopted Ordinance 1250 which authorizes the rezoning of A portion of Lot 4, Block 1, County Clerk's Fifth Hillsboro Plat, City of Hillsboro, Marion County Kansas described as follows: Commencing at the Southeast corner of Lot 4, Block 1, County Clerk's Fifth Hillsboro Plat; thence on Kansas State Plane Zone 1502 bearing North 00°54'59" West along the East line of said Lot 4 a distance of 155.13 feet to the point of beginning; thence South 88° 28'14" West 461.98 feet to the West line of said Lot 4; thence North 00° 55'29" West along said West line 233.43 feet to the South Right of Way line of Orchard Drive; thence North 89° 19'39" East along said Right of Way 462.00 feet to the East line of said Lot 4; thence South 00° 54'59" East along said East line 226.52 feet to the point of beginning, containing 2.439 Acres, subject to any easements or restrictions of record. Generally located at 501 N. Ash. A complete copy of this ordinance is available at [www.cityofhillsboro.net](http://www.cityofhillsboro.net) or at City Hall, 118 E. Grand. This summary is certified by Josh Boehm, City Attorney.

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Josh Boehm, Hillsboro City Attorney