

(First Published in the Butler County Times-Gazette  
on the 11<sup>th</sup> day of June, 2016.)

THE CITY OF AUGUSTA, KANSAS

ORDINANCE NO. 2098

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY LOCATED WITHIN BUTLER COUNTY, KANSAS FROM THE PRESENT AG-2 – AGRICULTURAL DISTRICT TO THE R-6D – RURAL RESIDENTIAL (20-39.99 ACRES) DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AUGUSTA, KANSAS.

WHEREAS, notice of a May 23, 2016 Augusta Planning Commission public hearing on Zoning Case Number Z2016-13 changing the zoning classification of the herein described real property located within Butler County, Kansas from the present AG-2 – AGRICULTURAL DISTRICT to the R-6D – RURAL RESIDENTIAL (20-39.99 ACRES) DISTRICT was published in the official city newspaper on April 30, 2016, and mailed on April 29, 2016 to all owners of record of lands, within the corporate limits of the City of Augusta, located within 200 feet of the proposed zoning change and outside the corporate limits of the City of Augusta, located within 1,000 feet of the proposed zoning change; and

WHEREAS, on April 18, 2016, the Butler County Board of County Commissioners voted unanimously to support the proposed zoning change; and

WHEREAS, the Augusta Planning Commission conducted a public hearing on May 23, 2016 on changing the zoning classification of the herein described real property located within the corporate limits of the City of Augusta, Kansas from the present AG-2 – AGRICULTURAL DISTRICT to the R-6D – RURAL RESIDENTIAL (20-39.99 ACRES) DISTRICT, and thereafter, based upon the public hearing and a discussion of the factors to consider in re-zoning, voted to recommend approval of said zone change by the governing body; and

WHEREAS, more than 14 days has elapsed since said public hearings and no protest petition has been filed with the City of Augusta City Clerk.

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

Section 1. Zone Change

The official zoning classification of the property hereinafter described is hereby changed from the present zoning classifications of AG-2 – AGRICULTURAL DISTRICT to the R-6D – RURAL RESIDENTIAL (20-39.99 ACRES) DISTRICT. Said property is legally described as follows:

*The North Half of the Northwest Quarter of the Northwest Quarter of Section 24, Township 27 South, Range 3 East of the 6<sup>th</sup> P.M., in Butler County, Kansas; AND*

*A tract of land in the Northeast Quarter of the Northwest Quarter of Section 24, Township 27 South, Range 3 East of the 6<sup>th</sup> P.M., in Butler County, Kansas described as follows: Beginning at the Northwest Corner of said Northeast Quarter of the Northwest Quarter of the Northwest Quarter, thence North 89°47'0" East (assuming bearing) along the North lie of said Northeast Quarter of the Northwest Quarter a distance of 175.40 feet; thence South 0°24'46" East a distance of 1324.13 feet to the South line of said Northeast Quarter of the Northwest Quarter; thence South 89°46'15" West a distance of 182.88 feet to the Southwest Corner of said Northeast Quarter of the Northwest Quarter; thence North along the West line of said Northeast Quarter of the Northwest Quarter a distance of 1324.16 feet to the point of beginning; subject to public road EXCEPT the Broken Branch Ranch Legal.*

Section 2. Zoning Ordinance and Map Amendment

City of Augusta Ordinance Number 1788 and the official zoning map of the City of Augusta, Kansas are hereby amended in accordance with Section 1 of this Ordinance.

Section 3. Effective Date

This Ordinance shall take effect and be in force thirty (30) days from and after its publication in the official city newspaper.

Adopted by the City Council this 6th day of June, 2016.

Approved by the Mayor this 6th day of June, 2016.



SEAL

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MATT C. CHILDERS, MAYOR

ATTEST:

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ERICA JONES, CITY CLERK

CITY CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said ordinance was passed on the 6<sup>th</sup> day of June, 2016; that the record of the final vote on the passage is found on page \_\_\_\_\_ of Journal \_\_\_\_\_, that it was published in the Augusta Daily Gazette on 6/11/16.

Alicia L Jones  
City Clerk