

ORDINANCE NO. 3212

AN ORDINANCE REPEALING ORDINANCE NO. 3175 PREVIOUSLY ADOPTED BY THE GOVERNING BODY ON MAY 4, 2015 AND REVERTING THE ZONING CLASSIFICATION CHANGED BY ORDINANCE NO. 3175 TO THAT EXISTING PRIOR TO ADOPTION AS FURTHER DESCRIBED BELOW.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF McPHERSON, Kansas:

SECTION 1. Ordinance No. 3175 required that a final plat of all or portions of the subject property must be completed, approved, signed, and filed with the McPherson County Register of Deeds within twelve months of the date the Ordinance was approved by the City Commission or the zoning change would become null and voided. The expiration date of that twelve month period was May 4, 2016 and the required plat was not completed and filed as required. Therefore, the zoning change established by Ordinance No. 3175 is hereby declared to be null and void and the zoning classification reverts to the zoning classifications that were in place prior to the passage of Ordinance No. 3175 further described below:

The zoning classification shall revert from the current classification the B-2 Neighborhood Business District with "P-O" Protective Overlay District #8, to the preexisting R-1 Single Family Residential District on property described as:

Legal Description: A portion of the South Half of the South Half of the Southeast Quarter of Section 17, Township 19 South, Range 3 West of the 6th P.M. McPherson County, Kansas described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence on a NAD 83 Kansas Zone 1502 bearing of South 89°56'46" West, on the South line of said Southeast Quarter a distance of 1,262.00 feet (Record) to the point of beginning; thence continuing South 89°56'46" West on said South line a distance of 200.00 feet; thence North 00°17'48" West, parallel with the West line of Harry Spence Second Addition to the City of McPherson, Kansas a distance of 233.00 feet; thence North 89°56'46" East, parallel with the South line of said Southeast Quarter a distance of 200.00 feet to the West line of said Harry Spence Second Addition; thence South 00°17'48" East, on said West line, a distance of 233.00 feet to the point of beginning. Containing 1.07 Acres and subject to a road right-of-way across the South 33.00 feet there, and any other easements or restrictions of record.

General Location: On the North side of Northview Road, immediately West of 400 West Northview Road

SECTION 2. Upon the taking effect of the Ordinance, the above zoning change shall be

entered and shown on the Official Zoning Map as previously adopted by reference and said map is hereby reincorporated as a part of the Zoning Regulations as amended.

SECTION 3. This ordinance shall take effect and be in full force and effect from and after its passage, signature and publication of a summary of this ordinance in the official city newspaper and posting of the full text of the ordinance on the city's website in compliance with K.S.A. 12-3007(b).

PASSED BY THE GOVERNING BODY and SIGNED BY THE MAYOR this 16th day of May, 2016.

ATTEST

[SEAL]



Thomas A. Brown, Mayor

Tamra Seely, City Clerk

Ordinance No. 3212 Summary

On May 16, 2016, the City of McPherson, Kansas adopted Ordinance 3212 to repeal Ordinance 3175 previously adopted on May 4, 2015 for property generally described as the North side of Northview Road, immediately West of 400 W. Northview Road because the conditions of the prior ordinance were not completed in the timeframe required thus returning the land back to its preexisting R-1 Single Family Residential District. A complete copy of this Ordinance is available at www.mcpcity.com or at the Municipal Center, 400 E. Kansas, McPherson, Kansas. Jeffrey A. Houston, City Attorney, certified this summary.