

ORDINANCE NO. 2391

AN ORDINANCE REZONING REAL PROPERTY LOCATED WITHIN THE CITY OF DERBY, KANSAS, FROM R-1 "SINGLE-FAMILY RESIDENTIAL DISTRICT" TO RPUD "RESIDENTIAL PLANNED UNIT DEVELOPMENT;" AND AMENDING THE OFFICIAL ZONING MAP OR MAPS OF THE CITY TO REFLECT SUCH AMENDMENT, ALL PURSUANT TO THE ZONING REGULATIONS OF THE CITY.

BE IT ORDAINED by the Governing Body of the City of Derby, Kansas:

SECTION 1. Having received the recommendation of the City Planning Commission following notice and hearing thereon as provided by law and pursuant to Zoning Regulations of the City of Derby, Kansas, the zoning of the following described real property is hereby amended from R-1 "Single-Family Residential District" to RPUD "Residential Planned Unit Development":

A contiguous tract of land lying within Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28, Block O, TOGETHER WITH, Lots 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45, Block P, TOGETHER WITH, Reserves "M" and "XI", TOGETHER WITH, portions of Cross Creek Street, Cross Creek Court, and Waters Edge Street, all platted within The Oaks, an addition to Derby, Sedgwick County, Kansas, said contiguous tract of land being more particularly described as follows:

BEGINNING at the northeast corner of said Lot 37, being common to the southeast corner of Lot 1, Block 1, Courtyards at the Oaks, an addition to Derby, Sedgwick County, Kansas; thence along the east line of said Lot 37 on a Kansas coordinate system of 1983 south zone bearing of S20°18'36" E, 97.41 feet to the southeast corner of said Reserve "XI", said corner being common to the southwest corner of Reserve "XG", of the said The Oaks addition; thence along the southerly line of said Reserve "XG", N69°41'24"E, 15.00 feet to the southeast corner of said Reserve "XG", said corner being common to a point on the westerly right-of-way line of Triple Creek Road, platted in said The Oaks addition; thence along said westerly right-of-way line for the next two courses, S20°18'36"E, 72.00 feet to a point on a curve to the right, said curve having a radius of 525.00 feet, a central angle of 01°18'36", a chord bearing of S19°39'19"E, and a chord distance of 12.00 feet; thence along said curve to the right 12.00 feet to the northeast corner of Reserve "XJ", of said The Oaks addition; thence along the north line of said Reserve "XJ", S69°41'24"W, 15.00 feet to the northwest corner of said Reserve "XJ", being common to the northeast corner of said Lot 28, and also being a point on a non-tangent curve to the right, said curve having a radius of 510.00 feet, a central angle of 17°41'25", a chord bearing of S10°07'00"E, and a chord distance of 156.84 feet; thence along said non-tangent curve to the right and along the east line of said Lot 28, 157.46 feet to a point on a curve to the left, said curve having a radius of 327.00 feet, a central angle of 02°43'52", a chord bearing of S02°38'13"E, and a chord distance of 15.58

feet; thence along said curve to the left and continuing along said east line, 15.59 feet to the southeast corner of said Lot 28, being common to the southwest corner of said Reserve "XJ"; thence along the southerly and westerly boundary of said Block O for the next six consecutive courses, S42°03'02"W, 458.51 feet; thence S67°24'59"W, 214.45 feet; thence S87°11'39"W, 200.29 feet; thence N62°29'44"W, 201.02 feet; thence N32°08'17"W, 359.76 feet; thence N07°12'54"E, 363.73 feet to the northwest corner of said Lot 17, being common to the southwest corner of said Courtyards at the Oaks addition; thence along the north line of said Lot 17, and along the southerly line of said Courtyards at the Oaks for the next five consecutive courses, S82°47'18"E, 148.61 feet to the northeast corner of said Lot 17; thence S72°34'20"E, 60.00 feet to a point on the west line of said Lot 32, also being a point on a non-tangent curve to the right, said curve having a radius of 395.00 feet, a central angle of 03°24'38", a chord bearing of N19°07'59"E, and a chord distance of 23.51 feet; thence along said west line and said non-tangent curve to the right, 23.51 feet to a point on a curve to the left, said curve having a radius of 456.00 feet, a central angle of 02°13'44", a chord bearing of N19°43'25"E, and a chord distance of 17.74 feet; thence continuing along said west line and along said curve to the left, 17.74 feet to the northwest corner of said Lot 32; thence along the north lines of said Lots 32, 33, 34, 35, 36, and 37, N89°01'51"E, 719.79 feet to the POINT OF BEGINNING.

Said contiguous tract CONTAINS: 653,632 square feet or 15.01 acres of land, more or less.

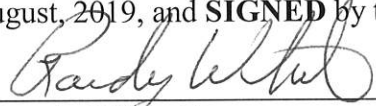
SECTION 2. The Zoning Regulations of the City of Derby, Kansas, first adopted by City of Derby Ordinance Number 940 and subsequently amended, and the official zoning map of the City of Derby, Kansas are hereby amended in accordance with Section 1 of this Ordinance.

SECTION 3. Should any section, clause, sentence, or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining provisions herein.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and publication once in the City's official newspaper as provided by State law.

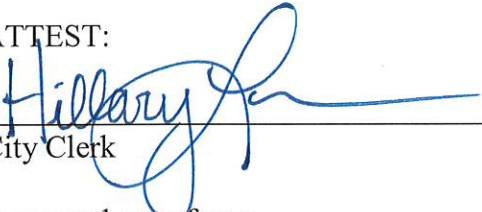
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PASSED by the City Council this 13th day of August, 2019, and **SIGNED** by the Mayor.



Randy White, Mayor

ATTEST:



City Clerk

Approved as to form:



Jacqueline R. Butler, City Attorney

