

RESOLUTION NO. 1421

A RESOLUTION DECLARING THE BOUNDARY LINES AND CITY LIMITS OF THE CITY OF CANEY, KANSAS, IN COMPLIANCE WITH AND PURSUANT TO K.S.A. 12-517.

WHEREAS, certain territory has been annexed by the City of Caney, Kansas, since Resolution No. 1401 was adopted on September 9, 2021; and

WHEREAS, the City desires to declare by Resolution the entire boundary of the City, as a result of the annexation of territory by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CANEY, KANSAS:

SECTION 1. That the boundary lines and City limits of the City of Caney, Montgomery County, Kansas, are hereby declared to be as follows, to-wit:

Tract One¹

Commencing at the Southeast Corner of the Northeast Quarter of the Northwest Quarter (NE/4 NW/4) of Section 13, Township 35 South, Range 13 East, thence North 5,409 feet to the Northwest corner of the Southeast Quarter of the Northwest Quarter (SE/4 NW/4) of Section 12, Township 35 South, Range 13 East; thence East 744 feet; thence North 1,277 feet to a point 576 feet West of the Center of the North line of Section 12, Township 35 South, Range 13 East; thence East 986 feet to a point 410 feet East of the Center of the North line of Section 12, Township 35 South, Range 13 East; thence South 685 feet; thence East 740 feet; thence South 568 feet to a point on the South line of the Missouri-Pacific Railroad right of way, said point being 170 feet West and 72 feet North of the Northeast corner of the Southwest Quarter of the Northeast Quarter (SW/4 NE/4) of Section 12, Township 35 South, Range 13 East; thence East by North along the South line of the Missouri-Pacific Railroad right of way 1,460 feet to a point 147 feet North of the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE/4 NE/4) of Section 12, Township 35 South, Range 13 East; thence South 1,467 feet to the center of the East line of said Section 12; thence East 1,324 feet to the Northeast corner of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of Section 7, Township 35 South, Range 14 East; thence South 1,310 feet to the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of said Section 7; thence East to a point 40 feet North and 30 feet East of the Northeast corner of Block 8, Bradley's Addition to the City of Caney, Kansas; thence South 1,310 feet to a point on the South line of said Section 7, 30 feet East and 30 feet South of the Southeast corner of Block 12, Bradley's Addition to the City of Caney, Kansas; thence West 1,420 feet to the Northeast corner of the Northeast Quarter of the Northeast Quarter (NE/4 NE/4) of Section 13, Township 35, Range 13 East, thence South 1,320 feet to the Northeast corner of the Southeast Quarter of the Northeast Quarter (SE/4 NE/4) of Section 13, Township 35, Range 13 East; thence South 198 feet; thence South 89° 27' 16" West 210 feet; thence South 13° 44' 28" East 314.40 feet; thence South 42° 18' 58" West 453.05 feet; thence South 20° 10' 14" West 522.02 feet; thence West along the South line of the Southeast Quarter of the Northeast Quarter (SE/4 NE/4) of said Section 13, 280.07 feet; thence North 40° West 250 feet; thence South 45° West 325 feet; thence North 0° 59' 44" West 830.24 feet; thence East

¹ Ordinance No. 813

258 feet, thence North 299.76 feet, thence West 258 feet, thence North 198 feet to the Northwest corner of the Southeast Quarter of the Northeast Quarter (SE/4 NE/4) of Section 13, Township 35 South, Range 13 East; thence West 2,682.5 feet to the Southwest corner of the Northeast Quarter of the Northwest Quarter (NE/4 NW/4) of Section 13, Township 35 South, Range 13 East, or the place of beginning.

Tract Two²

Lots One through Six, inclusive, Block One, North Highland Addition to the City of Caney, Kansas; Lots One through Six, inclusive, Block Two, North Highland Addition to the City of Caney, Kansas; Lots One through Six, inclusive, Block Three, North Highland Addition to the City of Caney, Kansas; Lots One through Six, inclusive, Block Four, North Highland Addition to the City of Caney, Kansas; and a tract of land commencing 30 feet North and 24 feet West of the Southeast corner of the Southwest Quarter of the Northwest Quarter of Section Seven, Township 35 South, Range 14 East, thence North 130 feet; thence West 95 feet; thence South 130 feet; thence East 95 feet to the place of beginning.

Tract Three³

Commencing at the Southwest corner of the Southeast Quarter of the Northeast Quarter (SE/4 NE/4) of Section Thirteen (13), Township Thirty-five (35) South, Range Thirteen (13) East, thence North 1320 feet to the Northwest corner of the Southeast Quarter of the Northeast Quarter (SE/4 NE/4) of Section Thirteen (13), Township Thirty-five (35) South, Range Thirteen (13) East; thence West 27.5 feet to the West line of South High Street, formerly U. S. Highway 75; thence South 1320 feet; thence East 27.5 feet to the place of beginning, the same being the West ½ of the roadway easement for South High Street, formerly U. S. Highway 75, Montgomery County, Kansas.

Tract Four⁴

Beginning 198 feet South of the Northwest Corner of the South East Quarter (SE/4) of the Northeast Quarter (NE/4) of Section Thirteen (13), Township Thirty-Five (35) South, Range Thirteen (13); thence South 299.76 feet; thence East 258 feet; thence North 299.76 feet; thence West 258 feet to point of beginning, containing 1.78 acres, more or less.

Tract Five⁵

East half (E/2) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section Thirteen (13), Township Thirty-Five (35) South, Range Thirteen (13) East, Montgomery County, Kansas, except Beckley's Addition to the City of Caney, Kansas and except .97 Acres for Highway Right of Way.

Tract Six⁶

Beginning at the Southeast corner of Section Five (5), Township Thirty-five (35) South of Range Fourteen (14) East of the 6th Principal Meridian, thence North 1,029.98 feet to a point in the Missouri Pacific Railroad Right of Way (proposed to be abandoned), thence Southwesterly to a point on the West line of the Southeast Quarter (SE/4) of said section

² This property was annexed by the City on June 11, 1979 (Ordinance No. 806) and may be included in the 'Tract One' description.

³ Annexed on May 19, 1980 (Ordinance No. 822)

⁴ Annexed on March 23, 1981 (Ordinance No. 831)

⁵ Annexed on March 23, 1981 (Ordinance No. 832)

⁶ Annexed on January 18, 1982 (Ordinance No. 846)

that is 470.42 feet North of the South line of said Southeast Quarter (SE/4), thence South 470.42 feet to the Southwest corner of the Southeast Quarter (SE/4) of said section, thence East to the point of beginning, except the highway right of way thereof, Montgomery County, Kansas.

Tract Seven⁷

All of the West Half of the Northwest Quarter (W/2 NW/4) of Section 7, Township 35, Range 14 South of the Railroad Right-of-way of the D.M.&A. Division of the Missouri Pacific Railway Company, as now located thereon, all lying in Township 35, Range 14 East of the 6th P.M., and

The N/2 of the abandoned Missouri Pacific Railroad Right-of-way lying immediately South of the following described property, to wit: That property located in the NW/4 of the NW/4 of Section 7, Township 35, Range 14, immediately North of the Missouri Pacific Railroad right-of-way;

EXCEPT the tracts described as follows:

Tract #1: Commencing 30 feet North and 24 feet West of the Southeast corner of the SW/4 of the NW/4 of said Section 7, thence North 130 feet; thence West 95 feet; thence South 130 feet; thence East 95 feet to the place of beginning;

Tract #2: Commencing at a point 30 feet north and 30 feet East of the SW corner of said SW/4 of the NW/4 of said Section 7, thence North 130 feet; thence East 50 feet; thence South 130 feet; thence West 50 feet to the place of beginning, also except that part condemned and taken for U.S. Highway No. 75;

Tract #3: That part of the South 360 feet of the W/2 of the NW/4 of Section 7, in Township 35 South of Range 14 East of the 6th P.M. platted as North Highland Addition to Caney, which Plat is recorded in Book 5 of Plats at page 45 in the office of the Register of Deeds of Montgomery County, Kansas;

Tract #4: A five (5) acre tract, more or less, located in the West Half of the Northwest Quarter (W/2 NW/4) of Section 7, Township 35, Range 14 East of the 6th P.M., including Railroad right-of-way (ROW) of the D.M.&A. Division of the Missouri Pacific Railway Company, as now located thereon. The 5 acre tract is additionally described as follows: Commencing at a point on the North boundary of the Railroad ROW of the D.M.&A. Division of the Missouri Pacific Railroad Company, 80 feet due East of the centerline of U.S. Highway 75, thence South and parallel with the highway centerline 349.16 feet, thence East 580.60 feet, thence North 404.35 feet, thence West Southwest 583.27 feet along the northern boundary of the ROW to the place of beginning.

Tract #5: The East 150 feet of the West Half of the Northwest Quarter (W/2 NW/4) of Section 7, Township 35, Range 14 South of the North line of the Railroad Right-of-way of the D.M.&A. Division of the Missouri Pacific Railway Company, as now located thereon, and North of Bullpup Boulevard, all lying in Township 35, Range 14 East of the 6th P.M.

And

Beginning at a point 525.0 feet West of the Northeast corner of the SW/4 NE/4, Section 13, Township 35, Range 13E, thence West 36.08 feet; thence South 235 feet; thence East 39.83 feet; thence northerly 235 feet, more or less to beginning;

⁷ Annexed on September 20, 1999 (Ordinance No. 1089)

A tract of land beginning at a point at the Southeast Corner of Lot Three (3), Taylor's Addition to the City of Caney, Kansas, thence East 464 feet, 4 inches; thence South 235 feet; thence West 464 feet 4 inches; thence North 235 feet to the place of beginning, all being in Lot Two (2), Section 13, Township 35, Range 13, Montgomery County, Kansas;

Beginning at a point 235 feet South and 741 feet East of the Northwest corner of the Southwest Quarter of the Northeast Quarter (SW/4 NE/4) of Section 13, in Township 35 South, Range 13 East of the 6th P.M., thence West 465 feet; thence South 163 feet; thence East 465 feet; thence North 163 feet to the place of beginning, and containing approximately 1.71 acres.

Tract Eight⁸

Beginning at a point on the west line of Lot 1, Section 18, T35S, R14E, Montgomery County, Kansas, said point being 750 feet South of the NW corner of said Lot 1; thence East 675 feet to a point which is 750 feet South of the north line of said Lot 1; thence South 572.00 feet, more or less, to a point on the United States of America Copan Lake Boundary, said point being 675 feet East of the west line of said Lot 1; thence West along United States of America Copan Lake Boundary, 675 feet to the west line of said Lot 1; thence North along west line of Lot 1, a distance of 571.26 feet to the point of beginning; LESS and EXCEPT that part conveyed to the State of Kansas for Highway purposes.

Tract Nine⁹

Beginning 529 feet south of the Northwest Corner of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) of Section 13, Township 35, Range 13; thence East 262 feet; thence North 167 feet; thence West 262 feet; thence South to the point of beginning, less the right of way, Montgomery County, Kansas.

Tract Ten¹⁰

Tract #1: All of Blocks 8, 9, 10, 12, 13 and 14 in Stone's Addition, except Eleventh Street as platted abutting Blocks 8, 9 and 10 in Stone's Addition and South State Street as platted abutting Blocks 8 and 14 in Stone's Addition.

Tract #2: All that part of Lot 3, Section 13, Township 35 South, Range 13 East described as follows: Bounded on the South by the South line of the State of Kansas; on the North and East by Mo. Pac. Ry. Co's stockyards and the Mo. Pac. Ry. Co's right-of-way leading to said stockyards and on the West by the Mo. Pac. Ry. Co's right-of-way which branches off from above described right-of-way and runs South to the South line of the State of Kansas, Montgomery County, Kansas, as recorded in Book 128 of Deeds at page 541 in the records of the County of Montgomery and State of Kansas.

Tract #3: A tract or parcel of land out of Lot 3 of Section 13, Township 35 South, Range 13 East, Montgomery County, Kansas, being more particularly described as follows: Beginning at a point on the North line of said Lot 3, 50 feet Eastwardly, as measured at right angles, from the centerline of Grantor's main tract, known as Caney Spur, as located and constructed, thence Eastwardly, along said North line of Lot 3, 100 feet, thence Southeastwardly, along a curve to the left, having a radius of 355 feet, the initial tangent of which is at right angles to said North line of Lot 3, an arc distance of 557.6 feet, more or less, to a point 355 feet Southwardly, as measured at right angles, from said North line

⁸ Annexed on October 20, 2008 (Ordinance No. 2075)

⁹ Annexed on January 29, 2009 (Ordinance No.2078)

¹⁰ Annexed on May 6, 2009 (Ordinance No. 2079)

of Lot 3, thence Eastwardly, parallel to said North line of Lot 3, 807 feet, more or less, to a point on the West line of a public road located along the North-south centerline of said Section 13, thence Southwardly along the West line of said public road, 816 feet, more or less, to the South line of said Section 13, being the dividing line between the States of Kansas and Oklahoma; thence Westwardly, along said dividing line between the States of Kansas and Oklahoma, 95 feet, thence Northwardly, parallel to the West line of said public road, 616 feet, more or less, to a point 555 feet Southwardly as measured at right angles, from said North line of Lot 3, thence Westwardly, parallel to said North line of Lot 3, 712 feet, more or less, to a point 505 feet Eastwardly, as measured parallel to said North line of Lot 3, from said main tract center line; thence Northwestwardly, along a curve to the right, having a radius of 555 feet and to which last described course is tangent, 533.5 feet, more or less, to a point 50 feet Eastwardly, as measured at right angles, from said main tract centerline, thence Northwardly, parallel to said main tract centerline, 318 feet, more or less, to the point of beginning.

Tract Eleven¹¹

Beginning 60' E & 616.7' S of the NW corner of the SW/4 of the SE/4 of Section 7, Township 35, Range 14, Montgomery County, Kansas, thence East 232', thence South 222.5', thence West 232', thence North 222.5' to the point of beginning, less right of way.

Tract Twelve¹²

The West 420' of the SW/4 of the SW/4 of Section 12, Township 35, Range 13, Montgomery County, Kansas.

Tract Thirteen¹³

Beginning 75' East and 30' South of the Northwest corner of Section 18, Township 35 South, Range 14 East of the 6th P.M., Montgomery County, Kansas; thence East 245' parallel to the North section line; thence South 220' parallel to the West section line; thence West 242.80', more or less, parallel to the North section line, to the East R/W of Highway 75, then North along the East Highway right-of-way 220', more or less, to the Point of Beginning; except that part deeded for highway.

SECTION 2. The City Clerk shall forthwith file a certified copy of this Resolution with the County Clerk and Register of Deeds of Montgomery County, Kansas, and with the State Highway Engineer, Topeka, Kansas. The Register of Deeds shall file, but not record the certified copy of the Resolution, which is filed in its office.

SECTION 3. All other Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

ADOPTED on this ___ day of December 2022.



 Joshua Elliott, Mayor

¹¹ Annexed on November 16, 2009 (Ordinance No. 2090)

¹² Annexed on November 16, 2009 (Ordinance No. 2091)

¹³ Annexed on September 9, 2021 (Ordinance No. 2177)

Attest:

Amber Dean
Amber Dean, City Clerk

