

Passed: February 10, 2009  
Published: February 18, 2009

**ORDINANCE NO. 1976**

**AN ORDINANCE REZONING REAL PROPERTY LOCATED WITHIN THE CITY OF DERBY, KANSAS, FROM "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-5" RESTRICTED COMMERCIAL, WAREHOUSING AND LIMITED MANUFACTURING DISTRICT; 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:

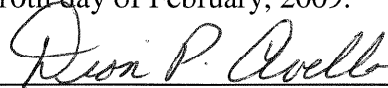
**SECTION 1.** Having received the recommendation of the City Planning Commission following notice and hearing thereon as provided by law, and pursuant to Zoning Regulations of the City of Derby, Kansas, the zoning of the following described real property is hereby amended from "R-1" Single Family Residential District to "B-5" Restricted Commercial, Warehousing and Limited Manufacturing District:

Lot 1, Block A, Mid States of Derby Addition, Sedgwick County, Kansas; and a tract of land beginning 1293 feet north of the SW corner of the SW 14; thence east 745 feet; thence north 300 feet, thence west 745 feet; thence south 300 feet to the point of beginning, except beginning 1293 feet north and 50 feet of the SW corner of the SW 14; thence N 80.61 feet; thence southeasterly 71.26 feet to a point 62 feet east of the west line, thence west 12.10 feet to the point of beginning for highway all in Section 25-28S-1E.

**SECTION 2.** If any part or parts of this ordinance is determined by a court of competent jurisdiction to be invalid, such invalidity shall not affect the validity of the remaining parts of this ordinance. The Governing Body hereby declares that it would have passed the remaining parts of this ordinance if it had known that any part or parts hereof would be declared invalid.

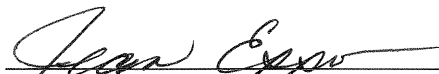
**SECTION 3.** This Ordinance shall take effect and be in full force and effect from and after its passage and publication once in the official City newspaper.

**Adopted by the Governing Body** this 10th day of February, 2009.




\_\_\_\_\_  
Dion P. Avello, Mayor

ATTEST:



\_\_\_\_\_  
Jean Epperson, City Clerk

Approved as to form:



\_\_\_\_\_  
Philip H. Alexander, City Attorney