

ORD. NO.	DATE PASSED	DATE PUBLISHED	REV. ORD. BK. PAGES DISTR.	SUBJECT OF ORD.
822	9/4/84	9/12/84	—	AN ORD. RELATING TO ZONING - Mission View subdivision; A to R-1
823	9/4/84	9/12/84	—	AN ORD. ACCEPTING EASEMENTS FOR UTILITY AND GRADING PURPOSES RELATIVE TO THE ROE AVE. IMPROVEMENT DISTRICT 83-2 (Roe Ave., 135th St. south for 1/2 mile)
824	9/4/84	9/12/84	—	AN ORD. ACCEPTING DEEDS FOR STREET PURPOSES RELATIVE TO THE ROE AVE. IMPROVEMENT DISTRICT 83-2 (135th St. south for 1/2 mile)
825	9/4/84	9/7/84 & 9/14/84	—	AN ORD. ESTABLISHING 1985 ANNUAL ASSESSMENT FOR LEAWOOD SEWER SYSTEM.
826	10/15/84	10/19/84	—	AN ORD. RELATING TO ZONING - A to CP-0; Leawood Executive Centre; SE corner, College & Roe
827	10/15/84	10/19/84	—	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES IN SUM OF \$482,000 - for improvement of 127th St., Roe to Juniper
828	10/15/84	10/19/84	—	AN ORD. RELATING TO ACCEPTANCE OF DEED FOR STREET PURPOSES FROM THE MOFFITTS - LS 7th Replat; 2' strip
829	10/15/84	w/take eff. upon publ. in Code of 1984	—	AN ORD. RELATING TO ANIMAL CONTROL
830	11/5/84	11/9/84	—	AN ORD. RELATING TO ZONING - The Greenbrier of Leawood; A to R-1; south of LS & west of old airport property
831	11/5/84	11/9/84	—	AN ORD. RELATING TO ZONING - approx. 111 acres, north of 127th between Roe Ave. and Nail; Patrician Woods; RP-4 to RP-4
832	11/5/84	11/9/84	—	AN ORD. RELATING TO ZONING - north of 127th between Roe & Nail; Patrician Woods; RP-4 to R-1
833	11/5/84	11/9/84	—	AN ORD. RELATING TO ZONING - approx. 61 acres between Roe & Nail south of 127th St.; Patrician Woods; RP-1 to RP-1
834	11/5/84	11/9/84	—	AN ORD. RELATING TO ZONING - south of 127th between Roe & Nail; Patrician Woods; RP-1 & RP-4 to RP-4

ORD. NO.	DATE PASSED	DATE PUBLISHED	REV. ORD. BK. PAGES DISTR.	SUBJECT OF ORD.
810	4/16/84	4/25/84	—	AN ORD. VACATING AN EASEMENT AS SHOWN ON SECOND PLAT OF BERKSHIRE - Lot 23
811	4/16/84	4/25/84	—	AN ORD. RELATING TO ZONING - 1st phase of Waterford, 53 acres, approx. 127th Terr. & Mission, from A to R-1
812	4/16/84	4/25/84	—	AN ORD. ESTABLISHING FEES FOR REZONING, SPECIAL USE PERMITS, AND PLANNING APPLICATIONS - to add late fee for site development plan applications
813	6/4/84	6/6/84; 6/13/84	— Effective 8/2/84- date acceptance filed	AN ORD. RELATING TO SOUTHWESTERN BELL FRANCHISE
814	6/4/84	6/13/84	—	AN ORD. VACATING AN EASEMENT AS SHOWN ON THE PLAT OF TOMAHAWK FARMS
815	6/18/84	6/27/84	—	AN ORD. RELATING TO ZONING - to R-1 from A; Aintree subdivision; 127th & Mission Rd.
816	7/2/84	7/11/84	—	AN ORD. RELATING TO ZONING --to CP-2 from A; Multi-use Development at 135th & State Line
817	7/2/84	7/11/84	—	AN ORD. RELATING TO ZONING - to CP-0 from A; Multi-use Development at 135th & State Line
818	7/2/84	7/11/84	—	AN ORD. RELATING TO ZONING - to RP-3 from A; Multi-use Development at 135th & State Line
819	7/2/84	7/6/84	—	AN ORD. RELATING TO THE REGULATIONS OF TRUCK TRAFFIC WITHIN THE CITY
820	7/16/84	7/20/84	—	AN ORD. RENEWING TEMPORARY NOTES NO. TN 83-1, TN 83-2, AND TN 83-3 AND EXTENDING THE MATURITY DATE OF SAID NOTES - re storm drainage (bridge/culvert) improvements
821	8/6/84	8/10/84	—	AN ORD. AUTHORIZING ISSUANCE OF TN'S, SERIES C.I.P. 84-1, for \$2,177,000 - consolidation of several tn's

ORD. NO.	DATE PASSED	DATE PUBLISHED	REV. ORD. BK. PAGES DISTR.	SUBJECT OF ORD.
802	2/20/84	10/24/84		— AN ORD. RELATING TO ZONING - northwest corner, 103rd & State Line, Lot 566 LE, from R-1 to CP-1 (Planned Restricted Business) (lot to be used for a financial institution).
803	2/20/84	2/24/84		— AN ORD. RELATING TO LEAWOOD FOUNTAIN PLAZA PROJECT, IRB'S - extention of maturity of bonds to 1-1-85, amendments of Lease & Tri-Party Agreement
804	3/26/84	3/30/84		— AN ORD. ACCEPTING RESIGNATION OF FIRST NATIONAL BANK & TRUST CO. OF OKLAHOMA CITY; APPOINTING COMMERCE BANK OF K.C., N.A. AS SUCCESSOR FISCAL AGENT FOR IRB'S, LEAWOOD FOUNTAIN PLAZA.
805	4/2/84	4/6/84		— AN ORD. ACCEPTING DEEDS FOR STREET PURPOSES FROM CAMBRIDGE TOWNHOUSE ASSOC. & JOMO BLDG. CO. - for Cambridge Lane
806	4/2/84	4/6/84		— AN ORD. ACCEPTING EASEMENT FOR STORM DRAINAGE PURPOSES FROM CAMBRIDGE TOWNHOUSE ASSOC. & JOMO BLDG. CO. - for Cambridge Lane
807	4/2/84	4/6/84		— AN ORD. ACCEPTING 4 EASEMENTS FOR STORM DRAINAGE PURPOSES RELATIVE TO THE 127TH I.D. 83-1
808	4/2/84	4/6/84		— AN ORD. ACCEPTING DEEDS FOR STREET PURPOSES RELATIVE TO THE 127TH ST. I.D. 83-1
809	4/2/84	4/6/84		— AN ORD. ACCEPTING 2 ROADWAY EASEMENTS FOR STREET PURPOSES RELATIVE TO THE 127TH ST. I.D. 83-1

ORD. NO.	DATE PASSED	DATE PUBLISHED	REV. ORD. BK. PAGES DISTR.	SUBJECT OF ORD.
789	12/5/83	12/9/83	✓	AN ORD. RELATING TO ZONING - to R-1; between Roe & Nall south of the existing development at Leawood Country Manor; 55.794 acres, more or less
790	12/5/83	12/9/83	✓	AN ORD. RELATING TO ZONING - to RP-2; between Roe & Nall south of existing development at Leawood Country Manor; 9.670 acres, more or less
791	12/5/83	12/9/83	✓	AN ORD. RELATING TO ZONING - to RP-3; between Roe & Nall south of existing development at Leawood Country Manor; 15.142 acres, more or less
792	12/5/83	12/9/83 & 12/16/83	✓	AN ORD. ESTABLISHING 1984 ANNUAL ASSESSMENT FOR LEAWOOD SEWER SYSTEM
793	12/19/83	12/28/83	✓	AN ORD. RELATING TO ZONING - 143rd & Kenneth Rd. to MP-1
794	12/19/83	12/28/83	✓	AN ORD. DESIGNATING 143RD STREET BETWEEN STATE LINE & NALL AVE. AS A MAIN TRAFFICWAY
795	1/3/84	1/6/84	✓	AN ORD. RELATING TO ACCEPTANCE OF AN EASEMENT FOR STORM DRAINAGE PURPOSES FROM COMMUNITY FEDERAL SAVINGS & LOAN - Part of Lot 57, Berkshire
796	1/3/84	1/6/84	✓	AN ORD. GRANTING A RIGHT-OF-WAY FOR SANITARY SEWER PURPOSES - at various locations across Tomahawk Greenway, south of 119th St., and adjacent to Berkshire subdivision
797	1/3/84	1/6/84	✓	AN ORD. RELATING TO THE ADOPTION OF PERSONNEL RULES & REGULATIONS, dated 1-3-84
798	1/3/84	1/6/84	✓	AN ORD. ESTABLISHING A DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF THE CITY OF LEAWOOD
799	1/3/84	1/6/84	✓	AN ORD. AUTHORIZING \$570,000 TEMPORARY NOTE FOR IMPROVEMENT OF 127TH ST. BETWEEN ROE AVE. AND MISSION RD.
800	1/3/84	1/6/84	✓	AN ORD. RELATING TO WARD BOUNDARY CHANGES - Changes to Wards 1 & 2, making 89rd St. the common boundary
801	1/16/84	1/20/84	✓	AN ORD. ESTABLISHING FEES TO BE CHARGED FOR ACCESSING AND/OR COPYING OPEN PUBLIC RECORDS

ORD. NO.	DATE PASSED	DATE PUBLISHED	REV. ORD. BK. PAGES DISTR.	SUBJECT OF ORD.
777	5/2/83	5/11/83	X	AN ORD. RELATING TO NUISANCE ALARM SYSTEMS.
778	5/2/83	5/11/83	X	AN ORD. AMENDING AND SUPPLEMENTING THE SUBDIVISION REGS.
779	5/16/83	5/25/83	X	AN ORD. RELATING TO THE LEVYING OF A CITY RETAILERS' SALES TAX IN THE AMOUNT OF 1%.
780	5/16/83	5/25/83	X	AN ORD. ADDING PROVISIONS FOR SPECIAL USE PERMITS FOR OIL AND GAS DRILLING & PRODUCTION TO THE EXISTING ZONING REGULATIONS, ARTICLE 19, "SPECIAL USES", LEAWOOD ZONING CODE, EFFECTIVE APRIL 17, 1978.
781	5/16/83	5/25/83	X	AN ORD. RELATING TO THE ADOPTION OF ADMINISTRATIVE REGULATIONS FOR OIL AND GAS.
782	5/16/83	5/25/83	X	AN ORD. ESTABLISHING PERMIT FEES FOR OIL AND GAS DRILLING AND PRODUCTION.
783	7/5/83	7/8/83	X	AN ORD. PROVIDING FOR STORM SEWER, CULVERT AND BRIDGE IMPROVEMENTS: 86th & Cherokee La.; 97th Pl. between Ensley La. and Cherokee; Ensley La. at 98th St.; Belinder at 98th St.
784	7/18/83	8/3/83	X	AN ORD. AUTHORIZING & PROVIDING FOR ISSUANCE OF A \$360,000 TEMPORARY NOTE FOR STORM WATER DRAINAGE FACILITIES, BRIDGES & CULVERTS - 86th & Cherokee La., 97th Pl. between Ensley La. & Cherokee, Ensley La. & 98th, Belinder at 98th St.
785	7/18/83	7/22/83	X	AN ORD. RELATING TO DUTIES OF TREASURER - \$50,000 bond
786	8/1/83	8/3/83	X	AN ORD. AUTHORIZING ISSUANCE OF \$420,000 TEMPORARY NOTE RE IMPROVEMENT TO 127TH ST. BETWEEN ROE & MISSION
787	8/15/83	8/19/83	—	AN ORD. RELATING TO ZONING - The Woodlands; SE corner of Roe & 127th; A to R-1, Single Family Residential District
788	9/19/83	9/23/83	—	AN ORD. RELATING TO THE ADOPTION OF "JOHNSON COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM CODE"

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS, AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 16-1003 of Revised Ordinances, as originally adopted by Ordinance No. 686, is hereby repealed and the following enacted in lieu thereof:

~~16-1003~~ ¹⁸⁻¹⁰⁰³ Sec. no. changed by '84 Code

Section 2. The following described real property is hereby designated as being zoned RP-4, Planned Cluster Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, 9 acres having been previously zoned RP-4, and 10 acres having been previously zoned RP-1.

That part of the North 1/2 of the NW 1/4 of Section 28, Township 13, Range 25 in Leawood, Kansas, commencing at the NE corner of the NW 1/4 of said Section, said point being the true point of beginning of subject tract; thence due South a distance of approximately 1323'; thence due West a distance of approximately 700'; thence N 90° W, a distance of 420' thence 170° NE approximately 210' thence 150° NW approximately 740' thence due East a distance of 730'; thence due South a distance of approximately 1323' to the point of beginning, an area of approximately 19 acres, 10 acres of which were previously zoned RP-1.

(south of 127th Street between Roe and Nall; Patrician Woods)

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/15/84 Second Reading: 11/5/84

Passed by the Governing Body this 5th day of November, 1984.

Approved by the Mayor this 6th day of November, 1984.



Attest:
J. Oberlander
City Clerk

Kent L. Crippin
Mayor

APPROVED FOR FORM AND CONTENT: R.S. Wetzier, City Attorney

AFFIDAVIT OF PUBLICATION

First Published in the Johnson County Sun, Friday, November 9, 1984.

ORDINANCE NO. 834 AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS, AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 16-1003 of Revised Ordinances, is originally adopted by ordinance No. 686, is hereby repealed and the following enacted in lieu thereof:

16-1003. Section 2. The following described real property is hereby designated as being zoned RP-4, Planned Cluster Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, 9 acres having been previously zoned RP-4, and 10 acres having been previously zoned RP-1:

That part of the North 1/2 of the NW 1/4 of Section 28, Township 13, Range 25 in Leawood, Kansas, commencing at the NE corner of the NW 1/4 of said Section, said point being the true point of beginning of subject tract; thence due South a distance of approximately 1323'; thence due West a distance of approximately 700'; thence N 90° W, a distance of 420' thence 170° NE approximately 210' thence 150° NW approximately 740' thence due East a distance of 730'; thence due South a distance of approximately 1323' to the point of beginning, an area of approximately 19 acres, 10 acres of which were previously zoned RP-1.

(south of 127th Street between Roe and Nall; Patricia Woods)

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/15/84. Second Reading: 11/5/84. Passed by the Governing Body this 5th day of November, 1984.

Approved by the Mayor this 6th day of November, 1984.

(s) Kent E. Crippin Mayor

(SEAL) ATTEST: (s) J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R. S. Wetzler City Attorney

(0741 1F)

STATE OF KANSAS, JOHNSON COUNTY, ss: Judy L. Sutton being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ day _____ (weeks, days) the first publication thereof being made as aforesaid on the 9th day of November 1984, with subsequent publications being made on the following dates:

_____, 19_____, _____, 19_____, _____, 19_____

_____, 19_____, _____, 19_____

Judy L. Sutton

Subscribe and sworn to before me this 9th day of November 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON NOTARY PUBLIC STATE OF KANSAS My App. Expires Jan. 25, 1988

My Commission expires: _____

Printer's Fee \$ 26.31

Additional copies \$ _____

ORDINANCE NO. 833

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS, AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 16-1401 of Revised Ordinances, as originally adopted by Ordinance No. 685, is hereby repealed and the following enacted in lieu thereof:

~~16-1401~~ ¹⁸⁻¹⁴⁰¹ Sec. no. changed by '84 Code Section 2. The following described real property is hereby designated as being zoned RP-1, Planned Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned RP-1:

That part of the North 1/2 of the Northwest 1/4 of Section 28, Township 13, Range 25, approximately 80 acres, now in the City of Leawood, Johnson County, Kansas, except that part described as follows:

That part of the North 1/2 of the NW 1/4 of Section 28, Township 13, Range 25 in Leawood, Kansas, commencing at the NE corner of the NW 1/4 of said Section, said point being the true point of beginning of subject tract; thence due South a distance of approximately 1323'; thence due West a distance of approximately 700'; thence N 90° W, a distance of 420'; thence 170° NE approximately 210'; thence 150° NW approximately 740'; thence due East a distance of 730'; thence due South a distance of approximately 1323' to the point of beginning, an area of approximately 19 acres zoned RP-4.

(approximately 61 acres between Nall and Roe Avenue south of 127th Street; Patrician Woods)

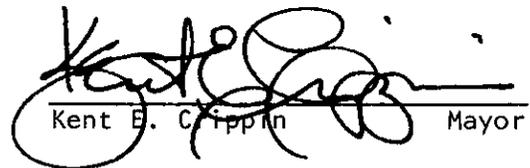
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/15/84 Second Reading: 11/5/84

Passed by the Governing Body this 5th day of November, 1984.

Approved by the Mayor this 6th day of November, 1984.




Kent E. Crippin Mayor

Page 2

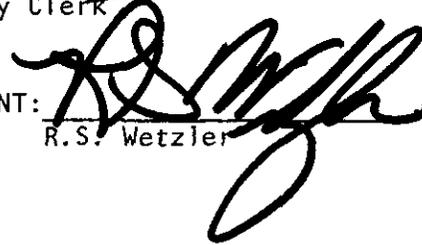
ORDINANCE NO. 833

re Zoning - South of 127th Street between Roe and Nall;
Patrician Woods

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:


R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: **Judy L. Sutton** being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- *days* (weeks, days) the first publication thereof being made as aforesaid on the *9th* day of, *November* 19*84*, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Judy L. Sutton

Subscribe and sworn to before me this *9th* day of *November* 19*84*

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My App. Expires Jan. 25, 1988

My Commission expires: -----
Printer's Fee \$ *25.25*
Additional copies \$ -----

First published in the
Johnson County Sun, Friday,
November 9th, 1984.

ORDINANCE NO. 833

AN ORDINANCE RELATING
TO ZONING OF CERTAIN
PROPERTY IN THE CITY OF
LEAWOOD, KANSAS, AND
REPEAL OF SECTION

Be it ordained by the Gov-
erning Body of the City of
Leawood, Kansas:

REPEAL OF SECTION. Sec-
tion 1. Section 16-1401 of
Revised Ordinances, as orig-
inally adopted by Ordinance
No. 685, is hereby repealed
and the following enacted in
lieu thereof:

16-1401. Section 2. The fol-
lowing described real proper-
ty is hereby designated as be-
ing zoned RP-1; Planned
Single Family Residential Dis-
trict, in accordance with the
terms of the Zoning Ordinance
as adopted April 17,
1978, this property having
been previously zoned RP-1:

That part of the North 1/2 of
the Northwest 1/4 of Section
28, Township 13, Range 25,
approximately 80 acres, now
in the City of Leawood, John-
son County, Kansas, except
that part described as
follows:

That part of the North 1/2 of
the NW 1/4 of Section 28,
Township 13, Range 25 in
Leawood, Kansas, commenc-
ing at the NE corner of the
NW 1/4 of said Section, said
point being the true point of
beginning of subject tract;
thence due South a distance
of approximately 1323';
thence due West a distance of
approximately 700'; thence N
90° W, a distance of 420';
thence 170° NE approxi-
mately 210'; thence 150° NW
approximately 740'; thence
due East a distance of 730';
thence due South a distance
of approximately 1323' to the
point of beginning, an area of
approximately 19 acres zoned
RP-4.

(approximately 61 acres be-
tween Nall and Roe Avenue
south of 127th Street; Patri-
cian Woods)

TAKE EFFECT. Section 3.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 10/15/84. Sec-
ond Reading: 11/5/84.

Passed by the Governing
Body this 5th day of Novem-
ber, 1984.

Approved by the Mayor this
6th day of November, 1984.

(SEAL)

(s) Kent E. Crippin,
Mayor

Attest:

(s) J. Oberlander,
City Clerk

APPROVED FOR FORM AND
CONTENT:

(s) R. S. Wetzler,
City Attorney

(0727 1F)

ORDINANCE NO. 832

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

Repealed by:
ORDINANCE NO. 855
Adopted: 7/1/85
Effective:

~~16-115~~ ¹⁸⁻¹¹⁵ Sec. no. changed by '84 Code

Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned RP-4, Planned Cluster Residential:

The SW Quarter of the SW Quarter of Section 21, Township 13, Range 25 in Leawood, Kansas, commencing at the SE corner of said Section thence approximately 700' due West; thence 90° North approximately 830'; thence W 122.5° N approximately 670'; thence S approximately 90° W a distance of approximately 700'; thence S 169° E approximately 530'; thence due East approximately 780' to the point of beginning, an area of approximately 19 acres.

(north of 127th Street between Roe and Nail; Patrician Woods)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/15/84 Second Reading: 11/5/84

Passed by the Governing Body this 5th day of November, 1984.

Approved by the Mayor this 6th day of November, 1984.



Kent E. Crippin
Kent E. Crippin Mayor

J. Oberlander
J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: *R.S. Wetzel*, City Attorney
R.S. Wetzel

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Judy L. Sutton being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ day (weeks, days) the first publication thereof being made as aforesaid on the 9th day of, November 1984, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____

_____, 19____, _____, 19____

Judy L. Sutton

Subscribe and sworn to before me this 9th day of November 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My App. Expires Jan. 25, 1988

My Commission expires: _____
Printer's Fee \$ 21.45
Additional copies \$ _____

First published in the
Johnson County Sun, Friday,
November 9th, 1984.

ORDINANCE NO. 832

AN ORDINANCE RELATING
TO ZONING OF CERTAIN
PROPERTY IN THE CITY OF
LEAWOOD, KANSAS.

Be it ordained by the Gov-
erning Body of the City of
Leawood, Kansas:

16-115. Section 1. The follow-
ing described real property is
hereby designated as being
zoned R-1, Single Family Res-
idential District, in accor-
dance with the terms of the
Zoning Ordinance as adopted
April 17, 1978, this property
having been previously zoned
RP-4, Planned Cluster Resi-
dential:

The SW Quarter of the SW
Quarter of Section 21,
Township 13, Range 25 in
Leawood, Kansas, commenc-
ing at the SE corner of said
Section then approximately
700' due West; thence 90°
North approximately 830';
thence W 122.5° N approxi-
mately 670'; thence S approx-
imately 90° W a distance of
approximately 700'; thence S
169° E approximately 530';
thence due East approxi-
mately 780' to the point of
beginning, an area of approx-
imately 19 acres.

(north of 127th Street be-
tween Roe and Nall; Patrician
Woods)

TAKE EFFECT. Section 2.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 10/15/84 Sec-
ond Reading: 11/5/84

Passed by the Governing
Body this 5th day of Novem-
ber, 1984.

Approved by the Mayor this
6th day of November, 1984.

(SEAL)

(s) Kent E. Crippin,

Mayor

Attest:

(s) J. Oberlander,

City Clerk

APPROVED FOR FORM AND
CONTENT:

(s) R. S. Wetzler,

City Attorney

(0726 1F)

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS, AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 16-1004 of Revised Ordinances, as originally adopted by Ordinance No. 704, is hereby repealed and the following enacted in lieu thereof:

~~16-1004~~ ¹⁸⁻¹⁰⁰⁴ Sec. no. changed by '84 Code
Section 2. The following described real property is hereby designated as being zoned RP-4, Planned Cluster Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned RP-4:

Repealed by
ORDINANCE NO. 854
Adopted: 7/1/85
Effective:

The North one-half of the Southwest Quarter of Section 21, lying south of Tomahawk Creek, also that part of the Southeast Quarter of the Northwest Quarter, lying south of Tomahawk Creek, and also the Southeast Quarter of the Southwest Quarter, except that part lying easterly of Roe Boulevard as now established, and also the Southwest Quarter of the Southwest Quarter, all in Township 13, Range 25, now in the City of Leawood, in Johnson County, Kansas, except the following tract:

The SW Quarter of the SW Quarter of Section 21, Township 13, Range 25 in Leawood, Kansas, commencing at the SE corner of said Section thence approximately 700' due West; thence 90° North approximately 830'; thence W 122.5° N approximately 670'; thence S approximately 90° W a distance of approximately 700'; thence S 169° E approximately 530'; thence due East approximately 780' to the point of beginning, an area of approximately 19 acres.

(approx. 111 acres; North of 127th St. between Roe Avenue and Nall; Patrician Woods)

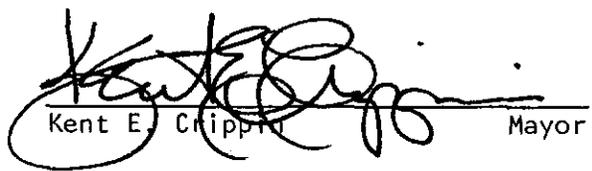
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/15/84 Second Reading: 11/5/84

Passed by the Governing Body this 5th day of November, 1984.

Approved by the Mayor this 6th day of November, 1984.




Kent E. Crippin Mayor

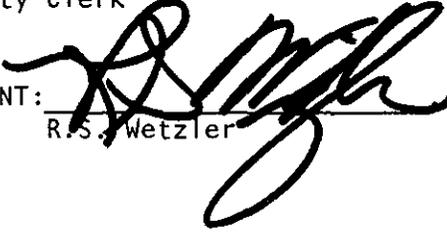
Page 2

ORDINANCE NO. 831

re Zoning - North of 127th St. between Roe and Nall;
Patrician Woods

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:  City Attorney
R.S. Wetzler

AFFIDAVIT OF PUBLICATION

First published in the Johnson County Sun, Friday, November 9th, 1984.
ORDINANCE NO. 831
AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS, AND REPEAL OF SECTION.
 Be it ordained by the Governing Body of the City of Leawood, Kansas:
REPEAL OF SECTION. Section 1. Section 16-1004 of Revised Ordinances, as originally adopted by Ordinance No. 704, is hereby repealed and the following enacted in lieu thereof:
16-1004. Section 2. The following described real property is hereby designated as being zoned RP-4, Planned Cluster Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned RP-4:
 The North one-half of the Southwest Quarter of Section 21, lying south of Tomahawk Creek, also that part of the Southeast Quarter of the Northwest Quarter, lying south of Tomahawk Creek, and also the Southeast Quarter of the Southwest Quarter, except that part lying easterly of Roe Boulevard as now established, and also the Southwest Quarter of the Southwest Quarter, all in Township 13, Range 25, now in the City of Leawood, in Johnson County, Kansas, except the following tract:
 The SW Quarter of the SW Quarter of Section 21, Township 13, Range 25 in Leawood, Kansas, commencing at the SE corner of said Section, thence approximately 700' due West; thence 90° North approximately 830'; thence W 122.5° N approximately 670'; thence S approximately 90° W a distance of approximately 700'; thence S 169° E approximately 530'; thence due East approximately 780' to the point of beginning, an area of approximately 19 acres.
 (approx. 111 acres; North of 127th St. between Roe Avenue and Nall; Patrician Woods)
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.
 First Reading: 10/15/84 Second Reading: 11/5/84
 Passed by the Governing Body this 5th day of November, 1984.
 Approved by the Mayor this 6th day of November, 1984.
 (SEAL)
 (s) Kent E. Crippin, Mayor
 Attest:
 (s) J. Oberlander, City Clerk
APPROVED FOR FORM AND CONTENT:
 (s) R. S. Wetzler, City Attorney

STATE OF KANSAS, JOHNSON COUNTY, ss: Judy L. Sutfon being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ days (weeks, days) the first publication thereof being made as aforesaid on the 9th day of November 1984, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____
 _____, 19____, _____, 19____

Judy L. Sutfon

Subscribe and sworn to before me this 9th day of November 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
 NOTARY PUBLIC
 STATE OF KANSAS
 My App. Expires Jan. 25, 1988

My Commission expires: _____
 Printer's Fee \$ 29.87
 Additiona' copies \$ _____

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~16-114~~ ¹⁸⁻¹¹⁴ Sec. no. changed by 84 Code

Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

Beginning at the Northeast corner of the Southeast 1/4 of Section 27, Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas; thence S. 2° 12' 40" E. along the East line of said SE1/4, a distance of 840 feet to a point; thence S. 88° W. a distance of 285 feet to a point on a curve; thence on said curve to the left and in a Southerly direction, having a radius of 360 feet and a central angle of 64° to a point; thence S. 24° W. a distance of 217 feet to a point; thence N. 65° W. a distance of 1250 feet to a point; thence N. 76° W. a distance of 510 feet to a point; thence N. 87° E. a distance of 300 feet more or less to a point in the West line of the said SE1/4; thence North along the West line of said SE1/4 to the NW corner of the said SE1/4; thence N. 87° 34' E. along the North line of the said SE1/4 to the Point of Beginning and containing 49 acres more or less.

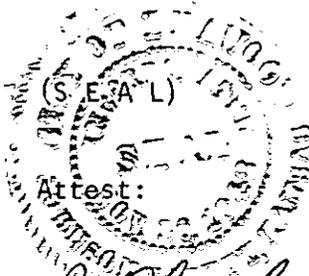
(Greenbrier of Leawood; south of Leawood South & west of old airport property)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/20/84 Second Reading: 9/4/84; 11/5/84

Passed by the Governing Body this 5th day of November, 1984.

Approved by the Mayor this 6th day of November, 1984.



Attest:
[Signature]
V. Oberlander City Clerk

[Signature]
Kent E. Crippin Mayor

APPROVED FOR FORM AND CONTENT: [Signature], City Attorney
R.S. Wetzel

AFFIDAVIT OF PUBLICATION

First published in the Johnson County Sun, Friday, November 9th, 1984. ORDINANCE NO. 830 AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS. Be it ordained by the Governing Body of the City of Leawood, Kansas: 16-114. Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned Agricultural.

Beginning at the Northeast corner of the Southeast 1/4 of Section 27, Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas; thence S. 2° 12' 40" E. along the East line of said SE 1/4, a distance of 840 feet to a point; thence S. 88° W. a distance of 285 feet to a point on a curve; thence on said curve to the left and in a Southerly direction, having a radius of 360 feet and a central angle of 64° to a point; thence S. 24° W. a distance of 217 feet to a point; thence N. 65° W. a distance of 1250 feet to a point; thence N. 76° W. a distance of 510 feet to a point; thence N. 87° E. a distance of 300 feet more or less to a point in the West line of the said SE 1/4; thence North along the West line of said SE 1/4 to the NW corner of the said SE 1/4; thence N. 87° 34' E. along the North line of the said SE 1/4 to the Point of Beginning and containing 49 acres more or less.

(Greenbrier of Leawood; south of Leawood South & west of old airport property) TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/20/84 Second Reading: 9/4/84; 11/5/84 Passed by the Governing Body this 5th day of November, 1984. Approved by the Mayor this 6th day of November, 1984. (s) Kent E. Crippin, Mayor (SEAL) Attest: (s) J. Oberlander, City Clerk APPROVED FOR FORM AND CONTENT: (s) R. S. Wetzler, City Attorney (0724 1F)

OF KANSAS, JOHNSON COUNTY, ss: Judy L. Sutfon being first Duly Deposits and says: That she is legal publications manager of THE JOHNSON CITY SUN, a semi-weekly newspaper printed in the State of Kansas, and published of general circulation in JOHNSON County, Kansas, with a general paid circulation on a weekly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, newspaper or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been published continuously and uninterrupted in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted to the post office of SHAWNEE MISSION, KANSAS in said County as a second class newspaper.

That the attached notice is a true copy thereof and was published in the regular and normal issue of said newspaper for _____ consecutive _____ (weeks, days) the first publication thereof being made as provided on the _____ day of _____, 19____, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____, _____, 19____, _____, 19____

Judy L. Sutfon

Subscribe and sworn to before me this 9th day of November 1984

Pearlie A. Peterson NOTARY PUBLIC

PEARLIE A. PETERSON NOTARY PUBLIC STATE OF KANSAS My App. Expires Jan. 25, 1988

My Commission expires: _____ Printer's Fee \$ 25.98 Additional copies \$ _____

ORDINANCE NO. 829 *took effect w/ Code of '84*

AN ORDINANCE RELATING TO ANIMAL CONTROL IN THE CITY OF LEAWOOD, KANSAS,
AND REPEAL OF SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 2-101, 2-102, 2-103 of Revised Ordinances, as originally adopted by the Codification of 1970; Sections 2-201, 2-202, 2-203, 2-204, 2-205, 2-207, 2-208, 2-209, 2-210, 2-211, 2-212, 2-213, 2-214, 2-215, 2-216, 2-217, 2-218 of Revised Ordinances, as originally adopted by Ordinance No. 499; Sections 2-206 and 2-214.3 of Revised Ordinances, as originally adopted by Ordinance No. 635; and Sections 2-214.1 and 2-214.2 of Revised Ordinances, as originally adopted by Ordinance No. 606, are hereby repealed and the following enacted in lieu thereof:

2-101. KEEPING OF LIVESTOCK PROHIBITED; ANIMALS, FOWL RUNNING AT LARGE PROHIBITED. Section 2. It shall be unlawful for any person, firm or corporation to keep, harbor or maintain any cattle, hogs, horses, mules, sheep, goats or other animals, chickens, ducks, geese, pigeons or other domestic fowl on any premises within the corporate limits of the City without first securing permission from the Governing Body or to permit the same to run at large upon any public or private grounds in the City, other than property in the possession or under the control of the owner or person having the care, custody or control of such animals or domestic fowl or to abandon any such animals.

2-102. ANIMALS, FOWL: KEEPING IN OFFENSIVE MANNER PROHIBITED. Section 3. It shall be unlawful for any person owning, occupying, maintaining or controlling any yard, pen, room, building or any other place where animals, fowl, birds or game are dressed or kept alive or dead in the City to allow such place to become filthy, offensive, unwholesome or annoying or to allow any decayed putrid or offensive matter to accumulate thereon.

2-103. PENALTY. Section 4. Any person, firm or corporation who shall violate, neglect, or refuse to comply with any of the provisions of this article shall, upon conviction thereof, be fined in any sum not exceeding One Hundred Dollars (\$100.00).

2-201. DOG LICENSE. Section 5. It shall be unlawful for any person to own, keep, or harbor any dog over six (6) months of age within the corporate limits of the City of Leawood without registering such dog and paying a yearly license tax of Five Dollars (\$5.00). This section shall not be applicable to seeing eye dogs.

2-202. LICENSE TAX: DUE AND PAYABLE. Section 6. The license year shall be from January 1st through December 31st of each year. The fee shall be payable before March 1st of each year without penalty. A dog over six (6) months of age brought into the City on or after March 1st of any license year shall be licensed within thirty (30) days after being brought into the City or attaining six (6) months of age.

2-203. ANTIRABIES VACCINATION REQUIRED. Section 7. Any person making application for a license for a dog shall be required to present to the

*repealed
by Ord.
1003 C
10/6/87*

City Clerk or designated agent at the time of making such application, a certificate issued by a licensed veterinarian showing that such dog has been vaccinated or inoculated with a recognized antirabies vaccine and showing that the inoculation so administered to such dog will be effective for the entire period of time for which such license is issued.

2-204. REGISTRATION: DOG TAG. Section 8. It shall be the duty of the City Clerk or designated agent, upon receipt of the license tax hereinbefore required, to keep a record of the date of registration and the amount paid therefor, and shall deliver to the owner or keeper of such dog a certificate in writing, stating that such person has registered such dog and the number by which he/she is registered, and shall also deliver to the owner or keeper of such dog a color coded tag with the letters LEAWOOD and the registration number marked thereon, which shall be by the owner or keeper attached to the collar to be used on said dog so registered. Application for registration of dogs may be made by mail or in person. If made by mail, the applicant must send a rabies certificate (as described in Section 2-203), a check made payable to the City of Leawood for the correct amount due, and a stamped, self-addressed envelope. The City Clerk will return the dog tag, rabies certificate and receipt to the applicant. When it shall be made to appear to the City Clerk that any tag has become lost, he/she shall, upon presentation of the certificate, issue a duplicate of such tag upon the payment of One Dollar (\$1.00) fee. It shall be unlawful for any person to take off or remove the City license tag from any dog belonging to another, or remove the strap or collar on which the same is fastened.

2-205. NUMBER OF DOGS AND CATS LIMITED. Section 9. Section

- A. The owning, harboring or keeping of more than a total of two (2) dogs and/or cats, combined, over six (6) months of age upon any property in the City of Leawood, shall be deemed a nuisance per se: Provided, That the owner or keeper may secure a permit to keep or harbor animals in excess of two (2) of any kind upon adequately showing that the premises are so situated and that special circumstances exist which would not constitute a nuisance to the neighborhood. Written objections by the owners of two (2) tracts of land, portions of which lie within two hundred feet (200') of the premises shall be held sufficient evidence of nuisance and the permit shall be refused or revoked. The Animal Control Officer shall issue and approve such permit after investigation if the number of animals combined to be kept is three (3). The Governing Body shall issue and approve all permits to keep in excess of three (3) animals combined. The Governing Body may limit said permit as to

duration and may also limit the maximum number of animals that may be maintained at any one time. There is no fee for the permit.

- B. Any person who shall allow any animal to habitually remain or to lodge or to be fed within his home, store, yard, enclosure or place for seven (7) consecutive days shall be deemed and considered as keeping and harboring said animal within the meaning of this article.

2-206. DOGS RUNNING AT LARGE. Section 10.

- A. DOGS RUNNING AT LARGE DEFINED. Any dog shall be deemed running at large when it is off the property of the owner or keeper. All dogs must remain on the property of the owner or keeper except when taken off the property on a leash, in a cage, or in a car or other conveyance. It shall be unlawful for the owner or keeper of any dog to allow such dog to run at large.
- B. PRESUMPTION OF OWNERSHIP. Any person owning, keeping, or harboring a dog for seven (7) consecutive days shall be conclusively presumed to be the owner of such dog for the purpose of this ordinance.
- C. RUNNING AT LARGE: PICK UP. Whenever any canine shall be found running at large, or any feline or other animal shall be believed to be a stray is found within the City limits of Leawood, such animal may be taken up by the Animal Control Officer or by any other agency designated by the City of Leawood, Kansas, and such animal shall be held seven (7) days at a shelter house provided by said agency or veterinarian, and if within said seven (7) days the owner of any animal so held shall respond to that said shelter house and pay board incurred from the shelter house, such animal shall be delivered to the owner. The owner or claimant will at this time complete the Impoundment Receipt Form and copies shall be given to the owner or claimant and to the shelter house and the Animal Control Officer.

If impounded, the Police Department shall make a good faith effort to notify the owner of such animal. If not claimed within seven (7) days, the disposal of said animal becomes the prerogative of the designated agent and/or shelter house, except as provided in Section 2-208.

- D. PURCHASE OF CITY LICENSE AFTER IMPOUNDMENT. Should any dog be unlicensed at the time of impoundment, the owner, keeper or harbinger of such animal shall be allotted five (5) working days from the date of the release of such animal to obtain a City license for such dog. Failure to obtain a City license within the allotted time shall be considered a separate violation and may be cause for the issuance of a Notice To Appear or further City action.

2-207. DOG RUNNING AT LARGE WITHOUT TAG. Section 11. Whenever any dog shall be found running at large within the City limits of Leawood, Kansas, without having a license or registration tag attached to a collar, such dog shall be taken up by the Animal Control Officer or by any other duly authorized City employee designated by the City, and such animal shall be held seven (7) days at a shelter house provided by said agency or veterinarian, and if within seven (7) days the owner of said dog shall present to the person in charge of said shelter house payment for that agency's board fee, such animal shall be delivered to the owner. The owner or claimant will at this time complete the Impoundment Receipt Form, and copies shall be given to the owner or claimant and to the shelter house and the Animal Control Officer.

If impounded, the Police Department shall make a good faith effort to notify the owner of such animal. If not claimed within seven (7) days, the disposal of said animal becomes the prerogative of the designated agent and/or shelter house.

2-208. DOGS RUNNING AT LARGE WITH TAG. Section 12. Whenever a complaint is received under Section 2-219 that any dog is running at large within the City limits with a license or registration tag attached to a collar, such dog may be seized and impounded. If impounded, the owner shall be notified by the Police Department of the City by a means designed to insure said notification. Such animal shall be held seven (7) days after such notification but not more than fourteen (14) days after date of impoundment at a shelter house provided for such purposes or veterinarian. However, if within the said time period the owner of any animal so held shall present to the person in charge of such shelter house and/or veterinarian the board fee for the animal and fill out the Impoundment Receipt Form, such animal shall be delivered to the owner. If not so claimed within fourteen (14) days, the disposal of said animal becomes the prerogative of the designated agent. Copies of the Impoundment Receipt Form will be given to the owner or claimant, the shelter house and/or veterinarian and the Animal Control Officer.

2-209. FEMALE DOGS. Section 13. It shall be unlawful to keep or harbor any female dog within the City during such times as she is in heat in such a manner that other dogs frequent or congregate on or near the premises where such female dog is harbored. If other dogs frequent or congregate on or near

the premises where such female dog is harbored, the owner or keeper shall, upon notification of complaint being received by the City, then remove the dog from the premises, and should the owner or keeper fail to do so, then the City may take said female dog and impound it and dispose of it in the manner as provided in Section 2-207 if without a tag and as provided in Section 2-208 if with a tag.

2-210. NOISY AND DESTRUCTIVE ANIMALS. Section 14.

Repealed by: _____
ORDINANCE NO. 941C
Adopted: 11/3/86
Effective: _____

A. NOISY ANIMALS. The keeping or harboring of any animal which by loud, frequent and habitual barking, howling, yelping, mewing, roaring or screeching, shall disturb the peace of any neighborhood, is hereby prohibited and declared to be a public nuisance and unlawful under this ordinance.

B. DESTRUCTIVE ANIMALS. It shall be unlawful for the owner or harborer of any dog, cat or other animal to carelessly, willfully, or maliciously permit such dog, cat or other animal to destroy or damage property of any person other than that of such keeper or harborer.

2-211. VICIOUS ANIMAL. Section 15.

Repealed by: _____
ORDINANCE NO. 941C
Adopted: 11/3/86
Effective: _____

A. VICIOUS ANIMAL DEFINED. If a Law Enforcement Officer or Animal Control Officer has reasonable cause to believe that an animal exhibits vicious or dangerous tendencies, and because of said condition is likely to do immediate physical injury to persons or animals with which it comes in contact if allowed to remain at liberty, that animal shall be deemed to be a vicious animal for the purposes of this ordinance.

B. VICIOUS ANIMAL. It shall be unlawful for any person within the City to keep, own or harbor any cross or vicious animal, unless such person shall keep such animal securely fastened, tied and muzzled so that he/she cannot reach any person to injure him/her or shall keep said animal in an enclosure securely fenced so that said animal cannot escape therefrom: Provided, That if any such animal is not so fastened, tied and muzzled or fenced, the City may take said animal and impound it at a shelter house provided for such purposes or by a veterinarian, until such time as a hearing for determination as herein provided can be had or until release to the owner upon condition that said animal shall be temporarily kept and considered to be a vicious animal pending said hearing can be effected. Violation of

the temporary condition shall be considered a first offense to this section. Upon complaint duly made to any Law Enforcement Officer or Animal Control Officer, and if the said officer finds there is probable cause to believe such complaint is true, or if upon his/her own observation of an animal, said officer has a reasonable belief that the animal is a vicious animal, he/she shall make an attempt to notify and request the owner, keeper or harbinger of such animal to confine by such means as herein described for confinement, the said animal. In the event such owner, keeper or harbinger cannot be notified, refuses or is unable to act upon such notification or the immediate nature of the situation warrants action without notice, any Law Enforcement or Animal Control Officer may capture and impound any such animal. In all cases where such complaint is made or where a Law Enforcement or Animal Control Officer acts upon his/her own observation, regardless of whether such animal is taken into custody, a hearing for the determination of whether such animal is dangerous or vicious shall be had. Upon a determination of whether such animal is not dangerous or vicious, it shall be released to its owner, keeper or harbinger upon payment of accrued boarding fees. Upon a finding that an animal is dangerous or vicious, the animal shall be released to the custody of its owner, keeper or harbinger upon the condition that the provisions of this section pertaining to keeping and restraining said animal are met and accrued boarding fees are paid. Any Law Enforcement Officer or Animal Control Officer is authorized to destroy any animal, whether previously determined to be vicious or not, when in his/her best judgement, no other course of action is possible to preserve the safety of the community.

2-212. ANIMAL BITES: PROCEDURE. Section 16.

- A. Except as provided in Subsection E herein, a dog, cat, other domestic animal and any other warm-blooded animal which bites or otherwise so injures a person as to cause an abrasion of the skin, shall immediately be quarantined at the owner's expense with a licensed veterinarian of the owner's choice within Johnson County, Kansas, or Jackson County, Missouri, or with the City's impounding agent for a period of not less than ten (10) days nor more than twelve (12) days.

- B. If the owner, keeper or harbinger of the animal cannot be immediately notified, City personnel shall immediately impound such dog, cat, other domestic animal or warm-blooded animal with a City authorized impounding agent, at the owner's expense, for a period of not less than ten (10) days nor more than twelve (12) days. If the address of the owner of the animal can be determined, the Police Department shall make reasonable effort to notify the owner that said animal is impounded under the provisions of this section and the owner has the right to redeem the animal at the expiration of confinement upon payment of the board bill, any veterinarian fees and any license and penalty fees then due and owing the City.
- C. In the event the original place of impoundment is not the choice of the owner, the owner may cause the animal's place of impoundment to be changed to a licensed veterinarian of the owner's choice within Johnson County, Kansas, or Jackson County, Missouri, provided all other provisions of this ordinance are complied with. The total period of confinement of the animal at the one or more locations is to be for a period of not less than ten (10) days nor more than twelve (12) days. Credit for any period the animal remains at large after the bite shall not be given.
- D. The veterinarian or City authorized impounding agent with whom the dog, cat, other domestic animal or warm-blooded animal is impounded shall give immediate written notice to the Police Department that such animal has been confined and will be confined for not less than ten (10) days nor more than twelve (12) days. At the expiration of the aforesaid confinement period, the veterinarian or City impounding agency shall give immediate written notice to the Police Department as to the health of such animal pertaining to the diagnosis of rabies.
- E. In the event the investigating officer determines (1) that the animal which injured the person did so while confined within a fence or building enclosing property under the control of the owner; (2) that the person injured was upon the property without the consent of the owner; and (3) that the animal had an effective rabies inoculation and was duly licensed under this ordinance at the time of the injury, then the animal need not be impounded in accordance with Section 2-212 A, but the following alternative procedure shall be followed:
1. If the injured person, his/her parent, or guardian

desires that the animal be impounded and agrees in writing to pay for its board during the period of impoundment, it shall be so impounded for the period specified in Section 2-212 A notwithstanding any other provision of this ordinance.

2. If the injured party, his/her parent, or guardian is unwilling to agree in writing to pay for the animal's board during the period of impoundment, the animal shall be permitted to remain confined in the residence or enclosed yard of its owner or keeper, provided no animal shall be allowed to remain on the property of its owner or keeper under this section unless such person signs a written agreement to keep the animal on the property in confinement for the period specified in Section 2-212 A and further agrees to allow the animal to be examined periodically to determine its physical condition during the confinement period. If the owner or keeper is unwilling to sign such agreement, the animal shall be immediately impounded in accordance with Section 2-212 A of this ordinance.

2-213. CRUELTY TO ANIMALS. Section 17.

- A. It shall be unlawful for any owner, keeper or harbinger to fail to provide his/her animal with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment. No person shall beat, cruelly ill treat, torment, overload, overwork, or otherwise abuse any animal. No owner, keeper or harbinger shall abandon any such animal.
- B. It shall be unlawful to kill any domestic animal of another without the consent of the owner, except as provided in Subsection D herein.
- C. No person shall offer to give or give a live animal as a prize or as a business inducement.
- D. DESTRUCTION OF CERTAIN ANIMALS. Law Enforcement Officers or Animal Control Officers of the City of Leawood or anyone having the authority of an Animal Control Officer, as designated by the Chief of Police, shall make reasonable effort

to notify the owner, keeper or harbinger of said animal's condition before disposing of any dog, cat, domestic animal or warm-blooded animal, if such dog, cat, domestic animal or warm-blooded animal is deemed by said officer to be a vicious animal, or injured severely with no apparent chance of survival, or in such pain as to warrant humane destruction. If notification cannot be made with the owner, keeper or harbinger of said animal before disposal, the authority involved shall make good faith effort to notify the owner, keeper or harbinger after the disposal. The remains of any such animal so destroyed shall be preserved by such officers, if necessary, to permit a test to be conducted for rabies.

2-214. DOGS TEMPORARILY IN CITY. Section 18. The licensing and vaccination provisions of this article shall not apply to dogs belonging to and kept by non-resident persons temporarily in the City: Provided, That if said dog or dogs remain in the City longer than thirty (30) days, they shall be subject to the provisions of this article. Such dogs shall not be allowed to run at large at any time.

2-215. CONFINING DOGS TO EXERCISE AREA: LEAWOOD CITY PARK. Section 19. It shall be unlawful for any owner or keeper of any dog to allow his/her dog, except a seeing eye dog, to be outside the confines of the designated dog exercise area in the Leawood City Park, all such dogs to be leashed, leash to be in hand of owner or keeper. This provision shall not be construed as prohibiting dogs from other areas of the park when within the confines of vehicles.

2-216. CONFINING DOGS TO LEAWOOD TOMAHAWK GREENWAY. Section 20. It shall be unlawful for any owner or keeper of any dog to allow his/her dog to run at large on the Leawood Tomahawk Greenway. All dogs must be leashed, leash to be in hand of owner or keeper, and must be in control of the owner or keeper when on the Leawood Tomahawk Greenway. If the dog is found running at large, the animal may be impounded in accordance with Sections 2-206, 2-207, and 2-208.

2-217. CONFINING HORSES TO BRIDLE PATH: LEAWOOD CITY PARK. Section 21. It shall be unlawful for any owner of any horse to allow his/her animal to be outside the confines of the designated bridle path of the Leawood City Park.

Section 22.

2-218. A VIOLATION OF SECTIONS 2-201 through 2-211 and 2-213 through 2-217 of this ordinance shall be deemed a public offense, and upon conviction, shall be punishable under the penalty provisions of Section 2-221.

2-219. ENFORCEMENT OF ORDINANCE. Section 23. It is made the duty of the Animal Control Officer or anyone having the authority of Animal Control Officer, including but not limited to Law Enforcement Officers, to enforce the terms and provisions of this ordinance. The Chief of Police may appoint some suitable person to be known as an Animal Control Officer, whose duties it shall be to assist in the enforcement of this ordinance and to work under the immediate supervision and direction of the Police Department. Any private person may, upon signed complaint, bring charges against any owner, keeper or harbinger of any dog, or other animal, for the violation of any of the provisions of this ordinance.

2-220. LICENSING INFORMATION. Section 24. A copy of this article shall be furnished to each person licensing a domestic dog.

2-221. PENALTY. Section 25.

Repealed by: _____
ORDINANCE NO. 9416
Adopted: 11/3/86
Effective: _____

A. FOR OVERDUE LICENSE FEE. If the license fee required by Section 2-202 is not paid within the times provided in said section, a \$5.00 penalty will be added to the normal license fee.

After May 31st of each calendar year, if the tax imposed and required to be paid by Section 2-202 of this ordinance remains unpaid, the City Clerk may issue a complaint against the owner, keeper or harbinger for violation of Section 2-202 of this ordinance.

In the case of any dog brought into the City on or after March 1st or any dog attaining the age of six (6) months on or after March 1st of any license year, if the license fee required by Section 2-202 is not paid within the times provided in said section, the following penalty will apply in addition to the normal license fee:

1. \$2.00 during the first 30 days of delinquency;
2. \$5.00 after the first 30 days of delinquency.

- B. FOR RUNNING AT LARGE WITHOUT TAG. For the first offense the owner shall pay a fine of Twenty-five Dollars (\$25.00) plus the board bill; for the second offense a fine of Fifty Dollars (\$50.00) plus the board bill; for a third and subsequent offenses a fine of One Hundred Dollars (\$100.00) plus the board bill.
- C. FOR RUNNING AT LARGE WITH TAG. For the first offense of an animal running at large within the meaning of this section,

the owner of keeper claiming any animal shall, in addition to presenting a license receipt, pay the cost of the board bill; for the second offense, the owner shall pay a fine of Twenty-five Dollars (\$25.00) plus the board bill; for a third and all subsequent offenses, the owner or keeper shall pay a fine of Fifty Dollars (\$50.00) plus the cost of the board bill.

- D. FOR A VICIOUS ANIMAL. The penalty for failure to keep an animal found to be dangerous or vicious securely fastened and tied and muzzled or within a fenced enclosure pursuant to the provisions of this section shall be One Hundred Dollars (\$100.00) for a first offense, Two Hundred Dollars (\$200.00) for a second offense, and Three Hundred Dollars (\$300.00) for third and subsequent offenses.
- E. FOR CRUELTY TO ANIMALS. Any person who shall violate this section, shall, on conviction thereof, be subject to a minimum fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) or imprisonment in the County jail not exceeding three (3) months, or both such fine and imprisonment.
- F. FOR DOGS TEMPORARILY IN CITY RUNNING AT LARGE. The owner of any dog running at large who resides outside the limits of the City may claim his or her dogs within seven (7) days of the impounding upon the payment of a fine of Ten Dollars (\$10.00) to the designated agency, plus the cost of the board bill. After the first offense, the provisions are the same as those in Section 2-208 and Section 2-221 C.
- G. FOR VIOLATION OF SECTIONS OF THIS ACT FOR WHICH NO OTHER PENALTY IS SPECIFICALLY SET FORTH. Any person who shall violate, neglect or refuse to comply with any provision, regulation or requirement of this article for which a penalty is not specifically set forth for said violation, and upon conviction thereof, shall be punished by a fine of not more than One Hundred Dollars (\$100.00).

2-222. VALIDITY OF ORDINANCE. Section 26. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

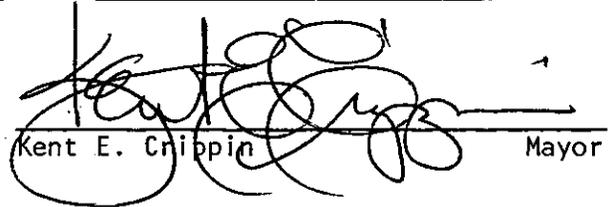
TAKE EFFECT. Section 27. This ordinance shall take effect and be in force from and after its publication in the "Code of 1984".

First Reading: 10/8/84 Second Reading: 10/15/84

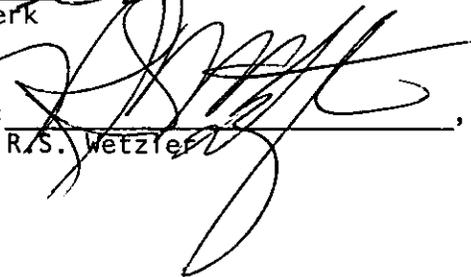
Passed by the Governing Body this 15th day of October, 1984.

Approved by the Mayor this 15th day of October, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney
R.S. Wetzier

MEMO

RE: Ordinance No. 828, 10-15-84, Accepting Deed for Street
Purposes (from Moffitt) - 2' strip, LS 7th Plat

Actions taken after passage:

1. Ordinance published 10-19-84.
2. Deed recorded 10-23-84.
3. Due to error in legal description, ordinance republished as corrected, indicating "1st published 10-19-84".
4. Due to further error in legal, Deed refiled 11-13-84 to correct legal description.
5. Per Tom Bieszczat, Director of Public Works, ordinance not to be republished - refiling of Deed should suffice for legal purposes. Verified by City Attorney Wetzler.
6. Correct legal: See attached Exhibit A.


Ginny Oberlander
City Clerk
11-19-84



EXHIBIT "A"

Beginning at the NW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27-Township 13 Range 25 in Johnson County, Kansas; thence in a southerly direction on a bearing of N 2° 02' 04" W. a distance of 1148.74' to a point; thence due east a distance of 2' to a point; thence northerly along a line parallel to the previous bearing a distance of 1148.74'; thence due west a distance of 2' to the point of beginning. Said tract containing .053 acres \pm .

1502223

This Indenture: Made this 12th day of October A. D. 19 84

between JOHN H. MOFFITT JR. and MARY LYNN MOFFITT, co-trustees under Agreement dated October 12, 1982.

of Johnson County, in the State of Kansas of the first part, and The City of Leawood, Kansas, a municipal corporation.

of Johnson County, in the State of Kansas of the second part:

WITNESSETH, That said parties of the first part, in consideration of the sum of

TEN DOLLARS,

the receipt whereof is hereby acknowledged, do by these presents Grant, Bargain, Sell, Warrant and Convey unto the party of the second part, its successors and assigns, forever, all of their right, title and interest in and to the following-described real estate, lying and situated in the County of Johnson and State of Kansas to-wit:

See attached Exhibit "A"

Leawood South, Fifth Plat, Tract S AND Leawood South, Sixth Plat, Tract A

Entered in Transfer Record 23 Day of October AD 1984 DONALD J. CURRY

Entered in Transfer Record 13 Day of Nov AD 1984 DONALD J. CURRY Johnson County Clerk

STATE OF KANSAS, 1984 COUNTY OF JOHNSON FILED FOR RECORD

Johnson County Clerk

1984 OCT 23 P. 11: 20.3

Deed being refiled to correct legal description

RUDIE M. SCOTT REGISTER OF DEEDS

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, unto the said party of the second part, its successors and assigns, forever. And the said parties of the first part, for them and their heirs, do hereby covenant, promise and agree, to and with the said party of the second part, their heirs, executors, administrators and assigns, that they will warrant and forever defend the said interest in said lands and appurtenances thereof, unto the said party of the second part, its successors and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from and under them.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands the day and year above written.

Executed and Delivered in the Presence of

Betty Jean Moffitt Betty Jean Moffitt

JOHN H. MOFFITT JR.

MARY LYNN MOFFITT

Co-trustees under Agreement dated October 12, 1982

NOTARY PUBLIC BETTY JEAN MOFFITT My Appt. Exp. 12/31/87

VOL 2087 PAGE 230

VOL 2078 PAGE 293

STATE OF KANSAS, Johnson COUNTY, ss.

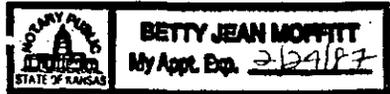
BE IT REMEMBERED, That on this 12th day of October A. D. 19 84, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came John H. Moffitt, Jr. and Mary Lynn Moffitt

who are personally known to me to be the same person... who executed the within instrument of writing, and such person... duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Betty Jean Moffitt Notary Public. Betty Jean Moffitt

Term expires 2/24 19 87



STATE OF KANSAS } COUNTY OF JOHNSON } ss FILED FOR RECORD

VOL 2078 PAGE 294

1984 NOV 13 P 3:13 6

700

RUBIE M. SCOTT REGISTER OF DEEDS

BY _____ DEP

VOL 2087 PAGE 231

City of Leawood 9617 Lee Blvd. Leawood, Ks 66206

This Deed Must Be Recorded.

Deed.

FROM

TO

Entered in Transfer Record in my office,

this... day of

A. D. 19.....

County Clerk.

State of Kansas.

County, } ss.

This instrument was filed for record on

the... day of

A. D. 19... at... o'clock... m.,

and duly recorded in Book... on

page.....

Fee, \$.....

Register of Deeds.

AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET AND STREET RIGHT-OF-WAY PURPOSES FROM JOHN H. MOFFITT, JR. AND MARY LYNN MOFFITT.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-555. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept from John H. Moffitt, Jr., and Mary Lynn Moffitt, a deed for land to be used for street and street right-of-way purposes, the legal description of which is as follows:

Beginning at the NW corner of the NE 1/4 of the NW 1/4 of Sec. 27, Township 13, Range 25, in Johnson County, Kansas; thence in a southerly direction on a bearing of $S 2^{\circ} 02'$ 04" W. a distance of 1148.74' to a point; thence due west a distance of 2' to a point; thence northerly along a line parallel to the previous bearing a distance of 1148.74'; thence due east a distance of 2' to the point of beginning. Said tract containing .053 acres, more or less.

shift N
shift east
shift west

(Leawood South 7th plat)

19-556. INCORPORATION BY REFERENCE. Section 2. A copy of said Deed is attached hereto and thereby incorporated by reference.

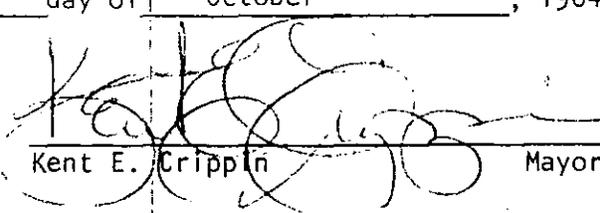
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/8/84 Second Reading: 10/15/84

Passed by the Governing Body this 15th day of October, 1984.

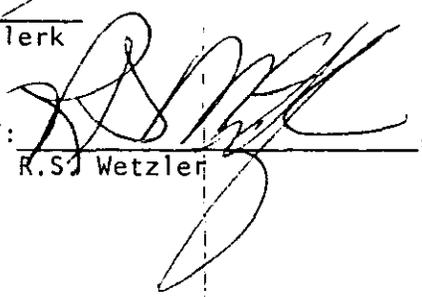
Approved by the Mayor this 15th day of October, 1984.

(S E A L)


Kent E. Crippin Mayor

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzler, City Attorney

AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET AND STREET RIGHT-OF-WAY PURPOSES FROM JOHN H. MOFFITT, JR. AND MARY LYNN MOFFITT.

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(Leawood South 7th plat)

19-556. INCORPORATION BY REFERENCE. Section 2. A copy of said Deed is attached hereto and thereby incorporated by reference.

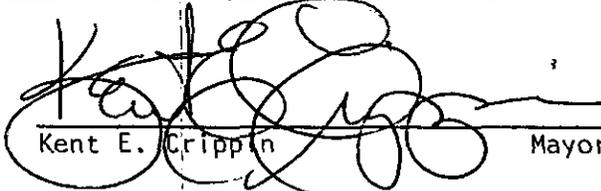
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First Reading: 10/8/84 Second Reading: 10/15/84

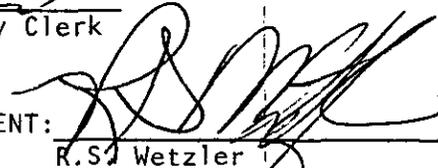
Passed by the Governing Body this 15th day of October, 1984.

Approved by the Mayor this 15th day of October, 1984.




Kent E. Crippin Mayor


G. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney
R.S. Wetzler

This Indenture: Made this 12th day of October A. D. 19 84 between JOHN H. MOFFITT JR. and MARY LYNN MOFFITT, co-trustees under Agreement dated October 12, 1982.

of Johnson County, in the State of Kansas of the first part, and The City of Leawood, Kansas, a municipal corporation.

of Johnson County, in the State of Kansas of the second part:

WITNESSETH, That said parties of the first part, in consideration of the sum of TEN DOLLARS,

the receipt whereof is hereby acknowledged, do by these presents Grant, Bargain, Sell, Warranty and Convey unto the party of the second part, its successors and assigns, forever, all of their right, title and interest in and to the following-described real estate, lying and situated in the County of Johnson and State of Kansas to-wit:

See attached Exhibit "A"

Leawood South, Fifth Plat, Tract S AND Leawood South, Sixth Plat, Tract A

Entered in Transfer Record 23 Day of October AD 1984 DONALD J. CURRY

STATE OF KANSAS COUNTY OF JOHNSON FILED FOR RECORD

Johnson County Clerk NK

700 1984 OCT 23 P 11: 20.3 RUBY M. SCOTT REGISTER OF DEEDS

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, unto the said party of the second part, its successors and assigns, forever. And the said parties of the first part, for them and their heirs, do hereby covenant, promise and agree, to and with the said party of the second part, their heirs, executors, administrators and assigns, that they will warrant and forever defend the said interest in said lands and appurtenances thereof, unto the said party of the second part, its successors and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from and under them.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands the day and year above written.

Executed and Delivered in the Presence of

Betty Jean Moffitt Betty Jean Moffitt

JOHN H. MOFFITT JR. MARY LYNN MOFFITT

Co-trustees under Agreement dated October 12, 1982

NOTARY PUBLIC STATE OF KANSAS BETTY JEAN MOFFITT My Appt. Exp. 2/24/87

7.00 cl

STATE OF KANSAS, Johnson COUNTY, ss.

BE IT REMEMBERED, That on this 12th day of October A. D. 1984, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came John H. Moffitt, Jr. and Mary Lynn Moffitt

who are personally known to me to be the same persons who executed the within instrument of writing, and such persons duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Betty Jean Moffitt Notary Public
Term expires 2/24 1987



VOL 2078 PAGE 294

City of Leawood
9617 Lee Blvd.
Leawood, KS 66206

This Deed Must Be Recorded.

Deed.

FROM

TO

Entered in Transfer Record in my office,

this day of

A. D. 19

County Clerk.

State of Kansas,

ss. County,

This instrument was filed for record on

the day of

A. D. 19 at o'clock m.,

and duly recorded in Book on

page

Fee, \$

Register of Deeds.

EXHIBIT "A"

Beginning at the NW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of
Section 27-Township 13 Range 25 in Johnson County, Kansas;
thence in a southerly direction on a bearing of S 2^o
02' 04" W. a distance of 1148.74' to a point; thence
due west a distance of 2' to a point; thence northerly
along a line parallel to the previous bearing a distance
of 1148.74'; thence due east a distance of 2' to the
point of beginning. Said tract containing .053 acres [±].

ORDINANCE NO. 828. (As corrected - legal description), and republished)

AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET AND STREET RIGHT-OF-WAY PURPOSES FROM JOHN H. MOFFITT, JR. AND MARY LYNN MOFFITT.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-555. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept from John H. Moffitt, Jr., and Mary Lynn Moffitt, a deed for land to be used for street and street right-of-way purposes, the legal description of which is as follows:

Beginning at the NW corner of the NE 1/4 of the NW 1/4 of Sec. 27, Township 13, Range 25, in Johnson County, Kansas; thence in a southerly direction on a bearing of $S 2^{\circ} 02' 04''$ W. a distance of 1148.74' to a point; thence due west a distance of 2' to a point; thence northerly along a line parallel to the previous bearing a distance of 1148.74'; thence due east a distance of 2' to the point of beginning. Said tract containing .053 acres, more or less.

(Leawood South 7th plat)

19-556. INCORPORATION BY REFERENCE. Section 2. A copy of said Deed is attached hereto and thereby incorporated by reference.

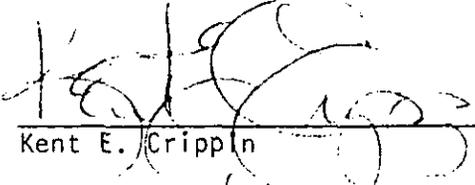
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/8/84 Second Reading: 10/15/84

Passed by the Governing Body this 15th day of October, 1984.

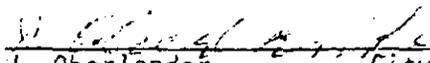
Approved by the Mayor this 15th day of October, 1984.

(S E A L)



Kent E. Crippin Mayor

Attest:



J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: _____, City Attorney
R.S. Wetzler

First published in The Johnson County Sun Friday, October 19, 1984.

ORDINANCE NO. 828

AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET AND STREET RIGHT-OF-WAY PURPOSES FROM JOHN H. MOFFITT, JR. AND MARY LYNN MOFFITT.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-555. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept from John H. Moffitt, Jr., and Mary Lynn Moffitt, a deed for land to be used for street and street right-of-way purposes, the legal description of which is as follows:

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(Leawood South 7th plat)

19-556. INCORPORATION BY REFERENCE. Section 2. A copy of said Deed is attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/8/84. Second Reading: 10/15/84.

Passed by the Governing Body this 15th day of October, 1984.

Approved by the Mayor this 15th day of October, 1984.

(s) Kent E. Crippin
Mayor

(SEAL)
ATTEST:
(s) J. Oberlander
City Clerk

APPROVED FOR FORM AND CONTENT:
R. S. Wetziar
City Attorney

(1574 1W)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- *day* (weeks, days) the first publication thereof being made as aforesaid on the ----- *19th* day of, ----- *October* ----- 19----- *84*, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this ----- *31st* ----- day of ----- *October* ----- 19----- *84*

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My App. Expires Jan. 25, 1988

My Commission expires: -----
Printer's Fee \$ -----
Additional copies \$ -----

This legal was published for the second time at no charge.

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Friday, October 26, 1984.

ORDINANCE NO. 828 AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET AND STREET RIGHT-OF-WAY PURPOSES FROM JOHN H. MOFFITT, JR. AND MARY LYNN MOFFITT.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-555: Section 1: The Governing Body of the City of Leawood, Kansas, does hereby accept from John H. Moffitt, Jr., and Mary Lynn Moffitt, a deed for land to be used for street and street right-of-way purposes, the legal description of which is as follows:

Beginning at the NW corner of the NE 1/4 of the NW 1/4 of Sec. 27, Township 13, Range 25, in Johnson County, Kansas; thence in a southerly direction on a bearing of S 2° 02' 04" W. a distance of 1148.74' to a point; thence due west a distance of 2' to a point; thence northerly along a line parallel to the previous bearing a distance of 1148.74'; thence due east a distance of 2' to the point of beginning. Said tract containing .053 acres, more or less. (Leawood South 7th plat)

19-556: INCORPORATION BY REFERENCE. Section 2. A copy of said Deed is attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/8/84. Second Reading: 10/15/84.

Passed by the Governing Body this 15th day of October, 1984.

Approved by the Mayor this 15th day of October, 1984.

(s) Kent E. Crippin

Mayor

(SEAL)

ATTEST:

(s) J. Oberlander

City Clerk

APPROVED FOR FORM AND CONTENT:

R. S. Wetzler

City Attorney

(4065 1F)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ day (weeks, days) the first publication thereof being made as aforesaid on the _____ day of _____, 19____, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 26th day of October 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON NOTARY PUBLIC STATE OF KANSAS My App. Expires Jan. 25, 1988

My Commission expires: _____ Printer's Fee \$ 22.42 Additional copies \$ _____

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Friday, October 19, 1984.
 ORDINANCE NO. 828
 AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET AND STREET RIGHT-OF-WAY PURPOSES FROM JOHN H. MOFFITT, JR. AND MARY LYNN MOFFITT.
 Be it ordained by the Governing Body of the City of Leawood, Kansas: 19-555. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept from John H. Moffitt, Jr., and Mary Lynn Moffitt, a deed for land to be used for street and street right-of-way purposes, the legal description of which is as follows:
 Beginning at the NW corner of the NE 1/4 of the NW 1/4 of Sec. 27, Township 13, Range 25, in Johnson County, Kansas; thence in a southerly direction on a bearing of N 2° 02' 04" W, a distance of 1148.74' to a point; thence due west a distance of 2' to a point; thence northerly along a line parallel to the previous bearing a distance of 1148.74'; thence due west a distance of 2' to the point of beginning. Said tract containing .053 acres, more or less. (Leawood South 7th plat)
 19-556. INCORPORATION BY REFERENCE. Section 2. A copy of said Deed is attached hereto and thereby incorporated by reference.
 TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.
 First Reading: 10/8/84 Second Reading: 10/15/84
 Passed by the Governing Body this 15th day of October, 1984.
 Approved by the Mayor this 15th day of October, 1984:
 (SEAL)
 (s) Kent E. Crippin, Mayor
 Attest:
 (s) J. Oberlander, City Clerk
 APPROVED FOR FORM AND CONTENT:
 (s) R. S. Wetzler, City Attorney
 (3622 1F)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ day (weeks, days) the first publication thereof being made as aforesaid on the 19th day of October 1984, with subsequent publications being made on the following dates:

_____, 19_____, 19_____, 19_____

*Editor in Charge
 & legal. Corrected & republished*

Barbara A. Ellis

Subscribed and sworn to before me this 19th day of October 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
 NOTARY PUBLIC
 STATE OF KANSAS
 My App. Expires Jan. 25, 1988

My Commission expires: _____
 Printer's Fee \$ 22.42
 Additional copies \$ _____

ORDINANCE NO. 827

AN ORDINANCE AUTHORIZING ISSUANCE OF TEMPORARY NOTES IN THE SUM OF FOUR HUNDRED EIGHTY TWO THOUSAND DOLLARS (\$482,000.00) OF THE CITY OF LEAWOOD, KANSAS, TO PROVIDE TEMPORARY FINANCING FOR THE CONSTRUCTION AND IMPROVEMENT OF 127TH STREET FROM THE CENTER LINE OF ROE AVENUE TO THE CENTER LINE OF JUNIPER STREET CONSISTING OF A THIRTY-SIX FOOT (36') ROADWAY IN WIDTH BACK-TO-BACK WITH CURB, ALL IMPROVEMENTS TO BE INCLUSIVE OF STORM DRAINAGE FACILITIES, STREET LIGHTING AND OTHER APPURTENANCES, THE COST OF WHICH IMPROVEMENT WILL BE PAID BY THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood adopted Resolution No. 646 making findings of advisability and authorizing construction of 127th Street between Roe Avenue and Nall Avenue in the City of Leawood, Kansas, pursuant to proceedings under K.S.A. 12-6(a)01 et. seq.; and

WHEREAS, Resolution 646 authorized the construction of said road to occur in two separate phases each approximately one thousand three hundred twenty feet (1320') in length; and

WHEREAS, it has been determined that the estimated cost of the construction and improvement of the first phase of aforementioned street will be in the sum of Four Hundred Eighty Two Thousand Dollars (\$482,000.00), for which it will be necessary to issue temporary notes to finance the cost of construction of said improvements; and

WHEREAS, all legal requirements pertaining to the authorization of said improvements have been complied with and that issuance of temporary notes is and will be required to finance engineering and construction costs authorized by K.S.A. 12-6(a)01 et. seq., and K.S.A. 10-123 and all acts amendatory thereto;

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

^{1,107}
20-207. AUTHORIZATION, INTEREST AND MATURITY. Section 1. That for the purpose of paying the cost of making the improvements described and referred to in the title and preamble of this ordinance, including the payment of necessary engineering, incidental and legal costs thereto, there should be issued temporary notes from the City of Leawood, Kansas, in the total amount of Four Hundred Eighty Two Thousand Dollars (\$482,000.00), which amount does not exceed the total estimated costs of said improvements. Said note shall be numbered L.I.D. 84-1, Section 1, and shall bear interest at a rate not to exceed nine percent (9%) per annum, payable at maturity, and shall mature one (1) year from November 1, 1984, and shall be callable in advance of maturity and shall be redeemed and cancelled before or at the time bonds are issued in lieu thereof. Said note so authorized by K.S.A. 12-6(a)01 et. seq. and K.S.A. 10-123 and all acts amendatory and supplementary thereto.

^{1,108}
20-208. EXECUTION AND PAYMENT. Section 2. Said note shall be in the form and executed as provided by law, both principal and ~~interest shall be paid at the office of the City Clerk of Leawood, Kansas.~~

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

First Reading: 10/8/84

Second Reading: 10/15/84

Page 2

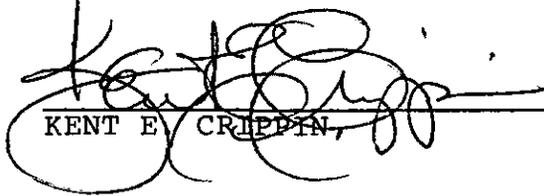
ORDINANCE NO. 827

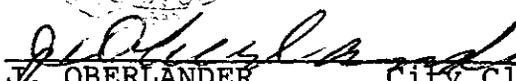
re: Temporary Notes - 127th Street between Roe and Juniper .

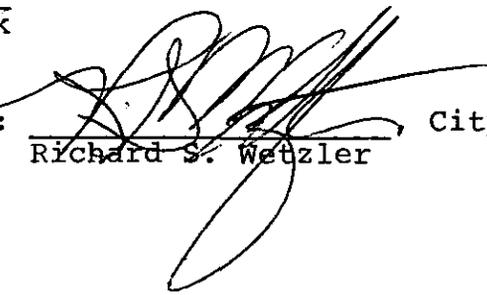
Passed by the Governing Body this 15th day of October,
1984.

Approved by the Mayor this 15th day of October,
1984.




KENT E. CRIPPIN, Mayor

Attest:

J. OBERLANDER, City Clerk

APPROVED FOR FORM AND CONTENT:  City Attorney
Richard S. Wetzler

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Friday, October 19, 1984.

ORDINANCE NO. 827 AN ORDINANCE AUTHORIZING ISSUANCE OF TEMPORARY NOTES IN THE SUM OF FOUR HUNDRED EIGHTY TWO THOUSAND DOLLARS (\$482,000.00) OF THE CITY OF LEAWOOD, KANSAS, TO PROVIDE TEMPORARY FINANCING FOR THE CONSTRUCTION AND IMPROVEMENT OF 127TH STREET FROM THE CENTER LINE OF ROE AVENUE TO THE CENTER LINE OF JUNIPER STREET CONSISTING OF A THIRTY-SIX FOOT (36') ROADWAY IN WIDTH BACK-TO-BACK WITH CURB, ALL IMPROVEMENTS TO BE INCLUSIVE OF STORM DRAINAGE FACILITIES, STREET LIGHTING AND OTHER APPURTENANCES, THE COST OF WHICH IMPROVEMENT WILL BE PAID BY THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEAWOOD, KANSAS.

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WHEREAS, Resolution 646 authorized the construction of said road to occur in two separate phases each approximately one thousand three hundred twenty feet (1320') in length; and

WHEREAS, it has been determined that the estimated cost of the construction and improvement of the first phase of aforementioned street will be in the sum of Four Hundred Eighty Two Thousand Dollars (\$482,000.00), for which it will be necessary to issue temporary notes to finance the cost of construction of said improvements; and

WHEREAS, all legal requirements pertaining to the authorization of said improvements have been complied with and that issuance of temporary notes is and will be required to finance engineering and construction costs authorized by K.S.A. 12-6(a) 01 et. seq., and K.S.A. 10-123 and all acts amendatory thereto;

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

20-207. AUTHORIZATION, INTEREST AND MATURITY.

Section 1. That for the purpose of paying the cost of making the improvements described and referred to in the title and preamble of this ordinance, including the payment of necessary engineering, incidental and legal costs thereto, there should be issued temporary notes from the City of Leawood, Kansas, in the total amount of Four Hundred Eighty Two Thousand Dollars (\$482,000.00), which amount does not exceed the total estimated costs of said improvements. Said note shall be numbered L.I.D. 84-1, Section 1, and shall bear interest at a rate not to exceed nine percent (9%) per annum, payable at maturity, and shall mature one (1) year from November 1, 1984, and shall be callable in advance of maturity and shall be redeemed and cancelled before or at the time bonds are issued in lieu thereof. Said note so authorized by K.S.A. 12-6(a) 01 et. seq. and K.S.A. 10-123 and all acts amendatory and supplementary thereto.

20-208. EXECUTION AND PAYMENT. Section 2. Said note shall be in the form and executed as provided by law, both principal and interest shall be paid at the office of the City Clerk of Leawood, Kansas.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

First Reading: 10/8/84 Second Reading: 10/15/84 ORDINANCE NO. 827

Passed by the Governing Body this 15th day of October, 1984.

Approved by the Mayor this 15th day of October, 1984.

(s) Kent E. Crippin, Mayor (SEAL)

ATTEST: (s) J. Oberlander, City Clerk

APPROVED FOR FORM AND CONTENT: (s) Richard S. Wetzler, City Attorney

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ day (weeks, days) the first publication thereof being made as aforesaid on the 19th day of October 1984, with subsequent publications being made on the following dates:

_____, 19_____, _____, 19_____, _____, 19_____, _____, 19_____

Barbara A. Ellis

Subscribe and sworn to before me this 19th day of October 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON NOTARY PUBLIC STATE OF KANSAS My App. Expires Jan. 25, 1988

Commission expires: 5-2-85 Printer's Fee \$ Additional copies \$

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

18-1802 Sec. no. changed by '84 Code

~~16-1802~~. Section 1. The following described real property is hereby designated as being zoned CP-0, Planned Office Building District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the NW1/4 of the NW1/4 of the NE1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the NE1/4-of said Section 16; thence Easterly, along the North line of the NE1/4 of said Section 16, a distance of 335 feet; thence Southerly, along a line parallel to the West line of the NE1/4 of said Section 16, a distance of 345 feet; thence Westerly, along a line parallel to the North line of the NE1/4 of said Section 16, a distance of 335 feet, to a point on the West line thereof; thence Northerly, along the West line of the NE1/4-of said Section 16, a distance of 345 feet, to the point of beginning, subject to that part thereof dedicated for street purposes.

(southeast corner, College Blvd. and Roe Ave.; Leawood Executive Centre; 2.5 Acres, more or less)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/17/84 Second Reading: 10/15/84

Passed by the Governing Body this 15th day of October, 1984.

Approved by the Mayor this 15th day of October, 1984.



Attest:

J. Oberlander
J. Oberlander City Clerk

Kent E. Crippin
Kent E. Crippin Mayor

APPROVED FOR FORM AND CONTENT: R.S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Friday, October 19, 1984.

ORDINANCE NO. 826 AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

16-1802. Section 1. The following described real property is hereby designated as being zoned CP-0, Planned Office Building District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the NW 1/4 of the NW 1/4 of the NE 1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the NE 1/4 of said Section 16; thence Easterly, along the North line of the NE 1/4 of said Section 16, a distance of 335 feet; thence Southerly, along a line parallel to the West line of the NE 1/4 of said Section 16, a distance of 345 feet; thence Westerly, along a line parallel to the North line of the NE 1/4 of said Section 16, a distance of 335 feet, to a point on the West line thereof; thence Northerly, along the West line of the NE 1/4 of said Section 16, a distance of 345 feet, to the point of beginning, subject to that part thereof dedicated for street purposes.

(southeast corner, College Blvd. and Roe Ave.; Leawood Executive Centre; 2.5 Acres, more or less)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/17/84 Second Reading: 10/15/84

Passed by the Governing Body this 15th day of October, 1984.

Approved by the Mayor this 15th day of October, 1984.

(SEAL)

(s) Kent E. Crippin, Mayor

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R. S. Wetzler, City Attorney

(3620 1F)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 19th day of October 1984, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 19th day of October 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON NOTARY PUBLIC STATE OF KANSAS My App. Expires Jan. 25, 1988

My Commission expires: ----- Printer's Fee \$ 24.01 Additional copies \$ -----

AN ORDINANCE ESTABLISHING THE 1985 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~28-301~~ **28-302** Sec. no. changed by '84 Code

~~12-102-12~~ 1985 ANNUAL ASSESSMENT. Section 1. Pursuant to the terms of Section 12-102.3 of Ordinance No. 753, the following shall be the formula to establish the 1985 annual assessment for all users of the Leawood Sewer System:

User Charge = Volume Charge + Customer Service Charge + Replacement Cost Charge;

Volume Charge = \$.765 per 1,000 gallons of water used. The minimum volume for residential users shall be 33,000 gallons per year; the minimum volume for commercial users shall be 12,000 gallons per year;

Customer Service Charge = \$48.21 per user per unit;

Replacement Cost = 0 (for 1985).

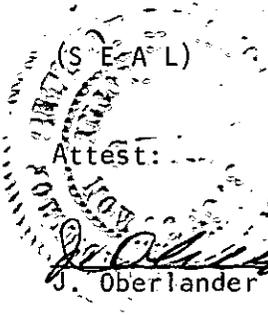
~~28-302~~ **28-302** Sec. no. changed by '84 Code

~~12-102-13~~ PUBLICATION. Section 2. This ordinance shall be published once each week for two consecutive weeks in the official newspaper of the City.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/84 Second Reading: 9/4/84

Passed by the Governing Body this 4th day of September, 1984, the Council having deemed this to be an emergency matter. Approved by the Mayor this 4th day of September, 1984.



[Signature]
Kent E. Crispin Mayor

Attest: *[Signature]*
J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: *[Signature]*, City Attorney
R.S. Wetzler

CITY OF LEAWOOD

Intra-City Communication

PUBLIC WORKS

Date: September 4, 1984

To: J. Oberlander, City Clerk

Subject: 1985 Leawood Sewer System User Charge Cost Allocation Summary

TREATMENT COST ALLOCATION (1985 SEWER BUDGET)

K.C. MISSOURI TREATMENT CONTRACT \$ 250,000

PERSONAL SERVICES

Wages at 90% \$ 199,066

Overtime Wages 6,420

Workman's Comp. at 90% 2,250

Indirect Labor Costs at 90%
(Social Security, Unemployment
Compensation, KPERS, Insurance) 45,689

Subtotal \$ 253,425

ENGINEERING SERVICES at 50% \$ 50

LEGAL SERVICES at 50% \$ 750

Subtotal \$ 800

VEHICLES

Liability Insurance \$ 2,000

Insurance 3,800

Maintenance 500

Fuel and Oil 11,130

Parts 1,000

Tires and Tags 520

Subtotal \$ 18,950

EQUIPMENT

Rental \$ 200

Maintenance 500

Maintenance (Communication) 1,000

Tools 300

Parts 3,000

Insurance 1,250

Purchases -0-

Subtotal \$ 6,250

MATERIALS AND SUPPLIES	\$	5,000
MISCELLANEOUS		
Rodent Control	\$	2,500
Chemicals		5,000
	Subtotal	\$ 7,500
	TOTAL TREATMENT COSTS	\$ 541,925

CUSTOMER SERVICE COST ALLOCATION (1984 SEWER BUDGET)

Wages at 10%	\$	22,119
Indirect Labor at 10%		5,077
Engineering at 50%		50
Workman's Compensation at 10%		750
Office Supplies		350
Uniform Rental and Accessories		4,550
Printing and Notices		150
Accounting		3,000
Legal Services @ 75%		2,250
Medical Exams		50
Training and Seminars		1,000
Water Use Data		6,000
Billing Costs		650
	TOTAL CUSTOMER SERVICE COSTS	\$ 45,996

USER CHARGE CALCULATIONS

USER CHARGE = Volume Charge + Customer Service Charge + Replacement Cost Charge

Volume Charge = Volume/1000 Gallons x Unit Cost Volume

Unit Cost Volume = $\frac{\text{Treatment Costs}}{\text{Contributed Flow} + \text{I/I}}$

Customer Service Charge = $\frac{\text{Customer Service Costs} + \text{I/I Volume/1000 Gal.} \times \text{Unit Cost Volume}}{\text{Number of Connections}}$

Replacement Cost = $\frac{\text{Replacement Cost Allocation}}{\text{Number of Connections}}$

WASTEWATER LOADING

TOTAL VOLUME	708,294,700 GALLONS
INFILTRATION/INFLOW	286,000,000 GALLONS
CONTRIBUTED FLOW	422,294,700 GALLONS
TOTAL ACCOUNTS	5,268

VOLUME CHARGE

$$\text{UNIT COST} = \frac{\text{TREATMENT COSTS}}{\text{CONTRIBUTED FLOW} + \text{I/I in 1000 Gallons}}$$

$$= \frac{\$541,925.00}{708,294.7 \text{ (1000 Gal.)}}$$

$$= \$.765 \text{ per 1000 Gallons}$$

CUSTOMER SERVICE CHARGE

$$\text{CHARGE} = \frac{\text{CUSTOMER SERVICE COSTS} + \text{I/I VOLUME} \times \text{UNIT COST}}{\text{NUMBER OF ACCOUNTS}}$$

$$= \frac{\$45,996 + 286,000 \times \$.765}{5,268}$$

$$= \$48.21$$

REPLACEMENT COST ALLOCATIONS

TOTAL 1985 SEWER BUDGET	\$ 587,921
Less Kansas City, Missouri Treatment Charge	<u>250,000</u>
	\$ 337,921

$$12\% \times 337,921 = \frac{\$40,550}{5,268 \text{ Accounts}} = * 7.70/\text{Account}$$

*NOTE: Due to available carryover funds in the 1985 Sewer Budget the Replacement Cost Allocation will not be assessed. Therefore, the Replacement Cost Calculation in the User Charge Calculations will be zero (0).

TOTAL USER CHARGE CALCULATIONS

USER CHARGE = VOLUME CHARGE + CUSTOMER SERVICE CHARGE + REPLACEMENT COST CHARGE

= (* x 3) x UNIT COST + CUSTOMER SERVICE
CHARGE + REPLACEMENT COST CHARGE

= (* x 3) x \$.765 + \$48.21 + 0

= (* x 3) x \$.765 + \$48.21

* = 4 Month Water Meter Readings in 1000 gal.

EXAMPLE CALCULATION

19.9 (1000 Gal.) x 3 x \$0.765 + \$48.21 + 0 = \$93.88

TOTAL ESTIMATED COLLECTION:

140,375.8 (1000 gal.) x 3 x \$0.765 + (5268 Accounts x \$48.21 + 0) = \$576,133



Tom E. Bieszczat
Director of Public Works

TEB/cc

cc: Dick Garofano, City Administrator
Don Jarrett, Attorney
Allen Oehrle, Systems Analyst, Johnson County Courthouse

First Published in The Johnson County Sun Friday, September 7, 1984.

ORDINANCE NO. 825

AN ORDINANCE ESTABLISHING THE 1985 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

12-102.12. 1985 ANNUAL ASSESSMENT. Section 1. Pursuant to the terms of Section 12-102.3 of Ordinance No. 753, the following shall be the formula to establish the 1985 annual assessment for all users of the Leawood Sewer System:

User Charge = Volume Charge + Customer Service Charge + Replacement Cost Charge;

Volume Charge = \$.765 per 1,000 gallons of water used. The minimum volume for residential users shall be 33,000 gallons per year; the minimum volume for commercial users shall be 12,000 gallons per year;

Customer Service Charge = \$48.21 per user per unit; Replacement Cost = 0 (for 1985).

12-102.13. PUBLICATION. Section 2. This ordinance shall be published once each week for two consecutive weeks in the official newspaper of the City.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/84 - Second Reading: 9/4/84

Passed by the Governing Body this 4th day of September, 1984, the Council having deemed this to be

an emergency matter.

Approved by the Mayor this 4th day of September, 1984.

(SEAL)

(s) Kent E. Crippin, Mayor

Attest: (s) J. Oberlander, City Clerk

APPROVED FOR FORM AND CONTENT: (s) R. S. Wetzler, City Attorney.

(2747 2F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposits and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 2 consecutive Weeks (weeks, days) the first publication thereof being made as aforesaid on the 7th day of September 1984, with subsequent publications being made on the following dates:

September 14th, 1984 -----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 14th day of September 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My App. Expires Jan. 25, 1988

My Commission expires: -----
Printer's Fee \$ 43.45 -----
Additional copies \$ -----

AN ORDINANCE RELATING TO ACCEPTANCE OF DEEDS FOR STREET PURPOSES
RELATIVE TO THE ROE AVENUE IMPROVEMENT DISTRICT 83-2.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-553. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept deeds for land to be used for street purposes relative to the Roe Avenue Improvement District 83-2, the legal descriptions of which are as follows:

All of the East 40 feet of the NW1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

All of the West 40 feet of the N1/2 of the NE1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

All of the West 40 feet of the SW1/4 of the NE1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

(Roe Ave., 135th St. south for 1/2 mile)

19-554. INCORPORATION BY REFERENCE. Section 2. Copies of said deeds are attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/20/84 Second Reading: 9/4/84

Passed by the Governing Body this 4th day of September, 1984.

Approved by the Mayor this 4th day of September, 1984.



Kent E. Crippin
Kent E. Crippin Mayor

J. Oberlander
J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: *R/S. Wetzler*, City Attorney
R/S. Wetzler

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

6 day of ~~June~~ July, 19 84, by and between

South Roe Development Company

of Jackson County, State of Missouri, Party of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Party of the First Part, In consideration of the sum of

One Dollar and other Valuable Consideration Dollars to it in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents does GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all its right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

All of the East 40 feet of the NW 1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS }
COUNTY OF JOHNSON } ss
FILED FOR RECORD

1984 AUG -1 P 12: 50 8

Entered in Transfer Record

1 Day of Aug AD 19 84
DONALD J. CURRY

RUBIE M. SCOTT
REGISTER OF DEEDS

Johnson County Clerk

BY _____ DEP

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Party of the First Part, its successors, or assigns.

And the Party of the First Part for its successors and assigns, does hereby convenient, promise, and agree to and with said Party of the Second Part that at the delivery of these presents it is lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except none

and that First Party will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Party of the First part, for its successors, or assigns, hereby waives and releases to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First party hereby agrees that First Party shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Party further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Party of the First Part has hereunto set its hand and seal the day and year first above written.

SOUTH ROE DEVELOPMENT COMPANY,

a Missouri general partnership,

By: Marcus Kaplan

General Partner

600

11/24/81

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

25 day of June, 1984, by and between Hazel Wells Sharp, Janet W. Sharp, and Helen Louise Brewer, Trustees of Perry M. Sharp Trust "C", under Trust Indenture dated June 22, 1963.

of Johnson County, State of Kansas, Party of the First Part, and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part y of the First Part, In consideration of the sum of One and n0/100 Dollars

to them in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all their right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

All of the West 40 feet of the N 1/2 of the NE 1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1984 AUG -1 P 12:52

RUBIE M. SCOTT
REGISTER OF DEEDS

Entered in Transfer Record

1 Day of Aug AD 1984
DONALD J. CURRY

Johnson County Clerk

BY DEP

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Party of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Part y of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convenient, promise, and agree to and with said Party of the Second Part that at the delivery of these presents they are lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except easements,

Covenants, restrictions and reservations of record, and 1983 real estate taxes and that First Part will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Party of the First part, for their heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First party hereby agree that First Part y shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Party further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Part y of the First Part has hereunto set hand and seal the day and year first above written.

Hazel W Sharp
Hazel W. Sharp
Helen L Brewer
Janet W. Sharp

600

11/24/81

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Missouri :
COUNTY OF Jackson : SS.

BE IT REMEMBERED, That on the 25th day June, 1984,
before me, the undersigned, a Notary Public in and for said County and State,
came Hazel W. Sharp, Helen L. Brewer, and Janet W. Sharp

who are personally known to me to be the same persons who executed the within
instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal the day and year last above written.

Katherine E. Smith
Notary Public
Katherine E. Smith

My Commission Expires:

KATHERINE E. SMITH
Notary Public - State of Missouri
Commissioned in Clay County
My Commission Expires Feb 6, 1988

VOL 2044 PAGE 459

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, Secretary of said corporation, who are
personally known to me to be such officers and who are personally known to me to be
the same persons who executed as such officers the within instrument on behalf of
said Corporation, and such persons duly acknowledged the execution of the same to be
the act and deed of said Corporation, _____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

Notary Public

My Commission Expires

Lawson

DEED OF DEDICATION

1484404

ORIGINAL COMPARED WITH RECORD

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

10 day of May, 1984, by and between

Bopp Development Company Corporation

of Johnson County, State of Kansas, Party of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part of the First Part, In consideration of the sum of

One and no/100 (\$1.00)

Dollars

to in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

All of the West 40 feet of the SW 1/4 of the NE 1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas.

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

600

1984 AUG -1 P 12: 53

RUBIE M. SCOTT
REGISTER OF DEEDS

Entered In Transfer Record
1 Day of Aug AD 1984
DONALD J. CURRY
Johnson County Clerk

BY _____ DEP

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Part of the First Part, heirs, executors, administrators, successors, or assigns.

And the Part of the First Part for heirs, executors, administrators, successors and assigns, do hereby convenient, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Part will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Part of the First part, for heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First part hereby agree that First Part shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Part further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Part of the First Part ha hereunto set hand and seal the day and year first above written.

Edward O. Bopp
Edward O. Bopp

600

INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____:

SS.

COUNTY OF _____:

BE IT REMEMBERED, That on the _____ day _____, 19____, before me, the undersigned, a Notary Public in and for said County and State,

came _____

who _____ personally known to me to be the same person _____ who executed the within instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires:

Handwritten mark

CORPORATE ACKNOWLEDGEMENT

STATE OF Kansas _____:

SS.

COUNTY OF Johnson _____:

BE IT REMEMBERED that on this 10th day of May, 1984, before me, the undersigned, a Notary Public in and for the County and State afore-said, came Edward O. Bopp, President of _____

Bopp Development Corp., a corporation duly organized, incorporated and existing under and by virtue of the laws of the state of Kansas;

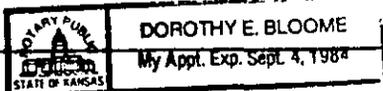
and _____, Secretary of said corporation, who are personally known to me to be such officers and who are personally known to me to be the same persons who executed as such officers the within instrument on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation, _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Dorothy E. Bloome

Notary Public
Dorothy E. Bloome

My Commission Expires



First Published in The Johnson County Sun Wednesday, September 12, 1984. ORDINANCE NO. 824

AN ORDINANCE RELATING TO ACCEPTANCE OF DEEDS FOR STREET PURPOSES RELATIVE TO THE ROE AVENUE IMPROVEMENT DISTRICT 83-2.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-553. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept deeds for land to be used for street purposes relative to the Roe Avenue Improvement District 83-2, the legal descriptions of which are as follows:

All of the East 40 feet of the NW 1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

All of the West 40 feet of the N 1/2 of the NE 1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

All of the West 40 feet of the SW 1/4 of the NE 1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

(Roe Ave., 135th St. south for 1/2 mile)

19-554. INCORPORATION BY REFERENCE. Section 2. Copies of said deeds are attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/20/84 - Second Reading: 9/4/84

Passed by the Governing Body this 4th day of September, 1984.

Approved by the Mayor this 4th day of September, 1984.

(SEAL) (s) Kent E. Crippin, Mayor Attest:

(s) J. Oberlander, City Clerk APPROVED FOR FORM AND CONTENT: (s) R. S. Wetzler, City Attorney

(2791 1W)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- day (weeks, days) the first publication thereof being made as aforesaid on the 12th day of September 19--84, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 12th day of September 19--84

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: 3-15-88
Printer's Fee \$ 24.26
Additional copies \$ -----

AN ORDINANCE RELATING TO ACCEPTANCE OF EASEMENTS FOR UTILITY AND GRADING PURPOSES RELATIVE TO THE ROE AVENUE IMPROVEMENT DISTRICT 83-2.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,131. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept 3 Permanent Utility and Grading Easements, for roadway grading for construction and for the location of public utilities, over and through the following described real estate, to-wit:

All of the West 55 feet of the SW1/4 of the NE1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

All of the West 55 feet of the N1/2 of the NE1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

All of the East 55 feet of the NW1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

(Roe Ave., 135th St. south for 1/2 mile)

19-6,132. INCORPORATION BY REFERENCE. Section 2. Copies of said Easements are attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/20/84 Second Reading: 9/4/84

Passed by the Governing Body this 4th day of September, 1984.

Approved by the Mayor this 4th day of September, 1984.



Attest:

J. Oberlander
City Clerk

Kent E. Crippin
Mayor

APPROVED FOR FORM AND CONTENT: R.S. Wetzler, City Attorney

PERMANENT UTILITY AND GRADING EASEMENT

This agreement made and entered into this 25 day of June, 1984 Hazel Wells Sharp, Janet W. Sharp, and Helen Louise Brewer, Trustees of Perry M. Sharp Trust by and between

party of the first part, and the City of Leawood, Johnson County, Kansas; party of the second part.

WITNESSETH: That for and in consideration of the location of public utilities and also for and in consideration of roadway grading for construction, said party of the first part, does hereby remise, let and release to the party of the second part, the following described real estate to-wit:

All of the West 55 feet of the N 1/2 of the NE 1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

600- 1984 AUG -1 A 11: 07 3
RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP



for the non-exclusive use by said party of the second part, and said use by said party of the second part shall be only for utility and grading purposes within said City; when same shall cease to be used for either of said purposes to revert to the grantors, their successors, assigns or grantees.

It is hereby mutually understood and agreed that said first party hereby waives any claim for damages against the City of Leawood for damages of any and every kind occasioned by the location of said utilities or by said roadway grading, unless said damages are occasioned by any act of negligence or omissions on the part of the City of Leawood.

IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

Hazel W. Sharp
Hazel W. Sharp

Helen L. Brewer
Helen L. Brewer

Janet W. Sharp
Janet W. Sharp

600-

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Missouri :
COUNTY OF Jackson : SS.

BE IT REMEMBERED, That on the 25th day June, 19 84,
before me, the undersigned, a Notary Public in and for said County and State,
came Hazel W. Sharp, Helen L. Brewer and Janet W. Sharp

who are personally known to me to be the same persons who executed the within
instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal the day and year last above written.

Katherine E. Smith

Notary Public
Katherine E. Smith

My Commission Expires:

KATHERINE E. SMITH
Notary Public - State of Missouri
Commissioned in Clay County
My Commission Expires Feb. 6, 1988

VOL 2044 PAGE 297

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19 _____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, Secretary of said corporation, who are
personally known to me to be such officers and who are personally known to me to be
the same persons who executed as such officers the within instrument on behalf of
said Corporation, and such persons duly acknowledged the execution of the same to be
the act and deed of said Corporation, _____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

Notary Public

My Commission Expires

City of Jackson

PERMANENT UTILITY AND GRADING EASEMENT

This agreement made and entered into this 10 day of May, 1954
by and between Bopp Development Company Corporation

party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

WITNESSETH: That for and in consideration of the location of public utilities and also for and in consideration of roadway grading for construction, said party of the first part, does hereby remise, let and release to the party of the second part, the following described real estate to-wit:

All of the West 55 feet of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS }
COUNTY OF JOHNSON } SS.
FILED FOR RECORD

1954 AUG -1 A 11: 07 0

600

RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP

for the sole use of said party of the second part as and for utility and grading purposes within said City; when same shall cease to be used for either of said purposes to revert to the grantors, their successors, assigns or grantees.

It is hereby mutually understood and agreed that said first party hereby waives and claim for damages against the City of Leawood for damages of any and every kind occasioned by the location of said utilities or by said roadway grading.

IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

Edward O. Bopp
Edward O. Bopp

DO NOT WRITE IN THESE SPACES
MAY 1 1954

600

INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____:

SS.

COUNTY OF _____:

BE IT REMEMBERED, That on the _____ day _____, 19____, before me, the undersigned, a Notary Public in and for said County and State, came _____

who _____ personally known to me to be the same person _____ who executed the within instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires: _____

Copy of Acknowledgment given the blind Notary the 6/22/86

CORPORATE ACKNOWLEDGEMENT

STATE OF Kansas _____:

SS.

COUNTY OF Johnson _____:

BE IT REMEMBERED that on this 10th day of May, 1984, before me, the undersigned, a Notary Public in and for the County and State afore-said, came Edward O. Bopp, President of _____

Bopp Development Corp., a corporation duly organized, incorporated and existing under and by virtue of the laws of the state of Kansas;

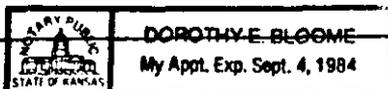
and _____, Secretary of said corporation, who are personally known to me to be such officers and who are personally known to me to be the same persons who executed as such officers the within instrument on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation, _____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Dorothy E. Bloome

Notary Public
Dorothy E. Bloome

My Commission Expires _____



1484350 ✓

PERMANENT UTILITY AND GRADING EASEMENT

This agreement made and entered into this 6 day of July, 1984

by and between South Roe Development Company

party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

WITNESSETH: That for and in consideration of the location of public utilities and also for and in consideration of roadway grading for construction, said party of the first part, does hereby remise, let and release to the party of the second part, the following described real estate to-wit:

All of the East 55 feet of the NW $\frac{1}{4}$ of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

(First Party reserves the right to connect to utilities in said easement subject to rules and regulations of Second Party)

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1984 AUG -1 A 11: 07 6

600

RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEF

for the non-exclusive use by said party of the second part, and said use by said party of the second part shall be only for utility and grading purposes within said City; when same shall cease to be used for either of said purposes to revert to the grantors, their successors, assigns or grantees.

It is hereby mutually understood and agreed that said first party hereby waives any claim for damages against the City of Leawood for damages of any and every kind occasioned by the location of said utilities or by said roadway grading, unless said damages are occasioned by any act of negligence or omissions on the part of the City of Leawood.

IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

SOUTH ROE DEVELOPMENT COMPANY

a Missouri general partnership

BY: Marcus Kaplan
General Partner
Marcus Kaplan

600

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

I, the undersigned, a notary public in and for the county and state aforesaid, do hereby certify that on this 6th day of July, 1984, Marcus Kaplan, personally appeared before me and, being by me first duly sworn, said that he is a general partner in SOUTH ROE DEVELOPMENT COMPANY, a Missouri general partnership, and acknowledged that he signed and sealed the foregoing instrument in behalf of and as the act and deed of said partnership, being thereunto duly authorized.

WITNESS my hand and notarial seal the day and year last above written.



Notary Public
Elaine Gower
Elaine Gower
Notary Public - State of Missouri
Commissioned in Clay County
My Commission Expires Dec. 5, 1987



AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Wednesday, September 12, 1984. ORDINANCE NO. 823. AN ORDINANCE RELATING TO ACCEPTANCE OF EASEMENTS FOR UTILITY AND GRADING PURPOSES RELATIVE TO THE ROE AVENUE IMPROVEMENT DISTRICT 83-2.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,131. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept 3 Permanent Utility and Grading Easements, for roadway grading for construction and for the location of public utilities, over and through the following described real estate, to-wit:

All of the West 55 feet of the SW 1/4 of the NE 1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

All of the West 55 feet of the N 1/2 of the NE 1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

All of the East 55 feet of the NW 1/4 of Section 33, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

(Roe Ave., 135th St. south for 1/2 mile)

19-6,132. INCORPORATION BY REFERENCE. Section 2. Copies of said Easements are attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/20/84 Second Reading: 9/4/84

Passed by the Governing Body this 4th day of September, 1984.

Approved by the Mayor this 4th day of September, 1984.

(SEAL)

(s) Kent E. Crippin, Mayor

ATTEST: (s) J. Oberlander, City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R. S. Wetzler, City Attorney

(2790, 1W)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 12th day of September 1984, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____
_____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 12th day of September 1984

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: 3-15-88
Printer's Fee \$ 24.68
Additional copies \$ _____

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~18-113~~ ~~16-113~~ **Sec. no. changed by '84 Code**

Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

Beginning at a point in the Northeast corner of Section 21, Township 13, Range 25; thence South 339.9 feet; thence West 735 feet, thence North 189.1 feet to the centerline of Tomahawk Creek, as now established; thence in a Northeasterly direction along the centerline of said Tomahawk Creek to a point on the North line of Section 21, Township 13, Range 25; thence East 400 feet to the point of beginning, except all that part of the Northeast 1/4 of Section 21, Township 13, Range 25 now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of the Northeast 1/4 of said Section 21; thence South 87° 56' 01" West along the North line of the Northeast 1/4 of said Section 21, a distance of 335 feet to the true point of beginning of subject tract; thence continuing South 87° 56' 01" West along the North line of the Northeast 1/4 of said Section 21, a distance of 65 feet; thence South 63° 45' 04" West, a distance of 366.45 feet to a point 735 feet West of the East line of the Northeast 1/4 of said Section 21, thence South 2° 20' 21" East along a line 735 feet West of and parallel to the East line of the Northeast 1/4 of said Section 21, a distance of 189.10 feet; thence North 47° 31' 15" East, a distance of 523.24 feet to the true point of beginning of subject tract and also except that part in roads.

(Southwest corner of Mission Rd. & 119th St. Mission View)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/20/84 Second Reading: 9/4/84

Passed by the Governing Body this 4th day of September, 1984.

Approved by the Mayor this 4th day of September, 1984.



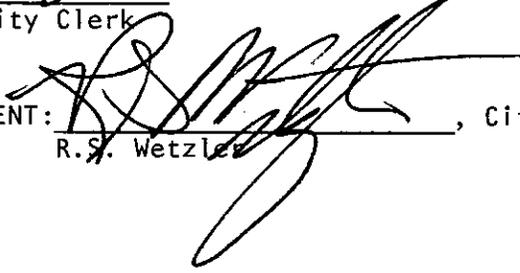
Kent E. Crippin
Kent E. Crippin Mayor

Page 2
ORDINANCE NO. 822
re Zoning - Mission View

Attest:



J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
_____, City Attorney
R.S. Wetzler

First Published in The Johnson County Sun Wednesday, September 12, 1984.

ORDINANCE NO. 822
AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:
16-113 Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

Beginning at a point in the Northeast corner of Section 21, Township 13, Range 25; thence South 339.9 feet; thence West 735 feet; thence North 189.1 feet to the centerline of Tomahawk Creek, as now established; thence in a Northeasterly direction along the centerline of said Tomahawk Creek to a point on the North line of Section 21, Township 13, Range 25; thence East 400 feet to the point of beginning, except all that part of the Northeast 1/4 of Section 21, Township 13, Range 25 now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of the Northeast 1/4 of said Section 21; thence South 87° 56' 01" West along the North line of the Northeast 1/4 of said Section 21, a distance of 335 feet to the true point of beginning of subject tract; thence continuing South 87° 56' 01" West along the North line of the Northeast 1/4 of said Section 21, a distance of 65 feet; thence South 63° 45' 04" West, a distance of 366.45 feet to a point 735 feet West of the East line of the Northeast 1/4 of said Section 21; thence South 2° 20' 21" East along a line 735 feet West of and parallel to the East line of the Northeast 1/4 of said Section 21, a distance of 189.10 feet; thence North 47° 31' 15" East, a distance of 523.24 feet to the true point of beginning of subject tract and also except that part in roads.

(Southwest corner of Mission Rd. & 119th St., Mission View)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/20/84 Second Reading: 9/4/84 Passed by the Governing

Body this 4th day of September, 1984.

Approved by the Mayor this 4th day of September, 1984.

(SEAL)
(s) Kent E. Crippin, Mayor

Attest:
(s) J. Oberlander, City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R.S. Wetzler, City Attorney

(2789 1W)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

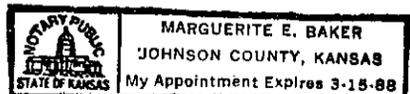
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- ^{day} (weeks, days) the first publication thereof being made as aforesaid on the 12th day of September 1984, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 12th day of September 1984

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: 3-15-88
Printer's Fee \$ 31.80
Additional copies \$ -----

paid 8-28-85
See Ord. 871

ORDINANCE NO. 821

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF LEAWOOD, KANSAS, OF AN ISSUE OF TEMPORARY NOTES, SERIES C.I.P. 84-1, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,177,000 DOLLARS, FOR THE PURPOSE OF TAKING UP BY REDEEMING AND PAYING THE \$360,000 TEMPORARY NOTES, SERIES S.D. 83-1, OF THE CITY AND THE \$570,000 TEMPORARY NOTES, SERIES L.I.D. 84-1, OF THE CITY CURRENTLY OUTSTANDING AND TO PAY CERTAIN ADDITIONAL COSTS INCURRED IN CONNECTION WITH THE CONSTRUCTION OF STORM WATER DRAINAGE IMPROVEMENTS AND CERTAIN IMPROVEMENTS TO 127TH STREET FROM ROE AVENUE TO MISSION ROAD AND TO PAY THE ESTIMATED COSTS AND EXPENSES OF THE IMPROVEMENT OF THE INTERSECTION OF 95TH STREET AND STATE LINE, THE INTERSECTION OF 95TH STREET AND LEE BOULEVARD, MISSION ROAD FROM 135TH STREET TO 151ST STREET AND 143RD STREET FROM KENNETH ROAD TO NALL AVENUE, AND ROE AVENUE FROM THE CENTERLINE OF 135TH STREET SOUTHERLY TO THE CENTER OF SECTION 33, TOWNSHIP 13, RANGE 25, A DISTANCE OF 2640 FEET MORE OR LESS, ALL IMPROVEMENTS WITHIN LEAWOOD, JOHNSON COUNTY, KANSAS, AND TO PAY THE PRINCIPAL OF AND ACCRUED INTEREST NECESSARY TO RETIRE THE AFOREDESCRIBED TEMPORARY NOTES PREVIOUSLY ISSUED.

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Ordinance No. ~~738~~⁷⁸³ passed by the Governing Body on July 5, 1983, has authorized the construction of certain storm water drainage facilities, including culverts, bridges and related costs, according to the plans and specifications of Larkin & Associates Consulting Engineers, as project engineers, and has provided for the method of assessment and authorized the issuance of temporary notes pursuant to K.S.A. 10-123 from time to time to pay the costs of said improvements; and

WHEREAS, temporary notes of the City have been issued the proceeds of which have been applied to the payment of costs relating to said project previously accrued, the amount needed to retire said notes together with interest having accrued thereon to date being the sum of \$378,690; and

WHEREAS, the costs for additional construction and related improvements have accrued in the approximate amount of \$46,310 or such costs will accrue and be payable in the immediate future, which costs and expenses have been approved by the project engineer and the Governing Body of the City of Leawood, and the said amount is needed for the expense and work heretofore performed or to be performed as stated; and

WHEREAS, it is the desire of the Governing Body to exercise its right to redeem and call for payment the \$360,000 Temporary Notes, Series S.D. 83-1, heretofore issued for the project and to satisfy said notes and pay costs and expenses currently due or to become due by the issuance of temporary notes in the principal amount of \$425,000 as authorized herein.

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Resolution No. 617, passed by the Governing Body on August 1, 1983, has authorized the construction of certain improvements to 127th Street from Roe Avenue to Mission Road, including widening, surfacing, curbing, storm drainage, lighting and related costs, according to the plans and specifications of Shafer, Kline & Warren, P.A., as project engineer, and has provided for the method of assessment and authorized the issuance of temporary notes pursuant to K.S.A. 10-123 from time to time to pay the costs of said improvements; and

WHEREAS, temporary notes of the City have been issued the proceeds of which have been applied to the payment of costs relating to said project previously accrued, the amount needed to retire said notes together with interest having accrued thereon to date being the approximate sum of \$592,000; and

WHEREAS, it is the desire of the Governing Body to exercise its right to redeem and call for payment the \$570,000 Temporary Notes, Series L.I.D. 84-1, heretofore issued for the project and to satisfy said notes and pay costs and expenses currently due or to become due by the issuance of temporary notes in the principal amount of \$592,000 as authorized herein.

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Resolution No. 640, passed by the Governing Body on February 6, 1984, has authorized the construction of certain improvements to the intersection of 95th Street and Lee Boulevard, including reconstruction, reconfiguring, widening, storm drainage, curbing and related costs, according to the plans and specifications of Johnson, Brickell & Mulcahey, as project engineer, and provided for the method of assessment and proposes to issue temporary notes pursuant to K.S.A. 10-123 to pay the costs of said improvements; and

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Resolution No. 641, passed by the Governing Body on February 6, 1984, has authorized the construction of certain improvements to the intersection of 95th Street and State Line, including reconstruction, reconfiguring, widening, storm drainage, curbing and related costs, according to the plans and specifications of Johnson, Brickell & Mulcahey, as project engineer, and has provided for the method of assessment and proposes to issue temporary notes pursuant to K.S.A. 10-123 to pay the costs of said improvements; and

WHEREAS, the City has entered into a contract for the construction of said improvements, construction has proceeded and costs of said improvements have accrued in the approximate amount of \$640,000 or such costs will accrue and be payable in the immediate future, which costs and expenses have been approved by the project engineer and the Governing Body of the City of Leawood, and the said amount is needed for the expense and work heretofore performed or to be performed as stated; and

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Resolution No. 632, passed by the Governing Body on December 19, 1983, has authorized the construction of certain improvements to Roe Avenue from the centerline of 135th Street southerly to the center of Section 33, Township 13, Range 25, a distance of 2640 square feet more or less, including a 32-foot asphaltic concrete roadway with 8-foot grass shoulders and ditch sections, storm drainage, street lighting and related costs, according to the plans and specifications of Shafer, Kline & Warren, P.A., as project engineer, and provided for the method of assessment and proposes to issue temporary notes pursuant to K.S.A. 10-123 to pay the costs of said improvements; and

WHEREAS, costs of said improvements have accrued in the approximate amount of \$270,000 or such costs will accrue and be payable in the immediate future, which costs and expenses have been approved by the project engineer and the Governing Body of the City of Leawood, and the said amount is needed for the expense and work heretofore performed or to be performed as stated; and

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Resolution No. 633, passed by the Governing Body on December 19, 1983, has authorized the construction of certain improvements to Mission Road from 135th Street to 151st Street and to 143rd Street from Kenneth Road to Nall Avenue by improvement to rural collector standards, including sub-base preparation, asphaltic concrete overlay, double prime and sealing, according to the plans and specifications of Shafer, Kline & Warren, P.A., as project engineer, and provided for the method of assessment and proposes to issue temporary notes pursuant to K.S.A. 10-123 to pay the costs of said improvements; and

WHEREAS, costs of said improvements have accrued in the approximate amount of \$250,000 or such costs will accrue and be payable in the immediate future, which costs and expenses have been approved by the project engineer and the Governing Body of the City of Leawood, and the said amount is needed for the expense and work heretofore performed or to be performed as stated; and

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

^{1,100}
20-200. Section One: That in order to provide funds with which to pay the costs and expenses of the aforesaid improvements now due or to become due in the immediate future and to redeem and pay the temporary notes of the City previously issued the proceeds of which temporary notes have been applied to pay costs relating to certain of said projects as hereinbefore described, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series C.I.P. 84-1, in the aggregate principal amount of \$2,177,000.

^{1,101}
 20-201. Section Two: Said issue of Temporary Notes, Series C.I.P. 84-1, shall consist of five or more notes, each bearing a separate designation to identify the specific project for which it is issued as set forth below, numbered from 1 consecutively upward, being the denominations of \$100,000 or any integral multiple of \$5,000 in excess of \$100,000, except that the note or notes of the issue for the 127th Street Mission to Roe Project may be in any integral multiple of \$1,000 in excess of \$100,000. Each of said notes shall be dated as of their date of issuance and delivery to the purchaser thereof and shall have the stated maturity date of August 1, 1985.

The notes for each particular project shall be in the principal amounts and shall bear interest payable semi-annually from their respective dates, as follows:

<u>Project</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
Bridge and Culverts	\$425,000	7.35% for entire issue
127th Street Mission Road to Roe Avenue	592,000	
95th Street Intersections State Line and Lee Blvd.	640,000	
Roe Avenue 135th Street South	270,000	
Mission Road and 143rd Street	250,000	

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in the minimum amount of \$100,000), at any date prior to the stated maturity date of said notes by the publication and payment of said notes, the last publication of such notice to be at least ten days prior to the redemption date fixed in such notice. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to retire said notes. Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas.

^{1,102}
 20-202. Section Three: The date fixed on said notes shall be the date of issue. Each of said notes shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

^{1,103}
 20-203. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and to procure the proper registration in the office of the City Clerk and in the office of the

Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to the purchaser or purchasers thereof upon payment of the purchase price therefor.

^{1,104}
20-204. Section Five: The proceeds of said temporary note issue shall be deposited with the City Treasurer in the special funds created for the purpose of paying said costs and expenses of the respective improvements hereinbefore described and retiring the outstanding notes previously issued as aforesaid.

^{1,105}
20-205. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

^{1,106}
20-206. Section Seven: That the Temporary Notes, Series S.D. 83-1 and the Temporary Notes, Series L.I.D. 84-1, of the City previously issued by the City of Leawood, Kansas are hereby called for redemption and prepayment on August 28, 1984, and shall be retired with the proceeds of the within described Temporary Notes, Series C.I.P. 84-1. The City Clerk is hereby authorized and directed to give such notice of redemption as shall be required by the terms of said outstanding notes.

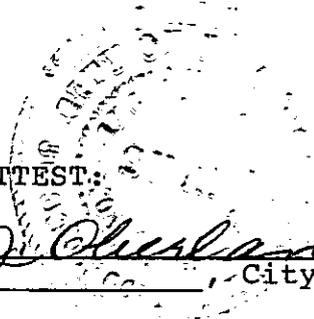
Section Eight: This Ordinance shall take effect after its publication as provided by laws.

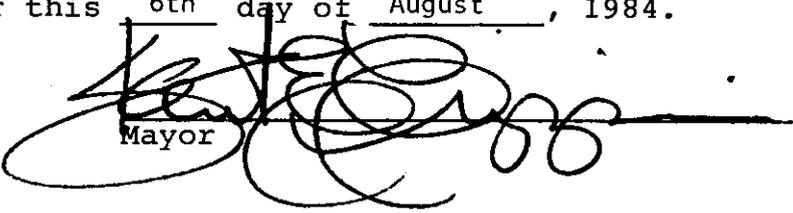
First Reading: 7/16/84 Second Reading: 8/6/84

PASSED by the Governing Body of the City of Leawood, Kansas, this 6th day of August, 1984.

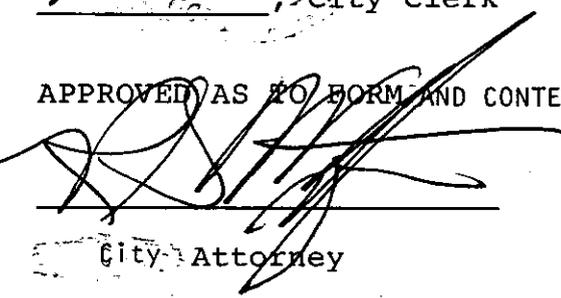
SIGNED by the Mayor this 6th day of August, 1984.

ATTEST:


J. Oberlander
City Clerk


Mayor

APPROVED AS TO FORM AND CONTENT:


City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- *day* (weeks, days) the first publication thereof being made as aforesaid on the *10th* day of, *August* 19 *89*, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this *10th* day of *August* 19 *89*

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My App. Expires Jan. 25, 1988

My Commission expires: -----
Printer's Fee \$ *174.88* -----
Additional copies \$ -----

First Published in the County Sun

ORDINANCE NO. 82

AUTHORIZING THE ISSUANCE BY THE CITY OF LEAWOOD, KANSAS, OF AN ISSUE OF TEMPORARY NOTES, SERIES C.I.P. 84-1, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,177,000 DOLLARS, FOR THE PURPOSE OF TAKING UP BY REDEMPTION AND PAYING THE \$360,000 TEMPORARY NOTES, SERIES S.D. 83-1, OF THE CITY AND THE \$570,000 TEMPORARY NOTES, SERIES L.I.D. 84-1, OF THE CITY CURRENTLY OUTSTANDING AND TO PAY CERTAIN ADDITIONAL COSTS INCURRED IN CONNECTION WITH THE CONSTRUCTION OF STORM WATER DRAINAGE IMPROVEMENTS AND CERTAIN IMPROVEMENTS TO 127TH STREET FROM ROE AVENUE TO MISSION ROAD AND TO PAY THE ESTIMATED COSTS AND EXPENSES OF THE IMPROVEMENT OF THE INTERSECTION OF 95TH STREET AND STATE LINE, THE INTERSECTION OF 95TH STREET AND LEE BOULEVARD, MISSION ROAD FROM 135TH STREET TO 151ST STREET AND 143RD STREET FROM KENNETH ROAD TO NAIL AVENUE, ROE AVENUE FROM THE CENTERLINE OF 135TH STREET SOUTHERLY TO THE CENTER OF SECTION 33, TOWNSHIP 13, RANGE 25, A DISTANCE OF 2640 FEET MORE OR LESS, ALL IMPROVEMENTS WITHIN LEAWOOD, JOHNSON COUNTY, KANSAS, AND TO PAY THE PRINCIPAL OF AND ACCRUED INTEREST NECESSARY TO RETIRE THE AFORESAID TEMPORARY NOTES PREVIOUSLY ISSUED.

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Ordinance No. 798, passed by the Governing Body on July 5, 1983, has authorized the construction of certain storm water drainage facilities, including culverts, bridges and related costs, according to the plans and specifications of Larkin & Associates Consulting Engineers, as project engineers, and has provided for the method of assessment and authorized the issuance of temporary notes pursuant to K.S.A. 10-123 from time to time to pay the costs of said improvements; and

WHEREAS, temporary notes of the City have been issued the proceeds of which have been applied to the payment of costs relating to said project previously accrued, the amount needed to retire said notes together with interest having accrued thereon to date being the sum of \$378,690; and

WHEREAS, the costs for additional construction and related improvements have accrued in the approximate amount of \$46,310 or such costs will accrue and be payable in the immediate future, which costs have been approved by the project engineer and the Governing Body of the City of Leawood, and the said amount is needed for the expense and work heretofore performed or to be performed as stated; and

WHEREAS, it is the desire of the Governing Body to exercise its rights to redeem and call for payment the \$360,000 Temporary Notes, Series S.D. 83-1, heretofore issued for the project and to satisfy said notes and pay costs and expenses currently due or to become due by the issuance of temporary notes in the principal amount of \$425,000 as authorized herein.

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Resolution No. 617, passed by the Governing Body on August 1, 1983, has authorized the construction of certain improvements to 127th Street from Roe Avenue to Mission Road, including widening, surfacing, curbing, storm drainage, lighting and related costs, according to the plans and specifications of Shafer, Kline & Warren, P.A., as project engineer, and has provided for the method of assessment and authorized the issuance of temporary notes pursuant to K.S.A. 10-123 from time to time to pay the costs of said improvements; and

WHEREAS, temporary notes of the City have been issued the proceeds of which have been applied to the payment of costs relating to said project previously accrued, the amount needed to retire said notes together with interest having accrued thereon to date being the approximate sum of \$592,000; and

WHEREAS, it is the desire of the Governing Body to exercise its right to redeem and call for payment the \$570,000 Temporary Notes, Series L.I.D. 84-1, heretofore issued for the project and to satisfy said notes and pay costs and expenses currently due or to become due by the issuance of temporary notes in the principal amount of \$592,000 as authorized herein.

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Resolution No. 640, passed by the Governing Body on February 6, 1984, has authorized the construction of certain improvements to the intersection of 95th Street and Lee Boulevard, including reconstruction, reconfiguring, widening, storm drainage, curbing and related costs, according to the plans and specifications of Johnson, Brickell & Mulcahey, as project engineer, and provided for the method of assessment and proposes to issue temporary notes pursuant to K.S.A. 10-123 to pay the costs of said improvements; and

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Resolution No. 641, passed by the Governing Body on February 6, 1984, has authorized the construction of certain improvements to the intersection of 95th Street and State Line, including reconstruction, reconfiguring, widening, storm drainage, curbing and related costs, according to the plans and specifications of Johnson, Brickell & Mulcahey, as project engineer, and has provided for the method of assessment and proposes to issue temporary notes pursuant to K.S.A. 10-123 to pay the costs of said improvements; and

WHEREAS, the City has entered into a contract for the construction of said improvements, construction has proceeded and costs of said improvements have accrued in the approximate amount of \$640,000 or such costs will accrue and be payable in the immediate future, which costs and expenses have been approved by the project engineer and the Governing Body of the City of Leawood, and the said amount is needed for the expense and work heretofore performed or to be performed as stated; and

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Resolution No. 632, passed by the Governing Body on December 19, 1983, has authorized the construction of certain improvements to Roe Avenue from the centerline of 135th Street southerly to the center of Section 33, Township 13, Range 25, a distance of 2640 square feet more or less, including a 32-foot asphaltic concrete roadway with 8-foot grass shoulders and ditch sections, storm drainage, street lighting and related costs, according to the plans and specifications of Shafer, Kline & Warren, P.A., as project engineer, and provided for the method of assessment and proposes to issue temporary notes pursuant to K.S.A. 10-123 to pay the costs of said improvements; and

WHEREAS, costs of said improvements have accrued in the approximate amount of \$270,000 or such costs will accrue and be payable in the immediate future, which costs and expenses have been approved by the project engineer and the Governing Body of the City of Leawood, and the said amount is needed for the expense and work heretofore performed or to be performed as stated; and

WHEREAS, the Governing Body of the City of Leawood, Kansas, by Resolution No. 633, passed by the Governing Body on December 19, 1983, has authorized the construction of certain improvements to Mission Road from 135th Street to 151st Street and to 143rd Street from Kenneth Road to Nail Avenue by improvement to rural collector standards, including sub-base preparation, asphaltic concrete overlay, double prime and sealing, according to the plans and specifications of Shafer, Kline & Warren, P.A., as project engineer, and provided for the method of assessment and proposes to issue temporary notes pursuant to K.S.A. 10-123 to pay the costs of said improvements; and

WHEREAS, costs of said improvements have accrued in the approximate amount of \$250,000 or such costs will accrue and be payable in the immediate future, which costs and expenses have been approved by the project engineer and the Governing Body of the City of Leawood, and the said amount is needed for the expense and work heretofore performed or to be performed as stated; and

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

20-200. Section One: That in order to provide funds with which to pay the costs and expenses of the aforesaid improvements now due or to become due in the immediate future and to redeem and pay the temporary notes of the City previously issued the proceeds of which temporary notes have been applied to pay costs relating to certain of said projects as hereinbefore described, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series C.I.P. 84-1, in the aggregate principal amount of \$2,177,000.

20-201. Section Two: Said issue of Temporary Notes, Series C.I.P. 84-1, shall consist of five or more notes, each bearing a separate designation to identify the specific project for which it is issued as set forth below, numbered from 1 consecutively upward, being the denominations of \$100,000 or any integral multiple of \$5,000 in excess of \$100,000, except that the note or notes of the issue for the 127th Street Mission to Roe Project may be in any integral multiple of \$1,000 in excess of \$100,000. Each of said notes shall be dated as of their date of issuance and delivery to the purchaser thereof and shall have the stated maturity date of August 1, 1985.

The notes for each particular project shall be in the principal amounts and shall bear interest payable semi-annually from their respective dates, as follows:

Project	Principal Amount
Bridge and Culverts 127th Street Mission Road to Roe Avenue 95th Street	592,000
Intersections State Line and Lee Blvd. Roe Avenue 135th Street South Mission Road and 143rd Street	640,000
	270,000
	250,000
Interest Rate	7.35% for entire issue

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in the minimum amount of \$100,000), at any date prior to the stated maturity date of said notes by the publication and payment of said notes, the last publication of such notice to be at least ten days prior to the redemption date fixed in such notice. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to retire said notes. Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas.

20-202. Section Three: The date fixed on said notes shall be the date of issue. Each of said notes shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-203. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to the purchaser or purchasers thereof upon payment of the purchase price therefor.

20-204. Section Five: The proceeds of said temporary note issue shall be deposited with the City Treasurer in the special funds created for the purpose of paying said costs and expenses of the respective improvements hereinbefore described and retiring the outstanding notes previously issued as aforesaid.

20-205. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

20-206. Section Seven: That the Temporary Notes, Series S.D. 83-1 and the Temporary Notes, Series L.I.D. 84-1, of the City previously issued by the City of Leawood, Kansas are hereby called for redemption and prepayment on August 28, 1984, and shall be retired with the proceeds of the within described Temporary Notes, Series C.I.P. 84-1. The City Clerk is hereby authorized and directed to give such notice of redemption as shall be required by the terms of said outstanding notes.

Section Eight: This Ordinance shall take effect after its publication as provided by laws.

First Reading: 7/16/84
Second Reading: 8/6/84

PASSED by the Governing Body of the City of Leawood, Kansas, this 6th day of August, 1984.

SIGNED by the Mayor this 6th day of August, 1984.

(s) Kent E. Crippin,
Mayor

ATTEST:
(s) J. Oberlander,
City Clerk

APPROVED AS TO FORM
AND CONTENT:
City Attorney

(7845 1F)

AN ORDINANCE RENEWING TEMPORARY NOTES NO. TN 83-1, TN 83-2, and TN 83-3 AND EXTENDING THE MATURITY DATE OF SAID NOTES.

WHEREAS, the Governing Body of the City of Leawood, Kansas, did by Ordinance No. 784 authorize the issuance of Three Hundred Sixty Thousand Dollars in temporary notes to provide temporary financing of certain storm water drainage facilities, bridges and culverts, all as set out in said Ordinance, which project had been previously authorized by Ordinance No. 783; and

WHEREAS, said temporary notes were due and payable on May 31, 1984; and

WHEREAS, adverse weather and construction problems have caused delays in the completion of said projects and there therefore continues to be a need for temporary financing of said project; and

WHEREAS, Ordinance No. 784 provided that said notes shall mature August 1, 1984; and

WHEREAS, the banks that hold said temporary notes did agree to extend the maturity dates of said notes to September 30, 1984; and to renew said notes at the same interest rate contained on the face of said notes;

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

~~25-112~~ ~~30-112~~ **Sec. no. changed by '84 Code**
AUTHORIZATION AND MATURITY. Section 1.

1. That the Governing Body of the City of Leawood hereby approves the renewal of said notes and the extension of the maturity thereof until August 31, 1984.
2. That the maturity date previously stated in Ordinance No. 784 be changed to provide that said notes shall mature one year from August 1, 1984, and shall be callable in advance of maturity and shall be redeemed and cancelled before or at the time bonds are issued in lieu thereof.

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

First Reading: 7-2-84 Second Reading: 7-16-84

Passed by the Governing Body this 16th day of July, 1984.

Approved by the Mayor this 16th day of July, 1984.

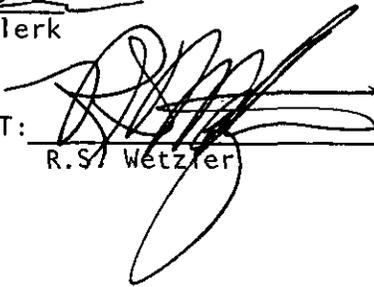


[Handwritten Signature]
Kent E. Crippin Mayor

Page 2
ORDINANCE NO. 820
re Renewing Temporary Notes TN 83-1,2,and 3 and
Extending Maturity Date of Said Notes.

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

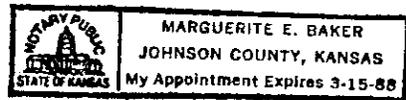
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- ^{day} (weeks, days) the first publication thereof being made as aforesaid on the ^{25th} day of, ^{July} 19⁸⁴, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this ^{25th} day of ^{July} 19⁸⁴

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: ³⁻¹⁵⁻⁸⁸
Printer's Fee \$-----
Additional copies \$-----

First Published in The
Johnson County Sun Friday,
July 20, 1984.

**ORDINANCE NO. 820
AN ORDINANCE RENEW-
ING TEMPORARY NOTES
NO. TN 83-1, TN 83-2, and TN
83-3 AND EXTENDING THE
MATURITY DATE OF SAID
NOTES.**

WHEREAS, the Governing
Body of the City of Leawood,
Kansas, did by Ordinance No.
784 authorize the issuance of
Three Hundred Sixty Thou-
sand Dollars in temporary
notes to provide temporary
financing of certain storm
water drainage facilities,
bridges and culverts, all as
set out in said Ordinance,
which project had been
previously authorized by Or-
dinance No. 783; and
WHEREAS, said temporary
notes were due and payable
on May 31, 1984; and

~~WHEREAS, adverse weather~~
problems
have caused delays in the
completion of said projects
and there therefore continues
to be a need for temporary
financing of said project; and
WHEREAS, Ordinance No.
784 provided that said notes
shall mature August 1, 1984;
and

WHEREAS, the banks that
hold said temporary notes did
agree to extend the maturity
dates of said notes to
September 30, 1984, and to
renew said notes at the same
interest rate contained on the
face of said notes;

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

**30-112. AUTHORIZATION
AND MATURITY. Section 1.**

1. That the Governing Body
of the City of Leawood hereby
approves the renewal of said
notes and the extension of the
maturity thereof until August
31, 1984.

2. That the maturity date
previously stated in Or-
dinance No. 784 be changed to
provide that said notes shall
mature one year from August
1, 1984, and shall be callable
in advance of maturity and
shall be redeemed and
cancelled before or at the
time bonds are issued in lieu
thereof.

TAKE EFFECT. Section 2.
This ordinance shall take ef-
fect and be in force from and
after its passage and publica-
tion in the official City new-
spaper.

First Reading: 7-2-84 Second
Reading: 7-16-84
Passed by the Governing
Body this 16th day of July,
1984.

Approved by the Mayor this
16th day of July, 1984.

(S E A L)

(s) Kent E. Crippin,

Mayor

Attest:

(s) J. Oberlander,

City Clerk

APPROVED FOR FORM

AND CONTENT:

(s) R. S. Wetzler,

City Attorney

(8957)

First Published In The Johnson County Sun Friday, July 20, 1984.

ORDINANCE NO. 820
AN ORDINANCE RENEWING TEMPORARY NOTES NO. TN 83-1, TN 83-2, and TN 83-3 AND EXTENDING THE MATURITY DATE OF SAID NOTES.

WHEREAS, the Governing Body of the City of Leawood, Kansas, did by Ordinance No. 784 authorize the issuance of Three Hundred Sixty Thousand Dollars in temporary notes to provide temporary financing of certain storm water drainage facilities, bridges and culverts, all as set out in said Ordinance, previously authorized by Ordinance No. 783; and

WHEREAS, said temporary notes were due and payable on May 31, 1984; and

WHEREAS, adverse weather and construction problems have caused delays in the completion of said projects and there therefore continues to be a need for temporary financing of said project; and

WHEREAS, Ordinance No. 784 provided that said notes shall mature August 1, 1984; and

WHEREAS, the banks that hold said temporary notes did agree to extend the maturity dates of said notes to September 30, 1984, and to renew said notes at the same interest rate contained on the face of said notes;

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

30-112. AUTHORIZATION AND MATURITY. Section 1.

1. That the Governing Body of the City of Leawood hereby approves the renewal of said notes and the extension of the maturity thereof until August 31, 1984.

2. That the maturity date previously stated in Ordinance No. 784 be changed to provide that said notes shall mature one year from August 1, 1984, and shall be callable in advance of maturity and shall be redeemed and cancelled before or at the time bonds are issued in lieu thereof.

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

First Reading: 7-2-84 Second Reading: 7-16-84

Passed by the Governing Body this 16th day of July, 1984.

Approved by the Mayor this 16th day of July, 1984.

(S E A L)

(s) Kent E. Crippin,
 Mayor

Attest:

(s) J. Oberlander,
 City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R. S. Wetzler,
 City Attorney

(8957)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ day (weeks, days) the first publication thereof being made as aforesaid on the 20th day of July 19 84, with subsequent publications being made on the following dates:

_____, 19_____, _____, 19_____
 _____, 19_____, _____, 19_____

Barbara A. Ellis

Subscribe and sworn to before me this 20th day of July 19 84

J

 NOTARY PUBLIC

My Commission expires: _____
 Printer's Fee \$ 35.12
 Additional copies \$ _____

AN ORDINANCE RELATING TO THE REGULATION OF TRUCK TRAFFIC WITHIN THE CITY, AND REPEAL OF SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 14-204 and 14-204.1 of Revised Ordinances, as originally adopted by Ordinance No. 756, are hereby repealed and the following enacted in lieu thereof:

14-204. REGULATION OF TRUCK TRAFFIC. Section 2. Regulations of truck traffic in the City of Leawood shall be as follows:

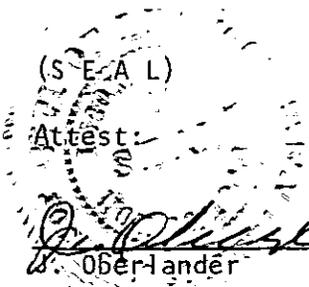
- a. Regulation of truck traffic. No vehicle or truck, including trailers or attachments, carrying a manufacturer's rating of one (1) ton or more, other than those carrying passengers or constructed to carry passengers, shall be allowed to enter the City of Leawood, except for vehicles carrying goods, merchandise, building material or other articles to be delivered in the City: Provided, that there are signs setting forth the regulation posted upon the streets of entry into the City.
- b. Exceptions. The following streets shall be exempt from the above regulations, to wit: State Line Road, Somerset Drive, 103rd Street, I-435, K-150, Mission Road from 103rd Street north, Nall, Roe, and 119th Street from Mission Road to Roe Avenue.

14-204.1. VALIDITY OF ORDINANCE. Section 3. Should any paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 7/2/84 Second Reading: 7/2/84

Passed by the Governing Body this 2nd day of July, 1984, the Council having deemed this to be an emergency matter, Approved by the Mayor this 2nd day of July, 1984.



Kent E. Crippin
Kent E. Crippin Mayor

Robert Oberlander
Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: *R.S. Wetzel*, City Attorney
R.S. Wetzel

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Friday, July 6, 1984. ORDINANCE NO. 819 AN ORDINANCE RELATING TO THE REGULATION OF TRUCK TRAFFIC WITHIN THE CITY, AND REPEAL OF SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 14-204 and 14-204.1 of Revised Ordinances, as originally adopted by Ordinance No. 756, are hereby repealed and the following enacted in lieu thereof:

14-204. REGULATION OF TRUCK TRAFFIC. Section 2. Regulations of truck traffic in the City of Leawood shall be as follows:

a. Regulation of truck traffic. No vehicle or truck, including trailers or attachments, carrying a manufacturer's rating of one (1) ton or more, other than those carrying passengers or constructed to carry passengers, shall be allowed to enter the City of Leawood, except for vehicles carrying goods, merchandise, building material or other articles to be delivered in the City: Provided, that there are signs setting forth the regulation posted upon the streets of entry into the City.

b. Exceptions. The following streets shall be exempt from the above regulations, to wit: State Line Road, Somerset Drive, 103rd Street, I-435, K-150, Mission Road from 103rd Street north, Nall, Roe, and 119th Street from Mission Road to Roe Avenue. 14-204.1. VALIDITY OF ORDINANCE. Section 3. Should any paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 7/2/84 Second Reading: 7/2/84

Passed by the Governing Body this 2nd day of July, 1984, the Council having deemed this to be an emergency matter.

Approved by the Mayor this 2nd day of July, 1984.

(s) Kent E. Crippin, Mayor

(S E A L)

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R. S. Wetzler, City Attorney

(8421 1F)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 6th day of July 1984, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

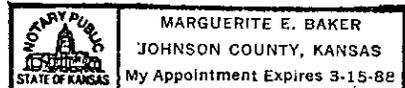
-----, 19-----, 19-----

Barbara A Ellis

Subscribe and sworn to before me this 6th day of July 1984

Marguerite E. Baker

NOTARY PUBLIC



My Commission expires: 3-15-88
Printer's Fee \$ 28.57
Additional copies \$ -----

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~16-1702~~ ¹⁸⁻¹⁷⁰² Sec. no. changed by '84 Code

Section 1. The following described real property is hereby designated as being zoned RP-3, Planned Garden Apartment District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

Starting at the NE corner, NW fractional 1/4, Section 35-13-25; then south 1920 feet to point of beginning; then south 806 feet; then west 165 feet; then south-westerly 120 feet; then westerly 310 feet; then northerly 310 feet; then north 280 feet; then westerly 570 feet to centerline of Kenneth Parkway; then north along centerline of Kenneth Parkway 1270 feet; then southeasterly 1120 feet to point of beginning; containing 27.5 acres, more or less;

AND

Starting at the NW corner of the NE fractional 1/4, Section 35-13-25; then south 2726 feet to point of beginning; then west 165 feet; then southwestery 120 feet; then westerly 310 feet; then northerly 310 feet; then north 280 feet; then westerly 570 feet to centerline of Kenneth Parkway; then south along centerline of Kenneth Parkway 870 feet; then easterly along the south property line 1104.7 feet; then north along the Kansas-Missouri state line 670 feet to point of beginning, containing 19 acres, more or less.

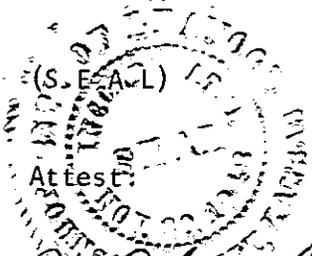
(Multi-use Development at 135th and State Line Road)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 6/18/84 Second Reading: 7/2/84

Passed by the Governing Body this 2nd day of July, 1984.

Approved by the Mayor this 2nd day of July, 1984.



Kent E. Crippin
Kent E. Crippin Mayor

J. Oberlander
J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: *R.S. Wetzel*, City Attorney

R.S. Wetzel
R.S. Wetzel

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Wednesday, July 11, 1984.

ORDINANCE NO. 818 AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

16-1702. Section 1. The following described real property is hereby designated as being zoned RP-3, Planned Garden Apartment District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

Starting at the NE corner of Section 15-13-25; then south 1920 feet to point of beginning; then south 805 feet; then west 165 feet; then southwest 120 feet; then westerly 310 feet; then northerly 310 feet; then north 280 feet; then westerly 570 feet to centerline of Kenneth Parkway; then north along centerline of Kenneth Parkway 1270 feet; then southeasterly 1120 feet to point of beginning; containing 27.5 acres, more or less;

AND Starting at the NW corner of the NE fractional 1/4, Section 35-13-25; then south 2726 feet to point of beginning; then west 165 feet; then southwest 120 feet; then westerly 310 feet; then northerly 310 feet; then westerly 570 feet to centerline of Kenneth Parkway; then south along centerline of Kenneth Parkway 870 feet; then easterly along the south property line 1104.7 feet; then north along the Kansas-Missouri state line 670 feet to point of beginning, containing 19 acres, more or less.

(Multi-use Development at 135th and State Line Road)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 6/18/84 - Second Reading: 7/2/84. Passed by the Governing Body this 2nd day of July, 1984.

Approved by the Mayor this 2nd day of July, 1984. (s) Kent E. Crippin, Mayor

Attest: (s) J. Oberlander, City Clerk APPROVED FOR FORM AND CONTENT: (s) R. S. Weitzler, City Attorney

(8472 1W)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- day ----- (weeks, days) the first publication thereof being made as aforesaid on the ----- 11th ----- day of ----- July ----- 19-84, with subsequent publications being made on the following dates:

-----, 19-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 11th day of July 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON NOTARY PUBLIC STATE OF KANSAS My App. Expires Jan. 25, 1988

My Commission expires: ----- Printer's Fee \$ 24.68 Additional copies \$ -----

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~16-1801~~ **18-1801** Sec. no. changed by '84 Code

Section 1. The following described real property is hereby designated as being zoned CP-0, Planned Office Building District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

Starting at NE corner NW fractional 1/4, Section 35-13-25, then south along the Kansas-Missouri state line 1920 feet; then northwesterly 1120 feet to the proposed centerline of, Kenneth Parkway; then northeasterly along the proposed centerline of Kenneth Parkway 1590 feet to beginning, containing 16.57 acres, more or less.

(Multi-use Development at 135th and State Line Road)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 6/18/84 Second Reading: 7/2/84

Passed by the Governing Body this 2nd day of July, 1984.

Approved by the Mayor this 2nd day of July, 1984.



Kent E. Crippin
Kent E. Crippin Mayor

J. Oberlander
J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: *R.S. Wetzler*, City Attorney
R.S. Wetzler

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Wednesday, July 11, 1984.

ORDINANCE NO. 817 AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS. Be It Ordained by the Governing Body of the City of Leawood, Kansas: 16-1801. Section 1. The following described real property is hereby designated as being zoned CP-0, Planned Office Building District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

Starting at NE corner NW fractional 1/4, Section 35-13-25, then south along the Kansas-Missouri state line 1920 feet; then northwesterly 1120 feet to the proposed centerline of Kenneth Parkway; then northeasterly along the proposed centerline of Kenneth Parkway 1590 feet to beginning, containing 16.57 acres, more or less.

(Multi-use Development at 135th and State Line Road) TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 6/18/84 - Second Reading: 7/2/84 Passed by the Governing Body this 2nd day of July, 1984.

Approved by the Mayor this 2nd day of July, 1984.

(s) Kent E. Crippin, Mayor Attest:

(s) J. Oberlander, City Clerk APPROVED FOR FORM AND CONTENT: (s) R. S. Weizler, City Attorney

(8471 1W)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 11th day of July 1984, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____
_____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 11th day of July 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON NOTARY PUBLIC STATE OF KANSAS My App. Expires Jan. 25, 1988

My Commission expires: _____
Printer's Fee \$ 18.54
Additional copies \$ _____

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~16-1102~~ ¹⁸⁻¹¹⁰² Sec. no. changed by '84 Code
Section 1. The following described real property is hereby designated as being zoned CP-2, Planned General Business District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

Starting at NE corner, NW fractional 1/4, Section 35-13-25, then generally southwesterly along the proposed centerline of Kenneth Parkway 2170 feet; then north along the west property line and centerline of Kenneth Road 1870 feet; then east along the centerline of 135th 867 feet; then south 309.26 feet; then east 228.13 feet; then north 305.17 feet; then east 29.67 feet to point of beginning, containing 20.33 acres, more or less.

(Multi-use Development at 135th and State Line Road)

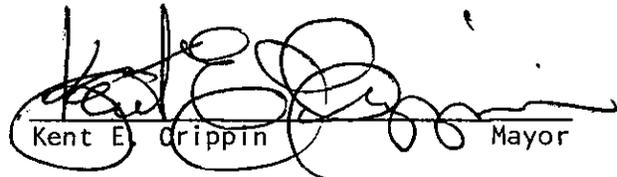
TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 6/18/84 Second Reading: 7/2/84

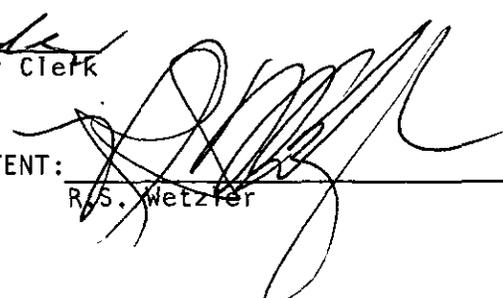
Passed by the Governing Body this 2nd day of July, 1984.

Approved by the Mayor this 2nd day of July, 1984.




Kent E. Grippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:  , City Attorney
R.S. Wetzler

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Wednesday, July 11, 1984.

ORDINANCE NO. 816 AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

16-1102. Section 1. The following described real property is hereby designated as being zoned CP-2, Planned General Business District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

Starting at NE corner, NW fractional 1/4, Section 35-13-25, then generally southwestly along the proposed centerline of Kenneth Parkway 2170 feet; then north along the west property line and centerline of Kenneth Road 1870 feet; then east along the centerline of 135th 867 feet; then south 309.26 feet; then east 228.13 feet; then north 305.17 feet; then east 29.67 feet to point of beginning, containing 20.33 acres, more or less.

(Multi-use Development at 135th and State Line Road) TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 6/18/84 - Second Reading: 7/2/84

Passed by the Governing Body this 2nd day of July, 1984.

Approved by the Mayor this 2nd day of July, 1984.

(s) Kent E. Crippin, Mayor

Attest: (s) J. Oberlander, City Clerk APPROVED FOR FORM AND CONTENT: (s) R. S. Wetzler, City Attorney

(8470 1W)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular entire issue of said newspaper for _____ consecutive _____ day (weeks, days) the first publication thereof being made as aforesaid on the 11th day of July 1984, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____

_____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 11th day of July 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON NOTARY PUBLIC STATE OF KANSAS My App. Expires Jan. 25, 1988

My Commission expires: 1988

Printer's Fee \$ _____

Additional copies \$ _____

ORDINANCE NO. 815

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~18-112~~ **Sec. no. changed by '84 Code**

~~16-112~~. Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

S1/2, SE1/4; SE1/4, Section 21-13-25

(Aimtree subdivision; 127th and Mission Road)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 6/18/84 Second Reading: 6/18/84-

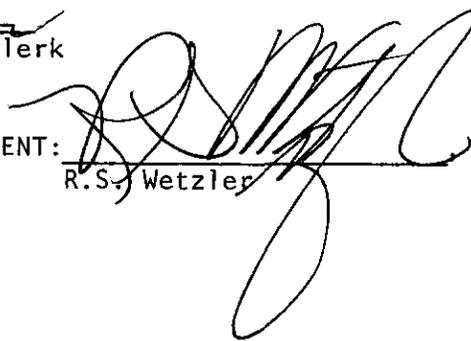
Passed by the Governing Body this 18th day of June, 1984, the Council having deemed this to be an emergency matter.

Approved by the Mayor this 18th day of June, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:  City Attorney

R.S. Wetzler

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Wednesday, June 27, 1984. ORDINANCE NO. 815 AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS. Be it ordained by the Governing Body of the City of Leawood, Kansas: 16-112. Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural: S1/2, SE1/4, SE1/4, Section 21-13-25 (A) (tree subdivision; 127th and Mission Road) TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper. First Reading: 6/18/84 - Section Reading: 6/18/84 Passed by the Governing Body this 18th day of June, 1984, the Council having deemed this to be an emergency matter. Approved by the Mayor this 18th day of June, 1984. (s) Kent E. Crippin Mayor (SEAL) Attest: (s) J. Oberlander City Clerk APPROVED FOR FORM AND CONTENT: (s) R. S. Wetzler, City Attorney (0463 1W)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposits and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

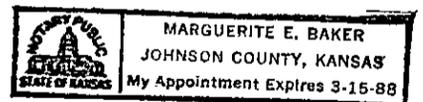
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 27th day of June 1984, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 27th day of June 1984

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: 3-15-88
Printer's Fee \$ 14.25
Additional copies \$ -----

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF TOMAHAWK FARMS.

WHEREAS, there was reserved unto the City of Leawood, Kansas, a general utility easement described as the North 15 feet of the East 300 feet of Lot 4, TOMAHAWK FARMS, a subdivision of land now in the City of Leawood, Johnson County, Kansas, which utility easement is shown on the recorded plat of said subdivision; and

WHEREAS, the City of Leawood has determined said utility easement is not in its entirety necessary or in the best interest of the City; and

WHEREAS, all utilities which would have otherwise had access to said tract have disclaimed any interest that they have in the above described property;

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

19-6,128. Section 1. The City of Leawood does hereby disclaim any interest in that certain utility easement shown on the plat of Tomahawk Farms subdivision, City of Leawood, and specifically described as the North 15 feet of the East 300 feet of Lot 4, Tomahawk Farms, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

19-6,129. Section 2. The Mayor of the City of Leawood is hereby authorized to execute such quit claim deed or other form of release necessary to acknowledge the vacating of said utility easement.

19-6,130. Section 3. The City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

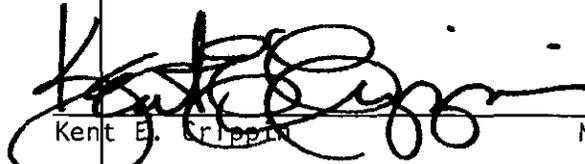
TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper..

First Reading: 5/21/84 Second Reading: 6/4/84

Passed by the Governing Body this 4th day of June, 1984.

Approved by the Mayor this 4th day of June, 1984.




Kent E. Crippin Mayor

Orig H/Tom B 6/25/84

Kansas Quit-Claim Deed

CORPORATION

This Indenture, Made this 13th day of June A. D., 1984, between

City of Leawood

a corporation duly organized, incorporated, and existing under and by virtue of the laws of the State of _____, and having its principal place of business at

in the State of _____, of the first part, and Alan L. Sawyer and

Carolyn S. Sawyer, husband and wife of Johnson County, in the State of Kansas, of the second part,

WITNESSETH, THAT THE SAID PARTY OF THE FIRST PART, in consideration of the sum of One Dollar and other valuable consideration DOLLARS, to it having been duly paid, has sold, and by these presents do Remise, Release and Quitclaim unto the said parties of the second part, their heirs and assigns, forever, all that tract or parcel of land situated in the County of Johnson and State of Kansas, and described as follows, to-wit:

The North 15 feet of the East 300 feet of Lot 4, TOMAHAWK FARMS, a subdivision of land now in the City of Leawood, Johnson County, Kansas, including all interests in any utility easement located therein.

with the appurtenances, and all the estate, title, and interest of the said party of the first part therein.

TO HAVE AND TO HOLD, all and singular, the above-described premises, together with the appurtenances, unto the said parties of the second part, their heirs and assigns, forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto caused this Deed to be signed on its behalf, by its President, thereunto duly authorized so to do, and to be attested by its Secretary, and has caused its common seal to be hereunto affixed, the day and year last above written.

Attest:

[Signature]
O. Oberlander, City Clerk

CITY OF LEAWOOD, KANSAS

[Signature]
Kent B. Crippin, Mayor

Secretary

KANSAS CORPORATION ACKNOWLEDGMENT

STATE OF KANSAS }
County of JOHNSON } ss.

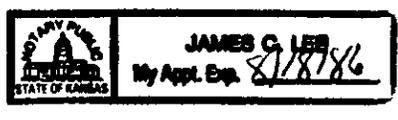
BE IT REMEMBERED, That on this 13th day of June A. D. 1984, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Kent E. Crippin, Mayor City of Leawood

President of the Municipality
a corporation duly organized, incorporated and existing under and by virtue of the laws of Kansas
and J. Oberlander, City Clerk Secretary of said corporation, who are personally known to me to be such officers, and who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation. City

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

My commission expires _____, 19_____

James C. Lee
Notary Public.



Quit-Claim Deed

FROM

City of Leawood

TO

Alan L. Sawyer

Carolyn S. Sawyer, husband and wife

Entered in Transfer Record in my office this _____ day of _____ 19_____

County Clerk

STATE OF KANSAS, }
County, } ss.

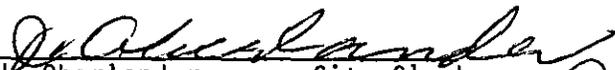
Received for Record on the _____ day of _____ 19_____, at _____ o'clock M., and duly Recorded in Book _____ of _____ at Page _____

Register of Deeds.

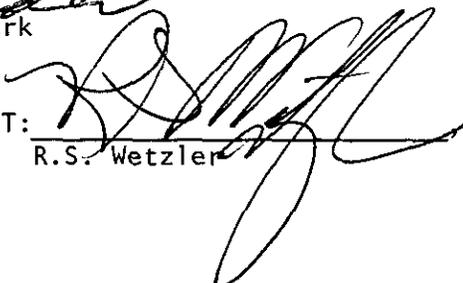
Fee, \$ _____

Page 2
ORDINANCE NO. 814
re Vacating an Easement as Shown on the
Plat of Tomahawk Farms

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:


R.S. Wetzler

City Attorney

cc: Form B 6/25/84

ORDINANCE NO. 814

1476436 ORIGINAL COMPARED WITH RECORDS

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF TOMAHAWK FARMS.

sent H/Co. cck + Reg. of Deeds
by letters of
6/19/84

WHEREAS, there was reserved unto the City of Leawood, Kansas, a general utility easement described as the North 15 feet of the East 300 feet of Lot 4, TOMAHAWK FARMS, a subdivision of land now in the City of Leawood, Johnson County, Kansas, which utility easement is shown on the recorded plat of said subdivision; and

WHEREAS, the City of Leawood has determined said utility easement is not in its entirety necessary or in the best interest of the City; and

WHEREAS, all utilities which would have otherwise had access to said tract have disclaimed any interest that they have in the above described property;

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

19-6,128. Section 1. The City of Leawood does hereby disclaim any interest in that certain utility easement shown on the plat of Tomahawk Farms subdivision, City of Leawood, and specifically described as the North 15 feet of the East 300 feet of Lot 4, Tomahawk Farms, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

19-6,129. Section 2. The Mayor of the City of Leawood is hereby authorized to execute such quit claim deed or other form of release necessary to acknowledge the vacating of said utility easement.

19-6,130. Section 3. The City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 5/21/84 Second Reading: 6/4/84

Passed by the Governing Body this 4th day of June, 1984.

Approved by the Mayor this 4th day of June, 1984.



[Handwritten Signature]
Kent E. Crippen Mayor

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

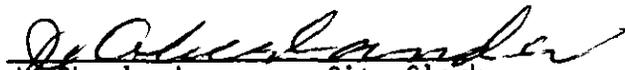
1984 JUN 20 A 10:50 7

702
RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP

Page 2
ORDINANCE NO. 814
re Vacating an Easement as Shown on the
Plat of Tomahawk Farms

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: /s/ R. S. Wetzler, City Attorney
R.S. Wetzler

CERTIFICATION

I, J. Oberlander, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Leawood, Kansas, and that the attached is a full, true and correct copy of Ordinance No. 814, passed by the Governing Body at a regular meeting held June 4, 1984.



J. Oberlander
J. Oberlander
City Clerk
City of Leawood, Kansas

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun, Wednesday, June 13, 1984. ORDINANCE NO. 814 AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF TOMAHAWK FARMS.

WHEREAS, there was reserved unto the City of Leawood, Kansas, a general utility easement described as the North 15 feet of the East 300 feet of Lot 4, TOMAHAWK FARMS, a subdivision of land now in the City of Leawood, Johnson County, Kansas, which utility easement is shown on the recorded plat of said subdivision; and

WHEREAS, the City of Leawood has determined said utility easement is not in its entirety necessary or in the best interest of the City; and

WHEREAS, all utilities which would have otherwise had access to said tract have disclaimed any interest that they have in the above described property;

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

19-6, 128. Section 1. The City of Leawood does hereby disclaim any interest in that certain utility easement shown on the plat of Tomahawk Farms subdivision, City of Leawood, and specifically described as the North 15 feet of the East 300 feet of Lot 4, Tomahawk Farms, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

19-6, 129. Section 2. The mayor of the City of Leawood is hereby authorized to execute such quit claim deed or other form of release necessary to acknowledge the vacating of said utility easement.

19-6, 130. Section 3. The City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 5/21/84 - Second Reading: 6/4/84 Passed by the Governing Body this 4th day of June, 1984.

Approved by the Mayor this 4th day of June, 1984.

(s) Kent E. Crippin Mayor

SEAL ATTEST:

(s) J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: (s) R. S. Wetzler, City Attorney

(2169 IW)

STATE OF KANSAS, JOHNSON COUNTY, ss: Judy L. Sutton being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted to the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and regular issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as resaid on the 13th day of June 1984, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Judy L. Sutton

Subscribe and sworn to before me this 13th day of June 1984

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: 3-15-88
Printer's Fee \$ 24.10
Additional copies \$

Repealed by Ord. #839
CODE OF 1984
Effective 12/21/84

ACCEPTANCE

ORDINANCE NO. 813

WHEREAS, the governing body of the City of Leawood,
Kansas, did on the 4th day of June, 1984, adopt and pass
an ordinance entitled:

"AN ORDINANCE PROVIDING FOR THE OPERATION OF A TELEPHONE SYSTEM; DEFINING THE MANNER AND PLACE OF CONSTRUCTION OF THE LINES OF SOUTHWESTERN BELL TELEPHONE COMPANY; PROVIDING FOR PAYMENTS AS OUTLINED IN SECTION 2 OF THIS ORDINANCE TO BE MADE TO THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE TEMPORARY MOVING OR REMOVAL OF WIRES TO PERMIT THE MOVING OF STRUCTURES; GRANTING SOUTHWESTERN BELL TELEPHONE COMPANY PERMISSION TO TRIM CERTAIN TREES; PROVIDING FOR CERTAIN RIGHTS REGARDING THE PLACEMENT OF FACILITIES ON PROPERTY OF LEAWOOD, KANSAS OR SOUTHWESTERN BELL; PROVIDING THAT SUCH PRIVILEGES GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY SHALL BE NON-EXCLUSIVE; AND REPEAL OF SECTIONS."

and

WHEREAS, said ordinance was duly signed by the Mayor,
of said City of Leawood, Kansas, and the seal of said
City affixed and attested thereto by the City Clerk of the said City,
and said ordinance was duly published according to law in _____
The Johnson County Sun, and

WHEREAS, said ordinance further provided that it should be
in full force and effect after its adoption and publication and its
acceptance by the Southwestern Bell Telephone Company.

NOW, THEREFORE, in compliance with the terms of said ordinance
so enacted and so approved and attested, the Southwestern Bell Telephone
Company hereby accepts said ordinance and files this its written acceptance
with the City Clerk of said City in his said office.

Dated this 27th day of July, 1984.

SOUTHWESTERN BELL TELEPHONE COMPANY

By Ed Whitacre
President-Kansas Division

Acceptance filed in the office of the City Clerk of City of Leawood,
Kansas, this 27th day of August,
1984.

J. P. [Signature]
City Clerk

Repealed by Ord. #839

ORDINANCE NO. 813 CODE OF 1984
Effective 12/21/84

AN ORDINANCE PROVIDING FOR THE OPERATION OF A TELEPHONE SYSTEM; DEFINING THE MANNER AND PLACE OF CONSTRUCTION OF THE LINES OF SOUTHWESTERN BELL TELEPHONE COMPANY; PROVIDING FOR PAYMENTS AS OUTLINED IN SECTION 2 OF THIS ORDINANCE TO BE MADE TO THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE TEMPORARY MOVING OR REMOVAL OF WIRES TO PERMIT THE MOVING OF STRUCTURES; GRANTING SOUTHWESTERN BELL TELEPHONE COMPANY PERMISSION TO TRIM CERTAIN TREES; PROVIDING FOR CERTAIN RIGHTS REGARDING THE PLACEMENT OF FACILITIES ON PROPERTY OF LEAWOOD, KANSAS OR SOUTHWESTERN BELL; PROVIDING THAT SUCH PRIVILEGES GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY SHALL BE NON-EXCLUSIVE; AND REPEAL OF SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 21-501 through 21-508 of Revised Ordinances, as adopted by Ordinance No. 603, are hereby repealed and the following enacted in lieu thereof:

21-501. Section 2. The Southwestern Bell Telephone Company, its successors and assigns (herein referred to as Telephone Company) shall continue to operate its telephone system and all business incidental to or connected with the conducting of a telephone business and system in the City of Leawood, State of Kansas (herein referred to as City). The plant construction and appurtenances used in or incident to the giving of telephone service and to the maintenance of a telephone business and system by the Telephone Company in said City shall remain as now constructed, subject to such changes as may be considered necessary by the City in the exercise of its inherent powers and by the Telephone Company in the conduct of its business, and said Telephone Company shall continue to exercise its right to place, remove, construct, and reconstruct, extend and maintain its said plant and appurtenances as the business and purposes for which it is or may be incorporated from time to time require, along, across, on, over, through, above and under all public streets, avenues, alleys, bridges, and the public grounds and places within the limits of said City as the same from time to time may be established.

21-502. Section 3. That for the period September 1, 1983 to August 31, 1988, inclusive, the Telephone Company shall pay the City a sum equal to two per cent (2%) of the Class of Service revenues for local exchange telephone communication service rendered wholly within the corporate limits of the City of Leawood, Kansas. Payment, for the initial period September 1, 1983 through August 31, 1984, shall be made on or about September 1, 1984. Thereafter, payments for the period September 1, 1984 through August 31, 1988, shall be payable quarterly sixty (60) days after the end of the quarter to which said payment shall apply, being a term of five (5) years ending August 31, 1988, and for successive terms of like duration, unless within four (4) months prior to the expiration of the initial term, or of the successive terms ending on each five (5) year anniversary following the expiration of the initial term, sixty (60) days written notice is given one party to the other of its intention to terminate the same at the expiration of the then current five (5) year term,

it being expressly understood that each subsequent five (5) year term provides for twenty (20) quarterly payments and said payments to be in lieu of all other licenses, charges, fees or impositions (other than the usual general or special ad valorem taxes) which might be imposed by the City under authority conferred by law. This agreement may also be terminated forthwith by the Telephone Company if authority to collect the amounts of such payments from its customers within the City shall be removed, cancelled, or withheld by legislative, judicial, or regulatory act. The Telephone Company shall also have the privilege of crediting such sums with any unpaid balance due said Company for telephone service rendered or facilities furnished to said City.

21-503. Section 4. The Telephone Company on the request of any applicant shall remove or raise or lower its wires temporarily to permit the moving of houses or other structures. The expense of such temporary removal, raising or lowering of wires shall be paid by the party or parties requesting the same, and the Telephone Company may require such payment in advance. The Telephone Company shall be given not less than fifteen (15) days written notice from the applicant detailing the time and location of the moving operations, and not less than twenty-four (24) hours advance notice from the applicant advising of the actual operation.

21-504. Section 5. Permission is hereby granted to the Telephone Company to trim trees upon and overhanging streets, alleys, sidewalks and public places of said City so as to prevent the branches of such trees from coming in contact with the wires and cables of the Telephone Company. All said branches and trimmings to be promptly removed by the Telephone Company. Said trimming shall be under the supervision and direction of any City official to whom said duties have been or may be delegated.

21-505. Section 6. Nothing in this ordinance shall be construed to require or permit any telephone, electric light, or power wire attachments by either the City or the Telephone Company on the poles of the other. If such attachments are desired by the City or the Telephone Company, then a separate non-contingent agreement shall be a prerequisite to such attachments.

21-506. Section 7. Nothing herein contained shall be construed as giving to the Telephone Company any exclusive privileges, nor shall it affect any prior or existing rights of the Telephone Company to maintain a telephone system within the City.

21-507. Section 8. All other ordinances and agreements and parts of ordinances and agreements relating to the operation of a telephone system within said City are hereby repealed.

21-508. Section 9. The said Telephone Company shall have sixty (60) days from and after passage and approval of this ordinance to file its written

acceptance of this ordinance with the City Clerk, and upon such acceptance being filed, this ordinance shall be considered as taking effect and being in force from and after the date of its passage and its publication as provided by law.

First Reading: 5/7/84 Second Reading: 5/21/84 Third Reading: 6/4/84

Passed by the Governing Body this 4th day of June, 1984.

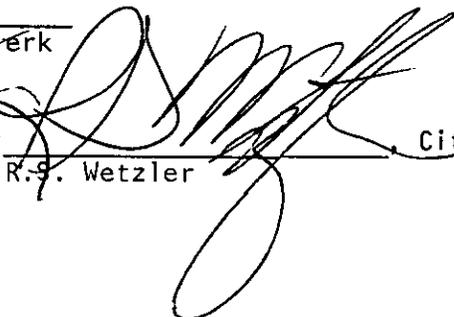
Approved by the Mayor this 4th day of June, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:


R. S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 2 consecutive weeks (weeks, days) the first publication thereof being made as aforesaid on the 6th day of June 1984, with subsequent publications being made on the following dates:

June 13th, 1984, 19____
_____, 19____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 19th day of June 1984

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My App. Expires Jan. 25, 1988

My Commission expires: _____
Printer's Fee \$ 155.08
Additional copies \$ _____

First Published in The Johnson County Sun Wednesday, June 6, 1984.

ORDINANCE NO. 813
AN ORDINANCE PROVIDING FOR THE OPERATION OF A TELEPHONE SYSTEM; DEFINING THE MANNER AND PLACE OF CONSTRUCTION OF THE LINES OF SOUTHWESTERN BELL TELEPHONE COMPANY; PROVIDING FOR PAYMENTS AS OUTLINED IN SECTION 2 OF THIS ORDINANCE TO BE MADE TO THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE TEMPORARY MOVING OR REMOVAL OF WIRES TO PERMIT THE MOVING OF STRUCTURES; GRANTING SOUTHWESTERN BELL TELEPHONE COMPANY PERMISSION TO TRIM CERTAIN TREES; PROVIDING FOR CERTAIN RIGHTS REGARDING THE PLACEMENT OF FACILITIES ON PROPERTY OF LEAWOOD, KANSAS OR SOUTHWESTERN BELL; PROVIDING THAT SUCH PRIVILEGES GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY SHALL BE NON-EXCLUSIVE; and REPEAL OF SECTIONS.

Be It Ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 21-501 through 21-508 of Revised Ordinances, as adopted by Ordinance No. 603, are hereby repealed and the following enacted in lieu thereof:

21-501. Section 2. The Southwestern Bell Telephone Company, its successors and assigns (herein referred to as Telephone Company) shall continue to operate its telephone system and all business incidental to or connected with the conducting of a telephone business and system in the City of Leawood, State of Kansas (herein referred to as City). The plant construction and appurtenances used in or incident to the giving of telephone service and to the maintenance of a telephone business and system by the Telephone Company in said City shall remain as now constructed, subject to such changes as may be considered necessary by the City in the exercise of its inherent powers and by the Telephone Company in the conduct of its business, and said Telephone Company shall continue to exercise its right to place, remove, construct, and reconstruct, extend and maintain its said plant and appurtenances as the business and purposes for which it is or may be incorporated from time to time require, along, across, on, over, through, above and under all public streets, avenues, alleys, bridges, and the public grounds and places within the limits of said City as the same from time to time may be established.

21-502. Section 3. That for the period September 1, 1983 to August 31, 1988, inclusive, the Telephone Company shall pay the City a sum equal to two percent (2%) of the Class of Service revenues for local exchange telephone communication service rendered wholly within the corporate limits of the City of Leawood, Kansas. Payment, for the initial period September 1, 1983 through August 31, 1984, shall be made on or about September 1, 1984. Thereafter, payments for the period September 1, 1984 through August 31, 1988, shall be payable quarterly sixty (60) days after the end of the quarter to which said payment shall apply, being a term of five (5) years ending August 31, 1988, and for successive terms of like duration, unless within four (4) months prior to the expiration of the initial term, or of the successive terms ending on each five (5)

year anniversary following the expiration of the initial term, sixty (60) days written notice is given one party to the other of its intention to terminate the same at the expiration of the then current five (5) year term, it being expressly understood that each subsequent five (5) year term provides for twenty (20) quarterly payments and said payments to be in lieu of all other licenses, charges, fees or impositions (other than the usual general or special ad valorem taxes) which might be imposed by the City under authority conferred by law.

Thi. may also be terminated forthwith by the Telephone Company if authority to collect the amounts of such payments from its customers within the City shall be removed, cancelled, or withheld by legislative, judicial, or regulatory act. The Telephone Company shall also have the privilege of crediting such sums with any unpaid balance due said Company for telephone service rendered or facilities furnished to said City.

21-503. Section 4. The Telephone Company on the request of any applicant shall remove or raise or lower its wires temporarily to permit the moving of houses or other structures. The expense of such temporary removal, raising or lowering of wires shall be paid by the party or

parties requesting the same, and the Telephone Company may require such payment in advance. The Telephone Company shall be given not less than fifteen (15) days written notice from the applicant detailing the time and location of the moving operations, and not less than twenty-four (24) hours advance notice from the applicant advising of the actual operation.

21-504. Section 5. Permission is hereby granted to the Telephone Company to trim trees upon and overhanging streets, alleys, sidewalks and public places of said City so as to prevent the branches of such trees from coming in contact with the wires and cables of the Telephone Company. All said branches and trimmings to be promptly removed by the Telephone Company. Said trimming shall be under the supervision and direction of any City official to whom said duties have been or may be delegated.

21-505. Section 6. Nothing in this ordinance shall be construed to require or permit any telephone, electric light, or power wire attachments by either the City or the Telephone Company on the poles of the other. If such attachments are desired by the City or the Telephone Company, then a separate non-contingent agreement shall be a prerequisite to such attachments.

21-506. Section 7. Nothing herein contained shall be construed as giving to the Telephone Company any exclusive privileges, nor shall it affect any prior or existing rights of the Telephone Company to maintain a telephone system within the City.

21-507. Section 8. All other ordinances and agreements and parts of ordinances and agreements relating to the operation of a telephone system within said City are hereby repealed.

21-508. Section 9. The said Telephone Company shall have sixty (60) days from and after passage and approval of this ordinance to file its written acceptance of this ordinance with the City Clerk, and upon such acceptance being filed, this ordinance shall be considered as taking effect and being in force from and after the date of its passage and its publication as provided by law.

First Reading: 5/7/84 Second Reading: 5/21/84 Third Reading: 6/4/84

Passed by the Governing Body this 4th day of June, 1984.

Approved by the Mayor this 4th day of June, 1984.

(S E A L)

(s) Kent E. Crippin, Mayor

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R. S. Wetzler, City Attorney

(5432 2W)

Repealed by Ord. #839

ORDINANCE NO. 812 CODE OF 1984
Effective 12/21/84

now established by Resolution.

AN ORDINANCE ESTABLISHING FEES FOR REZONING, SPECIAL USE PERMITS,
AND PLANNING APPLICATIONS, AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 5-901 of Revised Ordinances,
as adopted by Ordinance No. 768, is hereby repealed and the following
enacted in lieu thereof:

5-901. Section 2. To partially cover the cost of administering the
procedures set forth in the Zoning Ordinance of the City of Leawood,
1978 Edition, fees in the following amounts shall be required at the
time of submission of corresponding plans and/or applications:

REZONING	TRACT SIZE	REZONING FEE	PRELIMINARY PLAN	FINAL PLAN
Residential (AR-1 to RP-6)	0 - 5 acres	\$100	\$100	\$100
	5+ - 40	150	150	100
	40+ - up	150	200	150
Office (CP-0)	0 - 5	100	150	100
	5+ - 10	100	200	100
	10+ - 25	150	250	150
	25+ - 50	150	300	150
	50+ - up	200	350	200
Commercial (CP-1 to CP-2)	0 - 5	100	150	100
	5+ - 10	100	200	100
	10+ - 25	150	300	150
	25+ - 50	150	350	200
	50+ - up	200	400	200
Recreation	0 - 5	100	100	50
	5+ - 25	100	100	100
	25+ - up	100	150	150
Industrial	0 - 5	100	150	100
	5+ - 10	100	200	100
	10+ - up	150	250	150
Special Develop- ment	0 - 5	100	150	100
	5+ - 10	150	150	100
	10+ - 25	150	200	250
	25+ - up	150	250	250
Mixed Zoning (Combination of any two or more districts)	0 - 10	150	150	150
	10+ - 25	200	200	200
	25+ - 50	200	250	250
	50+ - 75	250	300	250
	75+ - up	300	300	300

Page 2
 ORDINANCE NO. 812
 re Fees for Rezoning, Special Use Permits,
 and Planning Applications.

REZONING	TRACT SIZE	REZONING FEE	PRELIMINARY PLAN	FINAL PLAN
Special Use Permits, except oil and gas	0 - 5 acres 5+ - 10 10+ - up	\$150 200 250		
Other Plan Approvals		-		
. Landscape Plan		-	\$ 75.00	
. Sign Policy Approval		-	50.00	
. Flood Plain Development		-	100.00	
Streets, Utility Vacation		-	100.00	
Board of Zoning Appeals Hearing		-	50.00	

Applicant is responsible for the cost of publishing rezoning or special use permit ordinance following City Council approval.

Applicant shall be responsible for paying a late fee in the amount of \$250.00 if an application for site development plan is submitted to the City after the deadline for submissions has expired.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 4/2/84 Second Reading: 4/16/84

Passed by the Governing Body this 16th day of April, 1984.

Approved by the Mayor this 16th day of April, 1984.



Attest:

[Signature]
 J. Oberlander City Clerk

[Signature]
 Kent E. Crippin Mayor

APPROVED FOR FORM AND CONTENT: [Signature], City Attorney
 R.S. Wetzler

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- *day* (weeks, days) the first publication thereof being made as aforesaid on the *25th* day of, *April* 19-*84*, with subsequent publications being made on the following dates:

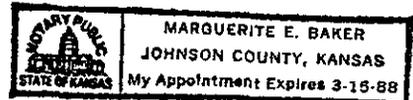
-----, 19-----, 19-----

-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this *25th* day of *April* 19-*84*

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: *3-15-88*
Printer's Fee \$ *89.25*
Additional copies \$ -----

First Published in The Johnson County Sun Wednesday, April 25, 1984.

ORDINANCE NO. 812

AN ORDINANCE ESTABLISHING FEES FOR REZONING, SPECIAL USE PERMITS, AND PLANNING APPLICATIONS, AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 5-901 of Revised Ordinances, as adopted by Ordinance No. 768, is hereby repealed and the following enacted in lieu thereof:

5-901. Section 2. To partially cover the cost of administering the procedures set forth in the Zoning Ordinance of the City of Leawood, 1978 Edition, fees in the following amounts shall be required at the time of submission of corresponding plans and/or applications:

REZONING	TRACT SIZE	REZONING FEE	PRELIMINARY PLAN	FINAL PLAN
Residential (AR-1 to RP-6)	0 - 5 acres	\$100	\$100	\$100
	5+ - 40	150	150	200
	40+ - up	200	200	250
Office (CP-0)	0 - 5	100	150	100
	5+ - 10	100	200	100
	10+ - 25	150	250	150
	25+ - 50	150	300	150
	50+ - up	200	350	200
Commercial (CP-1 to CP-2)	0 - 5	100	150	100
	5+ - 10	100	200	100
	10+ - 25	150	300	150
	25+ - 50	150	350	200
	50+ - up	200	400	200
Recreation	0 - 5	100	100	50
	5+ - 25	100	100	100
	25+ - up	100	150	150
Industrial	0 - 5	100	150	100
	5+ - 10	100	200	100
	10+ - up	150	250	150
Special Development	0 - 5	100	150	100
	5+ - 10	150	150	100
	10+ - 25	150	200	250
	25+ - up	150	250	250
Mixed Zoning (Combination of any two or more districts)	0 - 10	150	150	150
	10+ - 25	200	200	200
	25+ - 50	200	250	250
	50+ - 75	250	300	250
	75+ - up	300	300	300

REZONING	TRACT SIZE	REZONING FEE	PRELIMINARY PLAN	FINAL PLAN
Special Use Permits, except oil and gas	0 - 5 acres	\$150		
	5+ - 10	200		
	10+ - up	250		
Other Plan Approvals		-		
. Landscape Plan		-	\$ 75.00	
. Sign Policy Approval		-	50.00	
. Flood Plain Development		-	100.00	
Streets, Utility Vacation		-	100.00	
Board of Zoning Appeals Hearing		-	50.00	

Applicant is responsible for the cost of publishing rezoning or special use permit ordinance following City Council approval.

Applicant shall be responsible for paying a late fee in the amount of \$250.00 if an application for site development plan is submitted to the City after the deadline for submissions has expired.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 4/2/84 Second Reading: 4/16/84

Passed by the Governing Body this 16th day of April, 1984.

Approved by the Mayor this 16th day of April, 1984.

(S E A L)

Kent E. Crippin Mayor

Attest:

/s/ J. Oberlander
J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: /s/ R.S. Wetzler, City Attorney
R.S. Wetzler (3187 1W)

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~18-111~~ Sec. no. changed by '84 Code

~~16-111~~ Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, with restrictions as set forth herein, this property having been previously zoned A, Agricultural:

The NW 1/4 of the NW 1/4 and the North 13 acres of the SW 1/4 of the NW 1/4 of Section 27, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas.

(Waterford subdivision, first phase, 53 acres, approx. 127th Terr. & Mission Rd.)

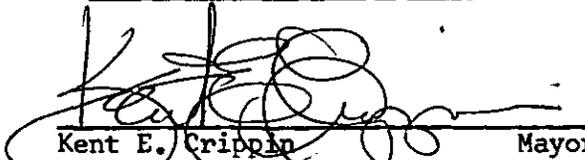
TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 4/2/84 Second Reading: 4/16/84

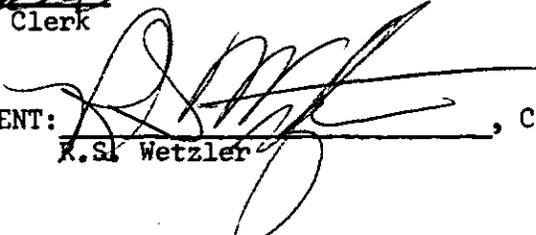
Passed by the Governing Body this 16th day of April, 1984.

Approved by the Mayor this 16th day of April, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney
R.S. Wetzler

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Wednesday, April 25, 1984. ORDINANCE NO. 811 AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS. Be It ordained by the Governing Body of the City of Leawood, Kansas: 16-111, Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, with restrictions as set forth herein, this property having been previously zoned A, Agricultural: The NW 1/4 of the NW 1/4 and the North 13 acres of the SW 1/4 of the NW 1/4 of Section 27, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas. (Waterford subdivision, first phase, 53 acres, approx. 127th Terr. & Mission Rd.) TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper. First Reading: 4/2/84 Second Reading: 4/16/84 Passed by the Governing Body this 16th day of April, 1984. Approved by the Mayor this 16th day of April, 1984. (S E A L) (s) Kent E. Crippin, Mayor Attest: (s) J. Oberlander, City Clerk APPROVED FOR FORM AND CONTENT: (s) R. S. Wetzler, City Attorney (3156 1W)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- 1 ----- consecutive ----- day ----- (weeks, days) the first publication thereof being made as aforesaid on the ----- 25th ----- day of, ----- April ----- 19----- 84 -----, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this ----- 25th ----- day of ----- April ----- 19----- 84 -----

Marguerite E. Baker

NOTARY PUBLIC



My Commission expires: ----- 3-15-88 -----
Printer's Fee \$ ----- 15.65 -----
Additional copies \$ -----

ORDINANCE NO. 810

Sent to Co. Clerk & Reg. of Deeds by letter of 4/27/84

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE SECOND PLAT OF BERKSHIRE.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,126. Section 1. That 15-foot wide utility easement as platted on Lot 23, Berkshire, Second Plat, as approved by the City Council May 2, 1983, which easement the developer Bodine/Ashner Builders, Inc., now desires to cancel, release and annul, and which is described as follows:

Beginning at a point on the Southerly line of said Lot 23, said point being 93.08 feet southeasterly from the south-westerly corner of said Lot 23; thence northeasterly along a line to a point on the northly line of said Lot 23, said point being 250 feet southeasterly from the northwest corner of said Lot 23

is hereby vacated.

19-6,127. Section 2. The City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

TAKE EFFECT: Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 4/2/84 Second Reading: 4/16/84

Passed by the Governing Body this 16th day of April, 1984.

Approved by the Mayor this 16th day of April, 1984.



J. Oberlander
J. Oberlander City Clerk

Kent E. Crippin
Kent E. Crippin Mayor

APPROVED FOR FORM AND CONTENT: *R.S. Wetzfer*, City Attorney
R.S. Wetzfer

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE SECOND PLAT OF BERKSHIRE.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,126. Section 1. That 15-foot wide utility easement as platted on Lot 23, Berkshire, Second Plat, as approved by the City Council May 2, 1983, which easement the developer Bodine/Ashner Builders, Inc., now desires to cancel, release and annul, and which is described as follows:

Beginning at a point on the Southerly line of said Lot 23, said point being 93.08 feet southeasterly from the south-westerly corner of said Lot 23; thence northeasterly along a line to a point on the northly line of said Lot 23, said point being 250 feet southeasterly from the northwest corner of said Lot 23

is hereby vacated.

19-6,127. Section 2. The City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 4/2/84 Second Reading: 4/16/84

Passed by the Governing Body this 16th day of April, 1984.

Approved by the Mayor this 16th day of April, 1984.



Kent E. Crippin
Kent E. Crippin Mayor

J. Oberlander
J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: /s/ R.S. Wetzler, City Attorney
R.S. Wetzler

STATE OF KANSAS]
COUNTY OF JOHNSON] SS
FILED FOR RECORD

1984 APR 30 A 10:30 9

600
RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP

600

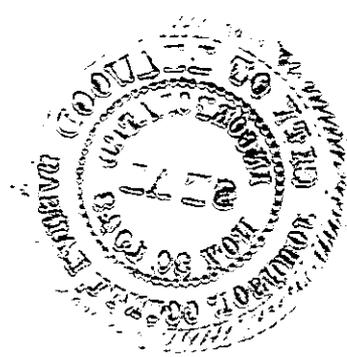
CERTIFICATION

I, J. Oberlander, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Leawood, Kansas, and that the attached is a full, true and correct copy of Ordinance No. 810, passed by the Governing Body at an adjourned meeting held April 16, 1984.



J. Oberlander

J. Oberlander
City Clerk
City of Leawood, Kansas



City of Lowell
9017 the Blvd
Lowell, Mass. 01826

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn
Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY
SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of
general circulation in JOHNSON County, Kansas, with a general paid circulation on a
yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade,
religious or fraternal publication.

First Published in The
Johnson County Sun Wednes-
day, April 25, 1984.
ORDINANCE NO. 810
AN ORDINANCE VACATING
AN EASEMENT AS SHOWN
ON THE SECOND PLAT OF
BERKSHIRE.
Be it ordained by the Govern-
ing Body of the City of
Leawood, Kansas:
19-6,126. Section 1. That 15-foot
wide utility easement as plat-
ted on Lot 23, Berkshire, Se-
cond Plat, as approved by the
City Council May 2, 1983,
which easement the developer
Bodine/Ashner Builders, Inc.,
now desires to cancel, release
and annul, and which is
described as follows:
Beginning at a point on the
Southern line of said Lot 23,
said point being 93.08 feet
southeasterly from the
southwesterly corner of said
Lot 23; thence northeasterly
along a line to a point on the
northy line of said Lot 23, said
point being 250 feet
southeasterly from the
northwest corner of said Lot 23
is hereby vacated.
19-6,127. Section 2. The City
Clerk shall file a certified copy
of this ordinance with the
County Clerk and the Register
of Deeds of Johnson County,
Kansas.
TAKE EFFECT. Section 3.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.
First Reading: 4/2/84 Second
Reading: 4/16/84
Passed by the Governing Body
this 16th day of April, 1984.
Approved by the Mayor this
16th day of April, 1984.
(s) Kent E. Crippin,
Mayor
(S E A L)
Attest:
(s) J. Oberlander,
City Clerk
APPROVED FOR FORM
AND CONTENT:
(s) R. S. Wetzler,
City Attorney
(3155 1W)

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been
so published continuously and uninterruptedly in said county and state for a period of
more than five years prior to the first publication of said notice; and has been admitted
at the post office of SHAWNEE MISSION, KANSAS in said County as a second class
matter.

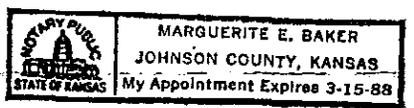
That the attached notice is a true copy thereof and was published in the regular and
entire issue of said newspaper for ----- consecutive
----- (weeks, days) the first publication thereof being made as
foresaid on the 25th day of, April 19-84, with subsequent
publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 25th day of April 19-84

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: 3-15-88
Printer's Fee \$ 17.90
Additional copies \$ -----

AN ORDINANCE RELATING TO ACCEPTANCE OF TWO ROADWAY EASEMENTS FOR STREET PURPOSES RELATIVE TO THE 127TH STREET IMPROVEMENT DISTRICT 83-1.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,124. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept two Roadway Easements, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors and assigns, a permanent easement to construct, maintain, alter, repair, replace, a public road and sidewalk, utilities and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the SE1/4 of the SW1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the SE 1/4 of the SW1/4 of said Section 21; thence Westerly, along the South line of the SE1/4 of the SW1/4 of said Section 21, to a point 70 feet West of the East line thereof; thence Northerly, along a line 70 feet West of and parallel to the East line of the SE1/4 of the SW1/4 of said Section 21, to a point 20 feet North of the South line thereof; thence Northeasterly, to a point 30 feet North of the South line and 30 feet West of the East line of the SE1/4 of the SW1/4 of said Section 21; thence Easterly, along a line 30 feet North of and parallel to the South line of the SE1/4 of the SW1/4 of said Section 21, to a point on the East line thereof; thence Southerly, along the East line of the SE1/4 of the SW1/4 of said Section 21, to the point of beginning, all subject to that part thereof dedicated for street purposes. (N.W. corner of 127th & Roe.)

All that part of the NE1/4 of the NW1/4 of Section 28, Township 13, Range 25; now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NE 1/4 of the NW1/4 of said Section 28; thence Westerly, along the North line of the NE1/4 of the NW1/4 of said Section 28, to a point 70 feet West of the East line thereof; thence Southerly, along a line parallel to the Easterly line of the NE1/4 of the NW1/4 of said Section 28, to a point 20 feet South of the North line thereof; thence Southeasterly, to a point 30 feet South of the North line and 30 feet West of the East line of the NE 1/4 of the NW1/4 of said Section 28; thence Easterly, along a line 30 feet South of and parallel to the North

ORDINANCE NO. 809

re Acceptance of Two Roadway Easements for Street
Purposes Relative to the 127th St. Improvement
District 83-1

line of the NE1/4 of the NW1/4 of said Section 28, to
a point on the East line thereof; thence Northerly,
along the East line of the NE1/4 of the NW1/4 of said
Section 28, to the point of beginning, all subject to
that part thereof dedicated for street purposes.
(S.W. corner of 127th & Roe.)

19-6,125. INCORPORATION BY REFERENCE. Section 2. Copies of said
Easements are attached hereto and thereby incorporated by reference.

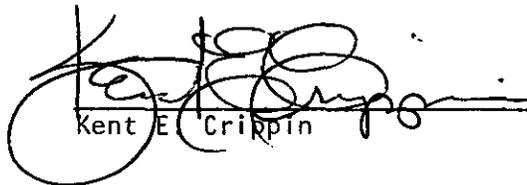
TAKE EFFECT. Section 3. This ordinance shall take effect and be in
force from and after its publication in the official City newspaper.

First Reading: 3/26/84 Second Reading: 4/2/84

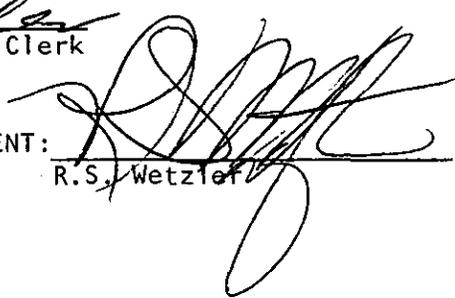
Passed by the Governing Body this 2nd day of April, 1984.

Approved by the Mayor this 2nd day of April, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney
R.S. Wetzi

KNOW ALL MEN BY THESE PRESENTS, THAT United Missouri Bank of Kansas City, N.A. formerly

City National Bank & Trust of Kansas City, Missouri, and Joseph W. McKee, Trustees

of the Post Office of _____
In the State of _____, In consideration of Ten and 00/100

Dollars (\$ 10.00) in hand paid and other valuable consideration, receipt of which is hereby acknowledged, hereby grant and convey unto the CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, its successors and assigns, a Permanent Easement to construct, maintain, alter, repair, replace, a public road and sidewalk, utilities and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 21; thence Westerly, along the South line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 21, to a point 70 feet West of the East line thereof; thence Northerly, along a line 70 feet West of and parallel to the East line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 21, to a point 20 feet North of the South line thereof; thence Northeasterly, to a point 30 feet North of the South line and 30 feet West of the East line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 21; thence Easterly, along a line 30 feet North of and parallel to the South line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 21, to a point on the East line thereof; thence Southerly, along the East line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 21, to the point of beginning, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1984 FEB 14 P 12:35

6
PUBLIC SCOTT
REGISTER OF DEEDS

BY _____ DEP

This grant is a Permanent Easement for the purpose aforesated and full consideration therefore is acknowledged; provided however, if a temporary construction easement is granted herein, then the period of said temporary easement shall be no longer than one year from the date of acceptance of construction of said road within said City of Leawood, Johnson County, Kansas.

This agreement is binding upon the heirs, executors, administrators, successors, and assigns of the parties hereto, and it is understood that this agreement cannot be changed in any way except in writing, signed by the grantor and a duly authorized agent of the grantee.

IN WITNESS WHEREOF the grantor ha hereunto set hand and seal on this, the 31 day of January, 1984.

United Missouri Bank of Kansas City,

N.A., CTUA Joseph W. McKee

By: Michael L. McAuley
Michael L. McAuley Vice President

Wallace P. McKee, M.D.
Co-Trustee

6.00
che

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Missouri, COUNTY OF Jackson, ss:

BE IT REMEMBERED, THAT on this 31st day of January, 1984, before me, the undersigned Notary Public, personally came Wallace P. McKee Who personally known to me to be the same person who executed the foregoing instrument of writing and as such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Kansas City on the day and year last above written.

CHERYL ANN CRIST
Notary Public - State of Missouri
Commissioned in Jackson County
My Commission Expires Dec. 7, 1986
My Appointment Expires: _____

Cheryl Ann Crist
Notary Public
CHERYL ANN CRIST

INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____, COUNTY OF _____, ss:

BE IT REMEMBERED, THAT on this _____ day of _____, 19____ before me, the undersigned Notary Public, personally came _____ Who personally known to me to be the same person who executed the foregoing instrument of writing and as such a person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at _____ on the day and year last above written.

My Appointment Expires: _____

Notary Public

INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____, COUNTY OF _____, ss:

before me, the undersigned Notary Public, personally came _____ Who personally known to me to be the same person who executed the foregoing instrument of writing and as such a person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at _____ on the day and year last above written.

My Appointment Expires: _____

Notary Public

CORPORATE ACKNOWLEDGMENT

STATE OF Missouri, COUNTY OF Jackson, ss:

BE IT REMEMBERED, THAT on this 31st day of January, 1984, before me, the undersigned Notary Public in and for the County and State aforesaid, came Michael L. McAuley

of United Missouri Bank of Kansas City, N.A. a corporation who is personally known to me to be the Vice President of said corporation and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said corporation

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

CHERYL ANN CRIST
Notary Public - State of Missouri
Commissioned in Jackson County
My Commission Expires Dec. 7, 1986
My Appointment Expires: _____

Cheryl Ann Crist
Notary Public
CHERYL ANN CRIST

KNOW ALL MEN BY THESE PRESENTS, THAT

Wallace P. McKee and Marie McKee and Cynthia Larson

of the Post Office of Shawnee Mission in the State of Kansas, in consideration of Dollars (\$) in hand paid and other valuable consideration, receipt of which is hereby acknowledged, hereby grant and convey unto the CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, its successors and assigns, a Permanent Easement to construct, maintain, alter, repair, replace, a public road and sidewalk, utilities and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the NE 1/4 of the NW 1/4 of Section 28, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NE 1/4 of the NW 1/4 of said Section 28; thence Westerly, along the North line of the NE 1/4 of the NW 1/4 of said Section 28, to a point 70 feet West of the East line thereof; thence Southerly, along a line parallel to the Easterly line of the NE 1/4 of the NW 1/4 of said Section 28, to a point 20 feet South of the North line thereof; thence Southeasterly, to a point 30 feet South of the North line and 30 feet West of the East line of the NE 1/4 of the NW 1/4 of said Section 28; thence Easterly, along a line 30 feet South of and parallel to the North line of the NE 1/4 of the NW 1/4 of said Section 28, to a point on the East line thereof; thence North-erly, along the East line of the NE 1/4 of the NW 1/4 of said Section 28, to the point of beginning, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS }
COUNTY OF JOHNSON }
FILED FOR RECORD

1934 FEB 14 P 12:33

RUBEN K. SCOTT
REGISTER OF DEEDS

DEP

This grant is a permanent easement for the purpose aforesated and full consideration therefore is acknowledged; provided however, if a temporary construction easement is granted herein, then the period of said temporary easement shall be no longer than one year from the date of acceptance of construction of said road within said City of Leawood, Johnson County, Kansas.

This agreement is binding upon the heirs, executors, administrators, successors, and assigns of the parties hereto, and it is understood that this agreement cannot be changed in any way except in writing, signed by the grantor and a duly authorized agent of the grantee.

IN WITNESS WHEREOF the grantor ha hereunto set hand and seal on this, the 3rd day of February, 1934.

Three horizontal lines for witness or additional grantor signatures.

Wallace P. McKee
Marie J. McKee
Cynthia Larson

2.00
aka

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Missouri, COUNTY OF Jackson, ss:

BE IT REMEMBERED, THAT on this 3rd day of February, 1987, before me, the undersigned Notary Public, personally came Wallace P. McKee Marie J. McKee and Cynthia Larson Who are personally known to me to be the same persons who executed the foregoing instrument of writing and as such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Kansas City, Missouri on the day and year last above written.

Edith E. Clarke
Notary Public
EDITH E. CLARKE
Notary Public - State of Missouri
Commissioned in Jackson County
My Commission Expires April 22, 1984

My Appointment Expires: 4-22-84

INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____, COUNTY OF _____, VOL 1967 PAGE 786, ss:

BE IT REMEMBERED, THAT on this _____ day of _____, 19____ before me, the undersigned Notary Public, personally came _____ Who _____ personally known to me to be the same person _____ who executed the foregoing instrument of writing and as such a person _____ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at _____ on the day and year last above written.

Notary Public

My Appointment Expires: _____

INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____, COUNTY OF _____, ss:

~~before me, the undersigned Notary Public, personally came _____ Who _____ personally known to me to be the same person _____ who executed the foregoing instrument of writing and as such a person _____ duly acknowledged the execution of the same.~~

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at _____ on the day and year last above written.

Notary Public

My Appointment Expires: _____

CORPORATE ACKNOWLEDGMENT

STATE OF _____, COUNTY OF _____, ss:

BE IT REMEMBERED, THAT on this _____ day of _____, 19____, before me, the undersigned Notary Public in and for the County and State aforesaid, came _____ of _____ who is personally known to me to be the _____ of said _____ and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said _____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Notary Public

My Appointment Expires _____

City of Kansas City

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun Friday, April 6, 1984.

ORDINANCE NO. 809 AN ORDINANCE RELATING TO ACCEPTANCE OF TWO ROADWAY EASEMENTS FOR STREET PURPOSES RELATIVE TO THE 127TH STREET IMPROVEMENT DISTRICT 23-1.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-8,124. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept two Roadway Easements, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors and assigns, a permanent easement to construct, maintain, alter, repair, replace, a public road and sidewalk, utilities and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the SE 1/4 of the SW 1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the SE 1/4 of the SW 1/4 of said Section 21; thence Westerly, along the South line of the SE 1/4 of the SW 1/4 of said Section 21, to a point 70 feet West of the East line thereof; thence Northerly, along a line 70 feet West of and parallel to the East line of the SE 1/4 of the SW 1/4 of said Section 21, to a point 20 feet North of the South line thereof; thence North-easterly, to a point 30 feet North of the South line and 30 feet West of the East line of the SE 1/4 of the SW 1/4 of said Section 21; thence Easterly, along a line 30 feet North of and parallel to the South line of the SE 1/4 of the SW 1/4 of said Section 21, to a point on the East line thereof; thence Southerly, along the East line of the SE 1/4 of the SW 1/4 of said Section 21, to the point of beginning, all subject to that part thereof dedicated for street purposes, (N.W. corner of 127th & Roe).

All that part of the NE 1/4 of the NW 1/4 of Section 28, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NE 1/4 of the NW 1/4 of said Section 28; thence Westerly, along the North line of the NE 1/4 of the NW 1/4 of said Section 28, to a point 70 feet West of the East line thereof; thence Southerly, along a line parallel to the Easterly line of the NE 1/4 of the NW 1/4 of said Section 28, to a point 20 feet South of the North line thereof; thence South-easterly, to a point 30 feet South of the North line and 30 feet West of the East line of the NE 1/4 of the NW 1/4 of said Section 28; thence Easterly, along a line 30 feet South of and parallel to the North line of the NE 1/4 of the NW 1/4 of said Section 28, to a point on the East line thereof; thence Northerly, along the East line of the NE 1/4 of the NW 1/4 of said Section 28, to the point of beginning, all subject to that part thereof dedicated for street purposes, (S.W. corner of 127th & Roe).

19-6,125. INCORPORATION BY REFERENCE. Section 2. Copies of said Easements are attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper. First Reading: 3/26/84 Second Reading: 4/2/84

Passed by the Governing Body this 2nd day of April, 1984. Approved by the Mayor this 2nd day of April, 1984.

(S E A L) (s) Kent E. Cripph Mayor Attest: (s) J. Obertander City Clerk

APPROVED FOR FORM AND CONTENT: (s) R. S. Wetzler, City Attorney

(1511 IF)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty Sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ day (weeks, days) the first publication thereof being made as aforesaid on the _____ day of April 1984, with subsequent publications being made on the following dates:

_____, 19_____, 19_____, 19_____

Barbara A. Ellis

Subscribe and sworn to before me this 6th day of April 1984

Paula Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON NOTARY PUBLIC STATE OF KANSAS My Comm. Expires Jan 15, 1988

My Commission expires _____ Printer's Fee \$ 39.56 Additional copies \$ _____

ORDINANCE NO. 808

AN ORDINANCE RELATING TO ACCEPTANCE OF DEEDS FOR STREET PURPOSES
RELATIVE TO THE 127TH STREET IMPROVEMENT DISTRICT 83-1.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-551. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept deeds for land to be used for street purposes relative to the 127th Street Improvement District 83-1, the legal descriptions of which are as follows:

All of the South 30 feet of the West 350 feet of the SE1/4 of the SE1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes. (north side of 127th St. from approximately 980' W. to 1330' W. of Mission Rd.)

All of the South 30 feet of the SE1/4 of the SE1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, except the West 350 feet thereof and except the East 660 feet thereof, all subject to that part thereof dedicated for street purposes. (north side of 127th St., from approximately 660' W. to 980' W. of Mission Rd.)

All of the North 30 feet of the NE1/4 of the NE1/4 of Section 28, and all of the East 30 feet of the North 140 feet of the NE1/4 of the NE1/4 of said Section 28, all in Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes. (south side of 127th St. from Mission Rd. to approximately 1330' W. & the west side of Mission Rd. from 127th St. to approximately 140' south.)

All of the South 30 feet of the SW1/4 of the SE1/4 of Section 21, and all of the West 60 feet of the South 168 feet of the SW1/4 of the SE1/4 of said Section 21, all in Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes. (north side of 127th St. from Roe Ave. to approximately 1330' E. & east side of Roe Ave. from 127th St. to approximately 170' north.)

All of the West 30 feet of the North 140 feet of the NW1/4 of the NW1/4 of Section 27, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes. (east side of Mission Rd. at 127th St.)

ORDINANCE NO. 808

re Acceptance of Deeds for Street Purposes -
127th St. Improvement District 83-1

All of the South 30 feet of the East 660 feet of the SE1/4 of the SE1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes. (north side of 127th St. from Mission Rd. to approximately 660' W.)

All that part of the NW1/4 of the NE1/4 of Section 28, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NW 1/4 of the NE1/4 of said Section 28; thence Southerly, along the East line of the NW1/4 of the NE1/4 of said Section 28, to a point 30 feet South of the North line thereof; thence Westerly, along a line 30 feet South of and parallel to the North line of the NW1/4 of the NE1/4 of said Section 28, to the Northeast corner of Lot 1, Block 2, THE WOODLANDS, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Northerly, along a line perpendicular to the North line of the NW1/4 of the NE1/4 of said Section 28, a distance of 30 feet, to a point on the North line thereof; thence Easterly, along the North line of the NW1/4 of the NE1/4 of said Section 28, to the point of beginning, all subject to that part thereof dedicated for street purposes. (south side of 127th St. from approximately 710' E. to 1325' E. of Roe Ave.)

19-552. INCORPORATION BY REFERENCE. Section 2. Copies of said deeds are attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 3/26/84 Second Reading: 4/2/84

Passed by the Governing Body this 2nd day of April, 1984.

Approved by the Mayor this 2nd day of April, 1984.




Kent E. Crippin Mayor

Page 3
ORDINANCE NO. 808
re Acceptance of Deeds for Street Purposes -
127th St. Improvement District 83-1

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzi, City Attorney

DEED OF DEDICATION 1453521 ✓

KNOW ALL MEN BY THESE PRESENTS, that this Deed, made and entered into this 30th day of December, 1983, by and between J. C. NICHOLS COMPANY, a Missouri corporation authorized to do business in Johnson County, State of Kansas, Party of the First Part, and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Party of the First Part, in consideration of the sum of Ten Dollars and other valuable consideration to it in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents does GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part all of its right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

All of the West 30 feet of the North 140 feet of the NW 1/4 of the NW 1/4 of Section 27, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Party of the First Part, its administrators, successors or assigns.

And the Party of the First Part for its successors and assigns, does hereby covenant, promise, and agree to and with said Party of the Second Part that at the delivery of these presents it is lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except any and all items and matters of record including real estate taxes, assessments and installments on special assessments and that the First Party will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever, except as herein described. First Party agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Party of the First Part has hereunto set its hand and seal the day and year first above written.

SEAL entered in Transfer Record 14 Day of Feb AD 1984 DONALD J. CLEGG Johnson County Clerk

ATTEST: Fred R. Gibson, Jr. Fred R. Gibson, Assistant Secretary

J. C. NICHOLS COMPANY BY Clarence L. Roeder, Vice President

STATE OF KANSAS COUNTY OF JOHNSON FILED FOR RECORD 1984 FEB 14 P 12:32 9 RUBIE M. SCOTT REGISTER OF DEEDS

6.00 che

BY _____ DEP

ACKNOWLEDGMENT

STATE OF MISSOURI

COUNTY OF JACKSON

On this 30th day of December, 1983, before me appeared CLARENCE L. ROEDER to me personally known, who being by me duly sworn, did say that he is Vice President of J. C. NICHOLS COMPANY, a Missouri corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed on behalf of the corporation by authority of its Board of Directors and said Clarence L. Roeder acknowledged said instrument to be the free act and deed of said corporation.

In Witness Whereof, I have hereunto set my hand and affixed my notarial seal at my office in Kansas City, Jackson County, Missouri, the day and year first above written.



Denise E. Engeman
Notary Public within and for
said County and State

My commission expires: July 1, 1987

Denise E. Engeman

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this RECORD

29th day of December, 19 83, by and between

Kenneth M. Harris, Jr. and Nancy L. Harris

of Johnson County, State of Kansas, Part of the First Part, and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part of the First Part, In consideration of the sum of Dollars

to in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

All of the South 30 feet of the East 660 feet of the SE 1/4 of the SE 1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1984 FEB 14 P 12: 30 3

600

RUBIE M. SCOTT
REGISTER OF DEEDS

Entered in Transfer Record

14 Day of Feb. AD 1984
DONALD J. CURRY

Johnson County Clerk

BY DEP

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Part of the First Part, heirs, executors, administrators, successors, or assigns.

And the Part of the First Part for heirs, executors, administrators, successors and assigns, do hereby convenent, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Part will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Part of the First part, for heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First part hereby agree that First Part shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Part further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Part of the First Part ha hereunto set hand and seal the day and year first above written.

Handwritten signatures of Kenneth M. Harris, Jr. and Nancy L. Harris with printed names below.

11/24/81

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Missouri :
COUNTY OF Jackson : SS.

BE IT REMEMBERED, That on the 29th day December, 19 83, before me, the undersigned, a Notary Public in and for said County and State,

came Kenneth M. Harris, Jr.
Nancy L. Harris

who _____ personally known to me to be the same person _____ who executed the within instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Helen M. Picard
Notary Public
Helen M. Picard

My Commission Expires:

Nov. 29, 1985



VOL 1967 PAGE 774

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19 _____, before me, the undersigned, a Notary Public in and for the County and State afore-aid, came _____, President of _____

_____ a corporation duly organized, incorporated and existing under and by virtue of the laws of _____;

and _____, Secretary of said corporation, who are personally known to me to be such officers and who are personally known to me to be the same persons who executed as such officers the within instrument on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

10th day of January, 19 84, by and between

L and A Development Company

of Johnson County, State of Kansas, Party of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part of the First Part, In consideration of the sum of

Dollars to in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do es GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all its right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

All of the North 30 feet of the NE 1/4 of the NE 1/4 of Section 28, and all of the East 30 feet of the North 140 feet of the NE 1/4 of the NE 1/4 of said Section 28, all in Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1984 FEB 14 P 12: 32 0

6⁰⁰ RUBIE M. SCOTT
REGISTER OF DEEDS

Entered in Transfer Record
14 Day of Feb AD 1984
DONALD J. CURRY

Johnson County Clerk
DC

BY _____ DEP

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Party of the First Part, its heirs, executors, administrators, successors, or assigns.

And the Party of the First Part for its heirs, executors, administrators, successors and assigns, does hereby convenient, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Party will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Party of the First part, for its heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First party hereby agrees that First Party shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Party further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Party of the First Part has hereunto set its hand and seal the day and year first above written.

L & A DEVELOPMENT COMPANY

Donald D. Alpert

George A. Lieberman

6.00 che

11/24/81

1987 779

INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS :
COUNTY OF JOHNSON : SS.

BE IT REMEMBERED, That on the 10th day January, 1984,
before me, the undersigned, a Notary Public in and for said County and State,
came Donald D. Alpert and George A. Lieberman

who are personally known to me to be the same persons who executed the within
instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal the day and year last above written.

JEAN TOTH
NOTARY
My Commission Expires:
November 30, 1986

Jean Toth
Notary Public
Jean Toth

VOL 1967 PAGE 780

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, Secretary of said corporation, who are
personally known to me to be such officers and who are personally known to me to be
the same persons who executed as such officers the within instrument on behalf of
said Corporation, and such persons duly acknowledged the execution of the same to be
the act and deed of said Corporation,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

Notary Public

My Commission Expires

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

10 day of Nov, 19 83, by and between Lynn A. Goodman and Sally N. Goodman and Dennis R. Duncan

of Johnson County, State of Kansas, Parties of the First Part, and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part of the First Part, in consideration of the sum of Dollars

to in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

All that part of the NW 1/4 of the NE 1/4 of Section 28, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NW 1/4 of the NE 1/4 of said Section 28; thence Southerly, along the East line of the NW 1/4 of the NE 1/4 of said Section 28, to a point 30 feet South of the North line thereof; thence Westerly, along a line 30 feet South of and parallel to the North line of the NW 1/4 of the NE 1/4 of said Section 28, to the Northeast corner of Lot 1, Block 2, THE WOODLANDS, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Northerly, along a line perpendicular to the North line of the NW 1/4 of the NE 1/4 of said Section 28, a distance of 30 feet, to a point on the North line thereof; thence Easterly, along the North line of the NW 1/4 of the NE 1/4 of said Section 28, to the point of beginning, all subject to that part thereof dedicated for street purposes.

14 Feb 1984
JOURNAL CITY

TO HAVE AND TO HOLD THE same together with all and singular the appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Part of the First Part, heirs, executors, administrators, successors, or assigns.

And the Part of the First Part for heirs, executors, administrators, successors and assigns, do hereby convenient, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Part will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Part of the First part, for heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First part hereby agree that First Part shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Part further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Part of the First Part ha hereunto set hand and seal the day and year first above written.

STATE OF KANSAS
COUNTY OF JOHNSON] SS
FILED FOR RECORD

1984 FEB 14 P 12:36 G

RUBIE H. SCOTT
REGISTER OF DEEDS

Dennis R. Duncan
Lynn A. Goodman
Sally N. Goodman

0.50 chs

11/24/81

BY _____ DEP

INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS :
COUNTY OF JOHNSON : SS.

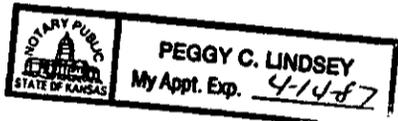
BE IT REMEMBERED, That on the 10th day NOVEMBER, 19 83, before me, the undersigned, a Notary Public in and for said County and State, came DENNIS R. DUNCAN, LYNN A. GOODMAN, SALLY N. GOODMAN

who ARE personally known to me to be the same person S who executed the within instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Peggy C. Lindsey
Notary Public
Peggy C. Lindsey

My Commission Expires:
4-14-87



VOL 1967 PAGE 798

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19 _____, before me, the undersigned, a Notary Public in and for the County and State afore-said, came _____, President of _____

_____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____;

and _____, Secretary of said corporation, who are personally known to me to be such officers and who are personally known to me to be the same persons who executed as such officers the within instrument on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires

City of Lawrence

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

7th day of February, 1984, by and between _____

Glenn M. Schwab Trust, Glenn M. Schwab, Trustee

of Johnson County, State of Kansas, Part _____ of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part _____ of the First Part, In consideration of the sum of _____

Dollars

to _____ in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do _____ GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all _____ right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

✓ All of the South 30 feet of the West 350 feet of the SE 1/4 of the SE 1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

Entered in Transfer Record
14 Day of Feb AD 1984
DONALD J. CLIFF

1984 FEB 14 P 12:32 4

6
RUBIE M. SCOTT
REGISTER OF DEEDS

Johnson County Clerk
DE

BY _____ DEP

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Part _____ of the First Part, _____ heirs, executors, administrators, successors, or assigns.

And the Part _____ of the First Part for _____ heirs, executors, administrators, successors and assigns, do _____ hereby convenent, promise, and agree to and with said Party of the Second Part that at the delivery of these presents _____ lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except _____

and that First Part _____ will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Part _____ of the First part, for _____ heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First part _____ hereby agree that First Part _____ shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Part _____ further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Part _____ of the First Part ha _____ hereunto set _____ hand and seal _____ the day and year first above written.

Glenn M. Schwab
Glenn M. Schwab

6.00
che

11/24/81

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas :
COUNTY OF Johnson : SS.

BE IT REMEMBERED, That on the 7th day February, 19 84,
before me, the undersigned, a Notary Public in and for said County and State,
came _____
Glenn M. Schwab

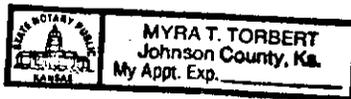
who W personally known to me to be the same person _____ who executed the within
instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal the day and year last above written.

Myra T. Torbert
Notary Public
Myra T. Torbert

My Commission Expires:

10/6/85



VOL 1967 PAGE 782

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19 _____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, Secretary of said corporation, who are
personally known to me to be such officers and who are personally known to me to be
the same persons who executed as such officers the within instrument on behalf of
said Corporation, and such persons duly acknowledged the execution of the same to be
the act and deed of said Corporation, _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

Notary Public

My Commission Expires

OK, up forward

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

6th day of December, 19 83, by and between

Joseph J. Weinrich

of Johnson County, State of Kansas, Party of the First Part, and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part of the First Part, In consideration of the sum of

Dollars

to in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

All of the South 30 feet of the SE 1/4 of the SE 1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, except the West 350 feet thereof and except the East 660 feet thereof, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS] SS
COUNTY OF JOHNSON]
FILED FOR RECORD

Entered in Transfer Record
14 Day of Feb AD 1984
DONALD J. CURRY

Johnson County Clerk

1384 FEB 14 P 12: 31 2

RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Part of the First Part, heirs, executors, administrators, successors, or assigns.

And the Part of the First Part for heirs, executors, administrators, successors and assigns, do hereby convenent, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Part will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Part of the First part, for heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First part hereby agree that First Part shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Part further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Part of the First Part, hereunto set hand and seal the day and year first above written.

Joseph J. Weinrich
Joseph J. Weinrich

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas :
COUNTY OF Johnson : SS.

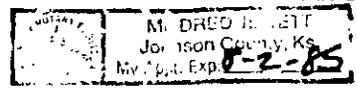
BE IT REMEMBERED, That on the 6 day Dec, 19 83,
before me, the undersigned, a Notary Public in and for said County and State,
name Joseph J. Weinrich

who is personally known to me to be the same person who executed the within
instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal the day and year last above written.

Mildred Jewett
Notary Public
Mildred Jewett

My Commission Expires:
8-2-85



VOL 1967 PAGE 778

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19 _____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____ a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, Secretary of said corporation, who are
personally known to me to be such officers and who are personally known to me to be
the same persons who executed as such officers the within instrument on behalf of
said Corporation, and such persons duly acknowledged the execution of the same to be
the act and deed of said Corporation,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

Notary Public

My Commission Expires

MADE BY _____

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this 12th day of December, 19 83, by and between

Patrician Woods Development

of Johnson County, State of Kansas, Part of the First Part, and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part of the First Part, In consideration of the sum of Dollars

to in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

All of the South 30 feet of the SW 1/4 of the SE 1/4 of Section 21, and all of the West 60 feet of the South 168 feet of the SW 1/4 of the SE 1/4 of said Section 21, all in Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

STATE OF KANSAS } ss
COUNTY OF JOHNSON }
FILED FOR RECORD

Entered in Transfer Record
14 Day of Feb AD 19 84
DONALD J. CURRY

Johnson County Clerk

6-00 1984 FEB 14 P 12:30 8
RUBIE M. SCOTT
REGISTER OF DEEDS

BY DEF

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Part of the First Part, heirs, executors, administrators, successors, or assigns.

And the Part of the First Part for heirs, executors, administrators, successors and assigns, do hereby convenent, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Part will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Part of the First part, for heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First part hereby agree that First Part shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Part further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Part of the First Part ha hereunto set hand and seal the day and year first above written.

6.00
che

11/24/81

Patrician Woods Development Corp., Inc.
G. Rex Allen
Patrician Woods Devel. Corp.
William L. Foley, Jr.
1984 FEB 14 775

INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED, That on the _____ day _____, 19____, before me, the undersigned, a Notary Public in and for said County and State, came _____

who _____ personally known to me to be the same person _____ who executed the within instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires:

CORPORATE ACKNOWLEDGEMENT

STATE OF Kansas :
COUNTY OF Johnson : SS.

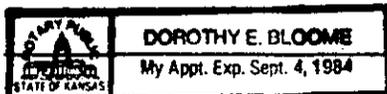
BE IT REMEMBERED that on this 12th day of December, 1983, before me, the undersigned, a Notary Public in and for the County and State afore-said, came G. Rex Allen & William L. Fohey, Jr. Presidents of Alien Dev. Co., Inc., and Patricia Woods Dev. Corp. D/B/A Patrician Woods Development, a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas;

and _____, Secretary of said corporation, who are personally known to me to be such officers and who are personally known to me to be the same persons who executed as such officers the within instrument on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation, _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Dorothy E. Bloome
Notary Public
Dorothy E. Bloome

My Commission Expires



copy of document

AFFIDAVIT OF PUBLICATION

First published in the Johnson County Sun Friday, April 6, 1984. ORDINANCE NO. 808 AN ORDINANCE RELATING TO ACCEPTANCE OF DEEDS FOR STREET PURPOSES RELATIVE TO THE 127TH STREET IMPROVEMENT DISTRICT #3-1. Be it ordained by the Governing Body of the City of Leawood, Kansas: 19-551. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept deeds for land to be used for street purposes relative to the 127th Street Improvement District #3-1, the legal descriptions of which are as follows: All of the South 30 feet of the West 350 feet of the SE 1/4 of the SE 1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes. (north side of 127th St., from approximately 660' W. to 980' W. of Mission Rd.) All of the North 30 feet of the NE 1/4 of the NE 1/4 of Section 28, and all of the East 30 feet of the North 140 feet of the NE 1/4 of the NE 1/4 of said Section 28, all in Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes. (south side of 127th St. from Mission Rd. to approximately 1330' W. & the west side of Mission Rd. from 127th St. to approximately 140' south.) All of the South 30 feet of the SW 1/4 of the SE 1/4 of Section 21, and all of the West 60 feet of the South 168 feet of the SW 1/4 of the SE 1/4 of said Section 21, all in Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes. (north side of 127th St. from Roe Ave. to approximately 1330' E. & east side of Roe Ave. from 127th St. to approximately 170' north.) All of the West 30 feet of the North 140 feet of the NW 1/4 of the NW 1/4 of Section 27, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes. (east side of Mission Rd. at 127th St.) All of the South 30 feet of the East 660 feet of the SE 1/4 of the SE 1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes. (north side of 127th St. from Mission Rd. to approximately 660' W.) All that part of the NW 1/4 of the NE 1/4 of Section 28, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NW 1/4 of the NE 1/4 of said Section 28; thence Southerly, along the East line of the NW 1/4 of the NE 1/4 of said Section 28, to a point 30 feet South of the North line thereof; thence Westerly, along a line 30 feet South of and parallel to the North line of the NW 1/4 of the NE 1/4 of said Section 28, to the Northeast corner of Lot 1, Block 2, THE WOODLANDS, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Northerly, along a line perpendicular to the North line of the NW 1/4 of the NE 1/4 of said Section 28, a distance of 30 feet, to a point on the North line thereof; thence Easterly, along the North line of the NW 1/4 of the NE 1/4 of said Section 28, to the point of beginning, all subject to that part thereof dedicated for street purposes. (south side of 127th St. from approximately 710' E. to 1325' E. of Roe Ave.) 19-552. INCORPORATION BY REFERENCE. Section 2. Copies of said deeds are attached hereto and thereby incorporated by reference. TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper. First Reading: 3/26/84 Second Reading: 4/2/84 Passed by the Governing Body this 2nd day of April, 1984. Approved by the Mayor this 2nd day of April, 1984. (S E A L) (s) Kent E. Crippin Mayor

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty sworn, Deposits and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterrupted in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ day (weeks, days) the first publication thereof being made as aforesaid on the _____ day of, _____ 19____, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____, _____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this _____ day of _____ 19____

Paula Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON NOTARY PUBLIC STATE OF KANSAS My Comm. Expires Jan. 25, 1988

My Commission expires: _____ Printer's Fee \$ 46.03 Additional copies \$ _____

APPROVED FOR FORM CONTENT: (1510-25)

AN ORDINANCE RELATING TO ACCEPTANCE OF FOUR EASEMENTS FOR STORM DRAINAGE PURPOSES RELATIVE TO THE 127TH STREET IMPROVEMENT DISTRICT 83-1.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,122. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept four Permanent Drainage Easements, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors and assigns, a Right-of-Way to construct, maintain, alter, repair and replace drainage facilities and all appurtenances convenient or required, together with the right of ingress and egress over and through the following premises in the City of Leawood, Johnson County, Kansas, to wit:

A tract of land 30 feet in width, across a part of the SE1/4 of the SE1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, lying 15 feet on each side of the following described centerlines: Commencing at the Southwest corner of the SE1/4 of the SE1/4 of said Section 21; thence N 87° 49' 20" E, along the South line of the SE1/4 of the SE1/4 of said Section 21, a distance of 104.42 feet; thence N 2° 10' 40" W, a distance of 30 feet, to the true point of beginning of subject tract; thence continuing N 2° 10' 40" W, a distance of 13.45 feet; thence N 44° 46' 01" W, a distance of 22.18 feet, to a point of curvature; thence Northwesterly, along a curve to the right, having a radius of 90 feet and a central angle of 34° 23' 29", a distance of 54.02 feet, to a point of reverse curvature; thence Northwesterly, along a curve to the left, having a radius of 90 feet, a central angle of 8° 39' 52", and whose initial tangent bearing is N 10° 22' 32" W, a distance of 13.61 feet, to a Point "A"; thence continuing on a curve bearing to the left, having a radius of 90 feet, a central angle of 58° 14' 16", and whose initial tangent bearing is N 19° 02' 24" W, a distance of 91.48 feet to a point on the West line of the SE1/4 of the SE1/4 of said Section 21...and also...Beginning at said Point "A"; thence N 70° 57' 36" E, a distance of 25 feet.
(north side of 127th St. approximately 1395' E. of Roe.)

A tract of land 15 feet in width, across a part of the NE1/4 of the NE1/4 of Section 28, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, lying 7.50 feet on each side of the following described centerline: Beginning at a point on the North line of the NE 1/4 of said Section 28 and 1430.93 feet East of the Northwest corner thereof, as measured along said North line; thence Southerly, along a line perpendicular to the North line of the NE1/4 of said Section 28, a distance of 30 feet,

re. Acceptance of 4 Easements for Storm Drainage
Purposes Relative to the 127th St.
Improvement District 83-1

to the true point of beginning of subject tract;
thence continuing Southerly, along an extension of
the last described course, a distance of 45 feet...
and also...A tract of land 15 feet in width, across
a part of the NE1/4 of the NE1/4 of said Section 28,
lying 7.50 feet on each side of the following
described centerline: Commencing at the Northeast
corner of the NE1/4 of said Section 28; thence S 87°
49' 20" W, along the North line of the NE1/4 of said
Section 28, a distance of 442.33 feet; thence S 62°
12' 43" E, a distance of 60.06 feet, to a point 30
feet South of the North line of the NE1/4 of said
Section 28, said point also being the true point of
beginning of subject tract; thence continuing S 62°
12' 43" E, a distance of 40 feet. (south side of
127th St. approximately 380' W. of Mission Rd.)

All that part of the SW1/4 of the SE1/4 of Section
21, Township 13, Range 25, now in the City of Leawood,
Johnson County, Kansas, more particularly described as
follows: Commencing at the Southeast corner of the
SW1/4 of the SE1/4 of said Section 21; thence N 1° 58'
18" W, along the East line of the SW1/4 of the SE1/4
of said Section 21, a distance of 166.38 feet, to the
true point of beginning of subject tract; thence con-
tinuing N 1° 58' 18" W, along the East line of the
SW1/4 of the SE1/4 of said Section 21, a distance of
31.12 feet; thence N 77° 16' 40" W, a distance of 7.59
feet; thence S 12° 43' 20" W, a distance of 30 feet;
thence S 77° 16' 40" E, a distance of 11.52 feet, to a
point of curvature; thence Southeasterly, along a curve
to the right, having a radius of 75 feet and a central
angle of 3° 01' 38", a distance of 3.96 feet, to the
true point of beginning of subject tract. (approx-
imately 185' N. of 127th St. & approximately 1330' E. of
Roe Ave.)

All of the North 35 feet of the South 65 feet of the
West 35 feet of the East 730 feet of the SE1/4 of the
SE1/4 of Section 21, Township 13, Range 25, now in the
City of Leawood, Johnson County, Kansas. (north side
of 127th St. approximately 710' W. of Mission Rd.)

19-6,123. INCORPORATION BY REFERENCE. Section 2. Copies of said
Easements are attached hereto and thereby incorporated by reference.

Page 3

ORDINANCE NO. 807

re Acceptance of 4 Easements for Storm Drainage
Purposes Relative to the 127th St.
Improvement District 83-1

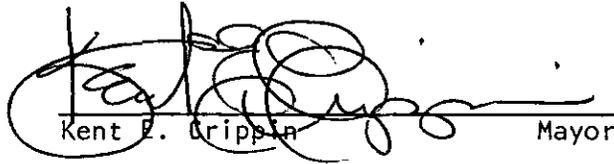
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 3/26/84 Second Reading: 4/2/84

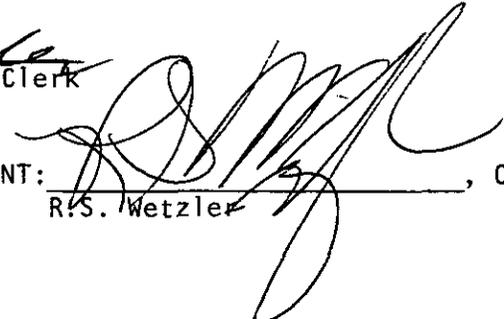
Passed by the Governing Body this 2nd day of April, 1984.

Approved by the Mayor this 2nd day of April, 1984.




Kent E. Grippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzler, City Attorney

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That Joseph J. Weinrich
of the post office of Leawood, Kansas
in consideration of _____ Dollars (\$_____))
in hand paid and other valuable considerations, receipt of which is hereby acknow-
ledged, hereby grant _____ and convey _____ unto the City of Leawood, Johnson
County, Kansas, its successors and assigns, a Right-of-Way to construct, maintain,
alter, repair and replace drainage facilities and all appurtenances convenient
or required, together with the right of ingress and egress over and through the
following premises in the City of Leawood, County of Johnson, State of
Kansas, to wit:

All of the North 35 feet of the South 65 feet of the West 35 feet of the East 730
feet of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 13, Range 25, now in the City
of Leawood, Johnson County, Kansas.

STATE OF KANSAS]
COUNTY OF JOHNSON] ss
FILED FOR RECORD

1984 FEB 14 P 12: 33 8

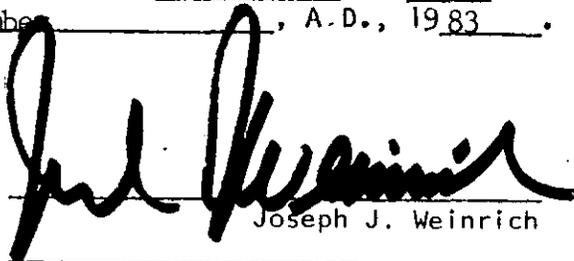
6
RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP

The permanent drainage easement is a grant for the purposes aforesated and
full consideration therefor is acknowledged.

This agreement is binding upon heirs, executors, administrators, successors, and
assigns of the parties hereto, and it is understood that this agreement cannot be
changed in any way except in writing, signed by the Grantor _____ and a duly
authorized agent of the grantee.

IN WITNESS WHEREOF, the grantor _____ ha _____ hereunto set _____ hand _____ and
seal on this, the 6th day of December, A.D., 1983.



Joseph J. Weinrich

6.00
cks

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas)
COUNTY OF Johnson) SS.

BE IT REMEMBERED, That on this 6 day of December, 19 83,
before me, the undersigned, a Notary Public in and for said County and State, came
Joseph J. Weinrich

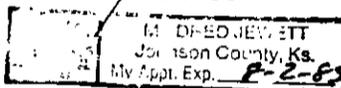
who 15 personally known to me to be the same person who executed the within instru-
ment of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal the day and year last above written.

Mildred Jewett

My Commission Expires 8-2-85

Notary Public
Mildred Jewett



VOL 1967 PAGE 788

CORPORATE ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____) SS.

BE IT REMEMBERED, That on this _____ day of _____, 19____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____ a corporation duly organized, incorporated and existing under and by virtue of the
laws of _____; and _____
Secretary of said corporation, who are personally known to me to be such officers
and who are personally known to me to be the same persons who executed as such of-
ficers the within instrument on behalf of said Corporation, and such persons duly
acknowledged the execution of the same to be the act and deed of said Corporation,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year last above written.

Notary Public

My Commission Expires: _____

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That Patrician Woods Development of the post office of Leawood, Kansas in consideration of _____ Dollars (\$ _____) in hand paid and other valuable considerations, receipt of which is hereby acknowledged, hereby grant and convey unto the City of Leawood, Johnson County, Kansas, its successors and assigns, a Right-of-Way to construct, maintain, alter, repair and replace drainage facilities and all appurtenances convenient or required, together with the right of ingress and egress over and through the following premises in the City of Leawood, County of Johnson, State of Kansas, to wit:

All that part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21; thence N 1° 58' 18" W, along the East line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21, a distance of 166.38 feet, to the true point of beginning of subject tract; thence continuing N 1° 58' 18" W, along the East line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21, a distance of 31.12 feet; thence N 77° 16' 40" W, a distance of 7.59 feet; thence S 12° 43' 20" W, a distance of 30 feet; thence S 77° 16' 40" E, a distance of 11.52 feet, to a point of curvature; thence Southeasterly, along a curve to the right, having a radius of 75 feet and a central angle of 3° 01' 38", a distance of 3.96 feet, to the true point of beginning of subject tract.

STATE OF KANSAS }
 COUNTY OF JOHNSON } SS
 FILED _____

1984 FEB 14 P 12:34 2

R RUDIE H. SCOTT
 REGISTER OF DEEDS

BY _____ DEP

The permanent drainage easement is a grant for the purposes aforesated and full consideration therefor is acknowledged.

This agreement is binding upon heirs, executors, administrators, successors, and assigns of the parties hereto, and it is understood that this agreement cannot be changed in any way except in writing, signed by the Grantor _____ and a duly authorized agent of the grantee.

IN WITNESS WHEREOF, the grantor _____ ha _____ hereunto set _____ hand _____ and seal on this, the 12th day of December, A.D., 1983.

Patrician Woods Development Co., Inc.

 G. Rex Allen
 Patrician Woods Development Cor

 William L. Fohey, Jr.

2.00
 cha

INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____)
) SS.
COUNTY OF _____)

BE IT REMEMBERED, That on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for said County and State, came

_____ who _____ personally known to me to be the same person _____ who executed the within instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Notary Public
My Commission Expires _____

CORPORATE ACKNOWLEDGMENT

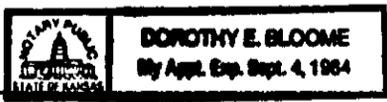
STATE OF Kansas)
) SS.
COUNTY OF Johnson)

BE IT REMEMBERED, That on this 12th day of December, 1983, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came G.Rex Allen & William L. Fohey, Jr., Presidents of Allen Dev. Co., Inc., and

Patrician Woods Dev. Corp., D/B/A Patrician Woods Development, a corporation duly organized, incorporated and existing under and by virtue of the laws of The State of Kansas; and _____ Secretary of said corporation, who are personally known to me to be such officers and who are personally known to me to be the same persons who executed as such officers the within instrument on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Dorothy E. Bloome
Notary Public
Dorothy E. Bloome

My Commission Expires: 

KNOW ALL MEN BY THESE PRESENTS: That L and A Development Company of the post office of Overland Park, Kansas in consideration of _____ Dollars (\$ _____) in hand paid and other valuable considerations, receipt of which is hereby acknowledged, hereby grants and conveys unto the City of Leawood, Johnson County, Kansas, its successors and assigns, a Right-of-Way to construct, maintain, alter, repair and replace drainage facilities and all appurtenances convenient or required, together with the right of ingress and egress over and through the following premises in the City of Leawood, County of Johnson, State of Kansas, to wit:

A tract of land 15 feet in width, across a part of the NE 1/4 of the NE 1/4 of Section 28, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, lying 7.50 feet on each side of the following described centerline: Beginning at a point on the North line of the NE 1/4 of said Section 28 and 1430.93 feet East of the Northwest corner thereof, as measured along said North line; thence Southerly, along a line perpendicular to the North line of the NE 1/4 of said Section 28, a distance of 30 feet, to the true point of beginning of subject tract; thence continuing Southerly, along an extension of the last described course, a distance of 45 feet . . . and also . . . A tract of land 15 feet in width, across a part of the NE 1/4 of the NE 1/4 of said Section 28, lying 7.50 feet on each side of the following described centerline: Commencing at the Northeast corner of the NE 1/4 of said Section 28; thence S 87° 49' 20" W, along the North line of the NE 1/4 of said Section 28, a distance of 442.33 feet; thence S 62° 12' 43" E, a distance of 60.06 feet, to a point 30 feet South of the North line of the NE 1/4 of said Section 28, said point also being the true point of beginning of subject tract; thence continuing S 62° 12' 43" E, a distance of 40 feet.

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1984 FEB 14 P 12: 34 G

6 RUBIE H. SCOTT
REGISTER OF DEEDS

BY _____ DEP

The permanent drainage easement is a grant for the purposes aforesated and full consideration therefor is acknowledged.

This agreement is binding upon heirs, executors, administrators, successors, and assigns of the parties hereto, and it is understood that this agreement cannot be changed in any way except in writing, signed by the Grantor _____ and a duly authorized agent of the grantee.

IN WITNESS WHEREOF, the grantor do have hereunto set their hand and seal on this, the 10th day of January, A.D., 1984.

L & A DEVELOPMENT COMPANY
Donald D. Alpert
Donald D. Alpert
George A. Lieberman
George A. Lieberman

oo
che

INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS)
) SS.
COUNTY OF JOHNSON)

BE IT REMEMBERED, That on this 10th day of January, 19 84, before me, the undersigned, a Notary Public in and for said County and State, came

Donald D. Alpert and George A. Lieberman

who are personally known to me to be the same persons who executed the within instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



Notary Public - Jean Toth

My Commission Expires November 30, 1986



VOL **1967** PAGE **792**

CORPORATE ACKNOWLEDGMENT

STATE OF _____)
) SS.
COUNTY OF _____)

BE IT REMEMBERED, That on this _____ day of _____, 19 _____, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, President of _____

_____ a corporation duly organized, incorporated and existing under and by virtue of the laws of _____; and _____ Secretary of said corporation, who are personally known to me to be such officers and who are personally known to me to be the same persons who executed as such officers the within instrument on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires: _____

MT 10/84

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That Glenn M. Schwab Trust, Glenn M. Schwab, Trustee of the post office of Leawood, Kansas in consideration of _____ Dollars (\$ _____) in hand paid and other valuable considerations, receipt of which is hereby acknowledged, hereby grant and convey unto the City of Leawood, Johnson County, Kansas, its successors and assigns, a Right-of-Way to construct, maintain, alter, repair and replace drainage facilities and all appurtenances convenient or required, together with the right of ingress and egress over and through the following premises in the City of Leawood, County of Johnson, State of Kansas, to wit:

A tract of land 30 feet in width, across a part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, lying 15 feet on each side of the following described centerlines: Commencing at the Southwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21; thence N 87° 49' 20" E, along the South line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21, a distance of 104.42 feet; thence N 2° 10' 40" W, a distance of 30 feet, to the true point of beginning of subject tract; thence continuing N 2° 10' 40" W, a distance of 13.45 feet; thence N 44° 46' 01" W, a distance of 22.18 feet, to a point of curvature; thence Northwesterly, along a curve to the right, having a radius of 90 feet and a central angle of 34° 23' 29", a distance of 54.02 feet, to a point of reverse curvature; thence Northwesterly, along a curve to the left, having a radius of 90 feet, a central angle of 8° 39' 52", and whose initial tangent bearing is N 10° 22' 32" W, a distance of 13.61 feet, to a Point "A"; thence continuing on a curve bearing to the left, having a radius of 90 feet, a central angle of 58° 14' 16", and whose initial tangent bearing is N 19° 02' 24" W, a distance of 91.48 feet to a point on the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21. . .and also. . .Beginning at said Point "A"; thence N 70° 57' 36" E, a distance of 25 feet.

STATE OF KANSAS }
 COUNTY OF JOHNSON } SS
 FILED FOR RECORD

1984 FEB 14 P 12: 35 0

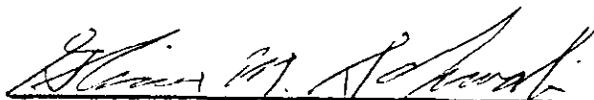
6⁰² RUBIE H. SCOTT
 REGISTER OF DEEDS

BY _____ DEP

The permanent drainage easement is a grant for the purposes aforesated and full consideration therefor is acknowledged.

This agreement is binding upon heirs, executors, administrators, successors, and assigns of the parties hereto, and it is understood that this agreement cannot be changed in any way except in writing, signed by the Grantor _____ and a duly authorized agent of the grantee.

IN WITNESS WHEREOF, the grantor _____ ha _____ hereunto set _____ hand _____ and seal on this, the 7th day of February, A.D., 1984.


 Glenn M. Schwab

2.00
 chs

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas)
) SS.
COUNTY OF Johnson)

BE IT REMEMBERED, That on this 7th day of February, 1984, before me, the undersigned, a Notary Public in and for said County and State, came

Glenn M. Schwab

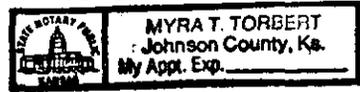
who is personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Myra T. Torbert

Notary Public
Myra T. Torbert

My Commission Expires 10/6/85



CORPORATE ACKNOWLEDGMENT

VOL 1967 PAGE 794

STATE OF _____)
) SS.
COUNTY OF _____)

BE IT REMEMBERED, That on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, President of _____

_____ a corporation duly organized, incorporated and existing under and by virtue of the laws of _____; and _____ Secretary of said corporation, who are personally known to me to be such officers and who are personally known to me to be the same persons who executed as such officers the within instrument on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires: _____

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposits and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- *day* (weeks, days) the first publication thereof being made as aforesaid on the *6th* day of, *April* 19-*87*, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this *6th* day of *April* 19-*87*

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My App. Expires Jan. 25, 1988

My Commission expires: -----
Printer's Fee \$ *35.88* -----
Additional copies \$ -----

First Published in The Johnson County Sun Friday, April 6, 1984.

**ORDINANCE NO. 807
AN ORDINANCE RELATING
TO ACCEPTANCE OF FOUR
EASEMENTS FOR STORM
DRAINAGE PURPOSES
RELATIVE TO THE 127TH
STREET IMPROVEMENT
DISTRICT 83-1.**

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,122. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept four Permanent Drainage Easements, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors and assigns, a Right-of-Way to construct, maintain, alter, repair and replace drainage facilities and all appurtenances convenient or required, together with the right of ingress and egress over and through the following premises in the City of Leawood, Johnson County, Kansas, to wit:

A tract of land 30 feet in width, across a part of the SE ¼ of the SE ¼ of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, lying 15 feet on each side of the following described centerlines: Commencing at the Southwest corner of the SE ¼ of the SE ¼ of said Section 21; thence N 87° 49' 20" E, along the South line of the SE ¼ of the SE ¼ of said Section 21, a distance of 104.45 feet; thence N 2° 10' 40" W, a distance of 30 feet, to the true point of beginning of subject tract; thence continuing N 2° 10' 40" W, a distance of 13.45 feet; thence N 44° 46' 01" W, a distance of 22.18 feet, to a point of curvature; thence Northwesterly, along a curve to the right, having a radius of 90 feet and a central angle of 34° 23' 29", a distance of 54.02 feet, to a point of reverse curvature; thence Northwesterly, along a curve to the left, having a radius of 90 feet,

a central angle of 8° 39' 52", and whose initial tangent bearing is N 10° 22' 32" W, a distance of 13.61 feet, to a Point "A"; thence continuing on a curve bearing to the left, having a radius of 90 feet, a central angle of 58° 14' 16", and whose initial tangent bearing is N 19° 02' 24" W, a distance of 91.48 feet to a point on the West line of the SE ¼ of the SE ¼ of said Section 21 and also . . . Beginning at said Point "A"; thence N 70° 57' 36" E, a distance of 25 feet. (north side of 127th St. approximately 1395' E. of Roe.)

A tract of land 15 feet in width, across a part of the NE ¼ of the NE ¼ of Section 28, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, lying 7.50 feet on each side of the following described centerline: Beginning at a point on the North line of the NE ¼ of said Section 28 and 1430.93 feet East of the Northwest corner thereof, as measured along said North line; thence Southerly, along a line perpendicular to the North line of the NE ¼ of said Section 28, a distance of 30 feet, to the true point of beginning of subject tract; thence continuing Southerly, along an extension of the last described course, a distance of 45 feet.

. . . and also . . . A tract of land 15 feet in width, across a part of the NE ¼ of the NE ¼ of said Section 28, lying 7.50 feet on each side of the following described centerline: Commencing at the Northeast corner of the NE ¼ of said Section 28; thence S 87° 49' 20" W, along the North line of the NE ¼ of said Section 28, a distance of 442.33 feet; thence S 62° 12' 43" E, a distance of 60.06 feet, to a point 30 feet South of the North line of the NE ¼ of said Section 28, said point also being the true point of beginning of subject tract; thence continuing S 62° 12' 43" E, a distance of 40 feet. (south side of 127th St. approximately 380' W. of Mission Rd.)

All that part of the SW ¼ of the SE ¼ of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of the SW ¼ of the SE ¼ of said Section 21; thence N 1° 58' 18" W, along the East line of the SW ¼ of the SE ¼ of said Section 21, a distance of 166.38 feet, to the true point of beginning of subject tract; thence continuing N 1° 58' 18" W, along the East line of the SW ¼ of the SE ¼ of said Section 21, a distance of 31.12 feet; thence N 77° 16' 40" W, a distance of 7.59 feet; thence S 12° 43' 20" W, a distance of 30 feet; thence S 77° 16' 40" E, a distance of 11.52 feet, to a point of curvature; thence Southeasterly, along a curve to the right, having a radius of 75 feet and a central angle of 3° 01' 38", a distance of 3.96 feet, to the true point of beginning of subject tract. (approximately 185' N. of 127th St. & approximately 1330' E. of Roe Ave.)

All of the North 35 feet of the South 65 feet of the West 35 feet of the East 730 feet of the SE ¼ of the SE ¼ of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas. (north side of 127th St. approximately 710' W. of Mission Rd.)

19-6,123. INCORPORATION BY REFERENCE. Section 2. Copies of said Easements are attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 3/26/84 Second Reading: 4/2/84

Passed by the Governing Body this 2nd day of April, 1984.

Approved by the Mayor this 2nd day of April, 1984.

(S E A L)

(s) Kent E. Crippin
Mayor

Attest:
(s) J. Oberlander
City Clerk

APPROVED FOR FORM
AND CONTENT;

(s) R. S. Wetzler,
City Attorney

(1509 1F)

Print
Add

AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR STORM DRAINAGE PURPOSES FROM JOMO BUILDING COMPANY, INC., AND CAMBRIDGE TOWNHOUSE ASSOCIATION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,120. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Permanent Drainage Easement from JOMO Building Company, Inc., and Cambridge Townhouse Association, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, easement or right-of-way to enter upon, locate, construct and maintain or to authorize the location, construction and maintenance of sewer mains, over, under, across and along the following described land, located in the County of Johnson, State of Kansas, to-wit:

A strip of land over a part of Tract B, Leawood South First Plat, a subdivision in the NW 1/4 of Section 26, Township 13, Range 25, located in the City of Leawood, Johnson County, Kansas, said strip of land being 15 feet in width lying 7.5 feet each side of the following described centerline:
Commencing at a point on the West line of said Tract B, lying 143.70 feet North of the Southwest corner of said Tract B, as measured along said West line; thence North $87^{\circ} 47'$ East, along a line 143 feet North of and parallel with the South line of said Tract B, a distance of 206.33 feet, to a point of curvature; thence Easterly and Northeasterly along a curve to the left having a radius of 50 feet and a central angle of $65^{\circ} 58' 54''$, a distance of 57.58 feet; thence South $66^{\circ} 03' 30''$ East, a distance of 20.01 feet, to the Point of Beginning of subject easement; thence South $56^{\circ} 39' 28''$ East, along said centerline a distance of 158.4 feet, to a Point of Termination on the East line of said Tract B (West right of way line of State Line Road, as now established). Subject to all easements now of record.

(Cambridge Lane)

19-6,121. INCORPORATION BY REFERENCE. Section 2. A copy of said Permanent Drainage Easement is attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 3/26/84 Second Reading: 4/2/84

Passed by the Governing Body this 2nd day of April, 1984.

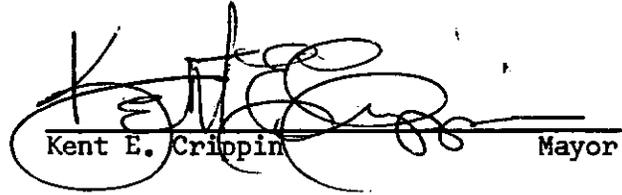
Approved by the Mayor this 2nd day of April, 1984.

Page 2=

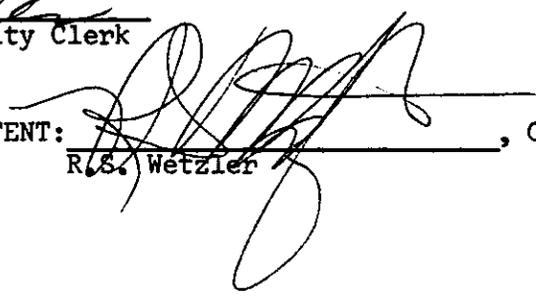
ORDINANCE NO. 806

re Acceptance of Easement for Storm
Drainage Purposes from JOMO Building
Co., Inc. and Cambridge Townhouse Assoc.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzier, City Attorney

RANTER TITLE
JOHNSON COUNTY, INC.

1458665

PERMANENT DRAINAGE EASEMENT

This agreement made and entered into this 6th day of March, 1984

by and between JOMO BUILDING COMPANY, INC. & CAMBRIDGE TOWNHOUSE ASSOCIATION

party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

WITNESSETH: That for and in consideration of the location of a storm drainage facility said party of the first part, does hereby remise, let and release to the party of the second part, the following described real estate to-wit:

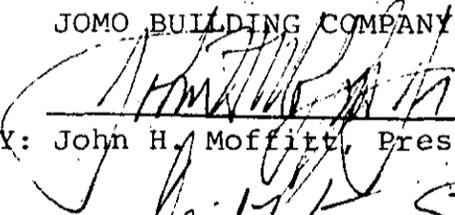
A strip of land over a part of Tract B, Leawood South First Plat, a subdivision in the N.W. 1/4 of Section 26, Township 13, Range 25, located in the City of Leawood, Johnson County, Kansas, said strip of land being 15 feet in width lying 7.5 feet each side of the following described centerline: Commencing at a point on the West line of said Tract B, lying 143.70 feet North of the Southwest corner of said Tract B, as measured along said West line; thence North 87°47' East, along a line 143 feet North of and parallel with the South line of said Tract B, a distance of 206.33 feet, to a point of curvature; thence Easterly and Northeasterly along a curve to the left having a radius of 50 feet and a central angle of 65°58'54", a distance of 97.58 feet; thence South 66°03'30" East, a distance of 20.01 feet, to the Point of Beginning of subject easement; thence South 56°39'28" East, along said centerline a distance of 158.4 feet, to a Point of Termination on the East line of said Tract B (West right of way line of State Line Road, as now established). Subject to all easements now of record.

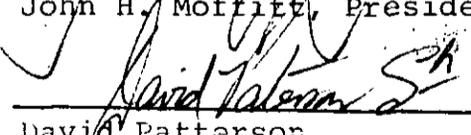
for the sole use of said party of the second part as and for drainage purposes within said City; when same shall cease to be used for said purposes to revert to the grantors, their successors, assigns or grantees.

It is hereby mutually understood and agreed that said first party hereby waives and claim for damages against the City of Leawood for damages of any and every kind occasioned by the location of said storm sewers.

IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

JOMO BUILDING COMPANY, INC.


BY: John H. Moffitt, President


BY: David Patterson
CAMBRIDGE TOWNHOUSE ASSOCIATION

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1984 MAR 19 A 8:03

600 RUSIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP

INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS :

SS.

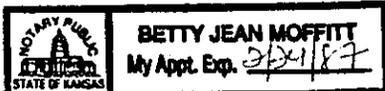
COUNTY OF JOHNSON :

BE IT REMEMBERED, That on the 15th day of March, 19 84, before me, the undersigned, a Notary Public in and for said County and State,

came David Patterson

who _____ personally known to me to be the same person _____ who executed the within instrument of writing, and duly acknowledged the execution of same.

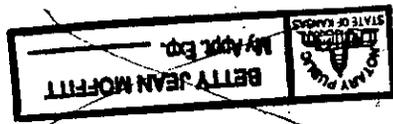
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



Betty Jean Moffitt
Notary Public
Betty Jean Moffitt

My Commission Expires:

2/24/87
2-24-87



CORPORATE ACKNOWLEDGEMENT

STATE OF KANSAS :

SS.

COUNTY OF JOHNSON :

BE IT REMEMBERED that on this 15th day of March, 19 84, before me, the undersigned, a Notary Public in and for the County and State afore-said, came John H. Moffitt, President of JOMO BUILDING COMPANY,

INC., a corporation duly organized, incorporated and existing under and by virtue of the laws of Kansas;

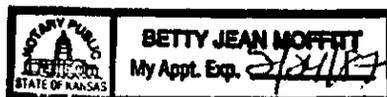
and Mary Lynn Moffitt, Secretary of said corporation, who are personally known to me to be such officers and who are personally known to me to be the same persons who executed as such officers the within instrument on behalf of said Corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said Corporation, JOMO BUILDING COMPANY, INC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Betty Jean Moffitt
Notary Public
Betty Jean Moffitt

My Commission Expires

2/24/87
2-24-87



AFFIDAVIT OF PUBLICATION

First Published in the Johnson County Sun Friday, April 6, 1984.

ORDINANCE NO. 806
AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR STORM DRAINAGE PURPOSES FROM JOMO BUILDING COMPANY, INC., AND CAMBRIDGE TOWNHOUSE ASSOCIATION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,120. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Permanent Drainage Easement from JOMO Building Company, Inc., and Cambridge Townhouse Association, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, easement or right-of-way to enter upon, locate, construct and maintain or to authorize the location, construction and maintenance of sewer mains, over, under, across and along the following described land, located in the County of Johnson, State of Kansas, to-wit:

A strip of land over a part of Tract B, Leawood South First Plat, a subdivision in the NW 1/4 of Section 26, Township 13, Range 25, located in the City of Leawood, Johnson County, Kansas, said strip of land being 15 feet in width lying 7.5 feet each side of the following described centerline: Commencing at a point on the West line of said Tract B, lying 143.70 feet North of the Southwest corner of said Tract B, as measured along said West line; thence North 87° 47' East, along a line 143 feet North of and parallel with the South line of said Tract B, a distance of 206.33 feet, to a point of curvature; thence Easterly and Northeasterly along a curve to the left having a radius of 50 feet and a central angle of 65° 58' 54"; a distance of 57.58 feet; thence South 46° 03' 30" East, a distance of 20.01 feet, to the Point of Beginning of subject easement; thence South 56° 39' 28" East, along said centerline a distance of 158.4 feet, to a Point of Termination on the East line of said Tract B (West right of way line of State Line Road, as now established). Subject to all easements now of record.

(Cambridge Lane)

19-6,121. INCORPORATION BY REFERENCE. Section 2. A copy of said Permanent Drainage Easement is attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 3/26/84 Second Reading: 4/2/84

Passed by the Governing Body this 2nd day of April, 1984.

Approved by the Mayor this 2nd day of April, 1984.

(S E A L)

(s) Kent E. Crippin
Mayor

Attest:
(s) J. Oberlander
City Clerk

APPROVED FOR FORM AND CONTENT:
(s) R. S. Wetzler,
City Attorney

(1506 1F)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty sworn, Deposits and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- *day* (weeks, days) the first publication thereof being made as aforesaid on the *6th* day of *April* 19-*84*, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this *6th* day of *April* 19-*84*

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
- My App. Expires Jan. 25, 1988

My Commission expires -----
Printer's Fee \$ *30.56*
Additional copies \$ -----

AN ORDINANCE RELATING TO ACCEPTANCE OF DEEDS FOR STREET PURPOSES FROM CAMBRIDGE TOWNHOUSE ASSOCIATION AND JOMO BUILDING COMPANY, INC.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-549. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept from Cambridge Townhouse Association and JOMO Building Company, Inc., deeds for land to be used for street purposes, the legal descriptions of which are as follows:

A strip of land over a part of Tract B, LEAWOOD SOUTH FIRST PLAT, a subdivision in the Northwest 1/4 of Section 26, Township 13, Range 25, located in the City of Leawood, Johnson County, Kansas, said strip of land being 40 feet in width lying 20 feet each side of the following described centerline: Beginning at a point on the West line of said Tract B, lying 143.70 feet North of the Southwest corner of said Tract B, as measured along said West line; thence North $87^{\circ} 47'$ East, along a line 143 feet North of and parallel with the South line of said Tract B, a distance of 206.33 feet, to a point of curvature; thence Easterly, Northeasterly and Northerly along a curve to the left having a radius of 50 feet and a central angle of $90^{\circ} 00' 18''$, a distance of 78.54 feet, to a point of tangency; thence North $2^{\circ} 13' 18''$ West, along a line 152 feet West of and parallel with the East line of said Tract B, a distance of 40.61 feet, to a point of curvature; thence Northerly, Northwesterly and Westerly, along a curve to the left, having a radius of 50 feet and a central angle of $89^{\circ} 53' 48''$, a distance of 78.45 feet, to a point of tangency; thence South $87^{\circ} 52' 54''$ West, along a line 133 feet South of and parallel with the North line of said Tract B, a distance of 219.94 feet to the Point of Termination on the West line of said Tract B, lying 284.83 feet North of the Southwest corner of said Tract B, as measured along said West line, which lies in:

Parcel C-1, Area 1, Tract B, according to the Certificate of Survey filed in Volume 1861, Page 849, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas.

and that part which lies in:

Parcel C-1, Area 2, Tract B, according to the Certificate of Survey filed in Volume 1903, Page 673, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas.

AND

re: Acceptance of Deeds for Street Purposes -
Cambridge Lane

A strip of land over a part of Tract B, LEAWOOD SOUTH FIRST PLAT, a subdivision in the Northwest 1/4 of Section 26, Township 13, Range 25, located in the City of Leawood, Johnson County, Kansas, said strip of land being 40 feet in width lying 20 feet each side of the following described centerline: Beginning at a point on the West line of said Tract B, lying 143.70 feet North of the Southwest corner of said Tract B, as measured along said West line; thence North $87^{\circ} 47'$ East, along a line 143 feet North of and parallel with the South line of said Tract B, a distance of 206.33 feet, to a point of curvature; thence Easterly, North-easterly and Northerly along a curve to the left having a radius of 50 feet and a central angle of $90^{\circ} 00' 18''$, a distance of 78.54 feet, to a point of tangency; thence North $2^{\circ} 13' 18''$ West, along a line 152 feet West of and parallel with the East line of said Tract B, a distance of 40.61 feet, to a point of curvature; thence Northerly, Northwesterly and Westerly, along a curve to the left, having a radius of 50 feet and a central angle of $89^{\circ} 53' 48''$, a distance of 78.45 feet, to a point of tangency; thence South $87^{\circ} 52' 54''$ West, along a line 133 feet South of and parallel with the North line of said Tract B, a distance of 219.94 feet to the Point of Termination on the West line of said Tract B, lying 284.83 feet North of the Southwest corner of said Tract B, as measured along said West line, except that part thereof contained in:

Parcel C-1, Area 1, Tract B, according to the Certificate of Survey filed in Volume 1861, Page 849, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas.

and except that part contained in:

Parcel C-1, Area 2, Tract B, according to the Certificate of Survey filed in Volume 1903, Page 673, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas.

(both tracts of land for Cambridge Lane)

19-550. INCORPORATION BY REFERENCE. Section 2. Copies of said deeds are attached hereto and thereby incorporated by reference.

ORDINANCE NO. 805

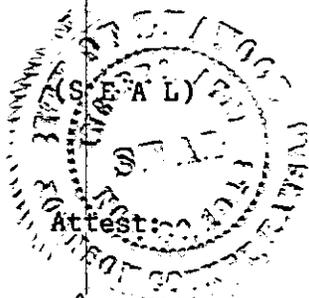
re Acceptance of Deeds for Street Purposes -
Cambridge Lane

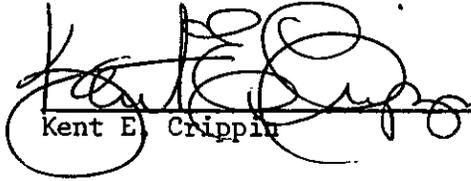
TAKE EFFECT. Section 3. This ordinance shall take effect and be
in force from and after its publication in the official City news-
paper.

First Reading: 3/26/84 Second Reading: 4/2/84

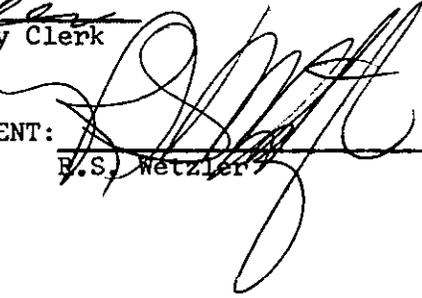
Passed by the Governing Body this 2nd day of April, 1984.

Approved by the Mayor this 2nd day of April, 1984.




Kent E. Crippin Mayor


G. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
E.S. Wetzler, City Attorney

GUARANTEE-TITLE
of Johnson County, Inc.

STATE OF KANSAS
COUNTY OF JOHNSON } ss
FILED FOR RECORD

1455953 ✓

1984 FEB 29 P 3: 31 0

WARRANTY DEED

7⁰⁰ RUBIE M. SCOTT
REGISTER OF DEEDS

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the Seller(s) ^{BY} ~~convey(s)~~ ^{DEP} and warrant(s) to Buyer(s) the hereinafter described real estate.

SELLER(S): JOMO Building Company, Inc.

BUYER(S): The City of Leawood, Kansas, a municipal corporation

LEGAL DESCRIPTION:

SEE "ATTACHED"

Entered in Transfer Record
29 Day of Feb AD 1984
DONALD J. CURRY
Johnson County Clerk

THE FEE SIMPLE TITLE conveyed hereby is subject to assessments, specials, restrictions and reservations of record, if any.

EXECUTED this 28th day of Feb., 1984.

JOMO BUILDING COMPANY, INC.

by [Signature]

STATE OF KANSAS, County of Johnson: ss

On this 28th of Feb., 1984, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared: John H. Moffitt

to me personally known to be the same person(s) who executed the within and foregoing Instrument of writing and acknowledged to me that the same was executed as a free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal the day and year last above written.

[Signature] Notary Public

My Commission Expires:

2/24/87

**GUARANTEE
TITLE** OF JOHNSON
COUNTY INC.

BETTY JEAN MOFFITT
My Appt. Exp. 2/24/87

101 S. Kansas P.O. Box 485
Olathe, Kansas 66061
Ph. (913)782-4400

"ATTACHED"

A strip of land over a part of Tract B, LEAWOOD SOUTH FIRST PLAT, a subdivision in the Northwest 1/4 of Section 26, Township 13, Range 25, located in the City of Leawood, Johnson County, Kansas, said strip of land being 40 feet in width lying 20 feet each side of the following described centerline: Beginning at a point on the West line of said Tract B, lying 143.70 feet North of the Southwest corner of said Tract B, as measured along said West line; thence North $87^{\circ} 47'$ East, along a line 143 feet North of and parallel with the South line of said Tract B, a distance of 206.33 feet, to a point of curvature; thence Easterly, Northeasterly and Northerly along a curve to the left having a radius of 50 feet and a central angle of $90^{\circ} 00' 18''$, a distance of 78.54 feet, to a point of tangency; thence North $2^{\circ} 13' 18''$ West, along a line 152 feet West of and parallel with the East line of said Tract B, a distance of 40.61 feet, to a point of curvature; thence Northerly, Northwesterly and Westerly, along a curve to the left, having a radius of 50 feet and a central angle of $89^{\circ} 53' 48''$, a distance of 78.45 feet, to a point of tangency; thence South $87^{\circ} 52' 54''$ West, along a line 133 feet South of and parallel with the North line of said Tract B, a distance of 219.94 feet to the Point of Termination on the West line of said Tract B, lying 284.83 feet North of the Southwest corner of said Tract B, as measured along said West line, except that part thereof contained in:

Parcel C-1, Area 1, Tract B, according to the Certificate of Survey filed in Volume 1861, Page 849, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas.

and except that part contained in:

Parcel C-1, Area 2, Tract B, according to the Certificate of Survey filed in Volume 1903, Page 673, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas.

GUARANTEE TITLE
Johnson County, Inc.

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1455948 ✓

WARRANTY DEED

1984 FEB 29 P 3: 28 5

RUBIE M. SCOTT
REGISTER OF DEEDS

600

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the Seller(s) convey(s) and warrant(s) to Buyer(s) the hereinafter described real estate.

SELLER(S): Cambridge Townhouse Association

BUYER(S): The City of Leawood, Kansas, a municipal corporation

LEGAL DESCRIPTION:

SEE "ATTACHED"

Entered In Transfer Record
29 Day of Feb AD 1984
DONALD J. CURRY
Johnson County Clerk

THE FEE SIMPLE TITLE conveyed hereby is subject to assessments, specials, restrictions and reservations of record, if any.

EXECUTED this 29th of Feb, 1984

CAMBRIDGE TOWNHOUSE ASSOCIATION

by David Patterson Sr

STATE OF KANSAS, County of Johnson: ss

On this 29th of Feb, 1984, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared: David Patterson

to me personally known to be the same person(s) who executed the within and foregoing instrument of writing and acknowledged to me that the same was executed as a free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal the day and year last above written.

Betty Jean Moffitt
Notary Public

My Commission Expires: 2/24/87

GUARANTEE
TITLE OF JOHNSON
COUNTY INC.
101 S. Kansas P.O. Box 485
Olathe, Kansas 66061
Ph. (913)782-4400

NOTARY PUBLIC
STATE OF KANSAS
BETTY JEAN MOFFITT
My Appt. Exp. 2/24/87

"ATTACHED"

A strip of land over a part of Tract B, LEAWOOD SOUTH FIRST PLAT, a subdivision in the Northwest 1/4 of Section 26, Township 13, Range 25, located in the City of Leawood, Johnson County, Kansas, said strip of land being 40 feet in width lying 20 feet each side of the following described centerline: Beginning at a point on the West line of said Tract B, lying 143.70 feet North of the Southwest corner of said Tract B, as measured along said West line; thence North 87° 47' East, along a line 143 feet North of and parallel with the South line of said Tract B, a distance of 206.33 feet, to a point of curvature; thence Easterly, Northeasterly and Northerly along a curve to the left having a radius of 50 feet and a central angle of 90° 00' 18", a distance of 78.54 feet, to a point of tangency; thence North 2° 13' 18" West, along a line 152 feet West of and parallel with the East line of said Tract B, a distance of 40.61 feet, to a point of curvature; thence Northerly, Northwesterly and Westerly, along a curve to the left, having a radius of 50 feet and a central angle of 89° 53' 48", a distance of 78.45 feet, to a point of tangency; thence South 87° 52' 54" West, along a line 133 feet South of and parallel with the North line of said Tract B, a distance of 219.94 feet to the Point of Termination on the West line of said Tract B, lying 284.83 feet North of the Southwest corner of said Tract B, as measured along said West line, which lies in:

Parcel C-1, Area 1, Tract B, according to the Certificate of Survey filed in Volume 1861, Page 849. LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas.

and that part which lies in:

Parcel C-1, Area 2, Tract B, according to the Certificate of Survey filed in Volume 1903, Page 673, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- *day* (weeks, days) the first publication thereof being made as aforesaid on the *6th* day of, *April* 19-*84*, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis-----

Subscribe and sworn to before me this *6th* day of *April* 19-*84*

Pearlie A. Peterson-----
NOTARY PUBLIC

My Commission expires: -----
Printer's Fee \$ *35.60* -----
Additional copies \$ -----

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My Com. Expires Jan. 25, 1988

First Published in the Johnson County Sun Wednesday, April 6, 1984.

**ORDINANCE NO. 803
AN ORDINANCE
RELATING TO ACCEPTANCE OF DEEDS FOR STREET PURPOSES FROM CAMBRIDGE TOWNHOUSE ASSOCIATION AND JOMO BUILDING COMPANY, INC.**

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-549. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept from Cambridge Townhouse Association and JOMO Building Company, Inc., deeds for land to be used for street purposes, the descriptions of which are as follows:

A strip of land over a part of Tract B, LEAWOOD SOUTH

FIRST PLAT, a subdivision in the Northwest ¼ of Section 26, Township 13, Range 25, located in the City of Leawood, Johnson County, Kansas, said strip of land being 40 feet in width lying 20 feet each side of the following described centerline: Beginning at a point on the West line of said Tract B, lying 143.70 feet North of the Southwest corner of said Tract B, as measured along said West line; thence North 87° 47' East, along a line 143 feet North of and parallel with the South line of said Tract B, a distance of 206.33 feet, to a point of curvature; thence Easterly, Northeasterly and Northerly along a curve to the left having a radius of 50 feet and a central angle of 90° 00' 18", a distance of 78.54 feet, to a point of tangency; thence North 2° 13' 18" West, along a line 152 feet West of and parallel with the East line of said Tract B, a distance of 40.61 feet, to a point of curvature; thence Northerly, Northwesterly and Westerly, along a curve to the left, having a radius of 50 feet and a central angle of 89° 53' 48", a distance of 78.45 feet, to a point of tangency; thence South 87° 52' 54" West, along a line 133 feet South of and parallel with the North line of said Tract B, a distance of 219.94 feet to the Point of Termination on the West line of said Tract B, lying 284.83 feet North of the Southwest corner of said Tract B, as measured along said West line, which lies in:

Parcel C-1, Area 1, Tract B, according to the Certificate of Survey filed in Volume 1861, Page 849, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas.

and that part which lies in: Parcel C-1, Area 2, Tract B, according to the Certificate of Survey filed in Volume 1903, Page 673, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas.

AND

A strip of land over a part of Tract B, LEAWOOD SOUTH FIRST PLAT, a subdivision in the Northwest ¼ of Section 26, Township 13, Range 25, located in the City of Leawood, Johnson County, Kansas, said strip of land being 40 feet in width lying 20 feet each side of the following described centerline: Beginning at a point on the West line of said Tract B, lying 143.70 feet North of the Southwest corner of said Tract B, as measured along said West line; thence North 87° 47' East, along a line 143 feet North of and parallel with the South line of said Tract B, a distance of 206.33 feet, to a point of curvature; thence Easterly, Northeasterly and Northerly along a curve to the left having a radius of 50 feet and a central angle of 90° 00' 18", a distance of 78.54 feet, to a point of tangency; thence North 2° 13' 18" West, along a line 152 feet West of and parallel with the East line of said Tract B, a distance of 40.61 feet, to a point of curvature; thence Northerly, Northwesterly and Westerly, along a curve to the left, having a radius of 50 feet and a central angle of 89° 53' 48", a distance of 78.45 feet, to a point of tangency; thence South 87° 52' 54" West, along a line 133 feet South of and parallel with the North line of said Tract B, a distance of 219.94 feet to the Point of Termination on the West line of said Tract B, lying 284.83 feet North of the Southwest corner of said Tract B, as measured along said West line, except that part thereof contained

Parcel C-1, Area 1, Tract B, according to the Certificate of Survey filed in Volume 1861, Page 849, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, and except that part contained in:

Parcel C-1, Area 2, Tract B, according to the Certificate of Survey filed in Volume 1903, Page 673, LEAWOOD SOUTH FIRST PLAT, a subdivision in the City of Leawood, Johnson County, Kansas. (both tracts of land for Cambridge Lane)

19-550. INCORPORATION BY REFERENCE. Section 2. Copies of said deeds are attached hereto and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 3/26/84 Second Reading: 4/2/84

Passed by the Governing Body this 2nd day of April, 1984.

Approved by the Mayor this 2nd day of April, 1984.

(S E A L)

(s) Kent E. Crippin
Mayor

Attest:
(s) J. Oberlander
City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R. S. Wetzler,
City Attorney

(1507 1F)

Additional c

AN ORDINANCE ACCEPTING THE RESIGNATION OF THE FIRST NATIONAL BANK AND TRUST COMPANY OF OKLAHOMA CITY AS FISCAL AGENT FOR THE CITY OF LEAWOOD, KANSAS, INDUSTRIAL REVENUE BONDS, SERIES OF APRIL 1, 1982 (THE LEAWOOD FOUNTAIN PLAZA PROJECT); AND APPOINTING COMMERCE BANK OF KANSAS CITY, N.A., AS SUCCESSOR FISCAL AGENT TO SERVE UNDER AND IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 738 OF SAID CITY, AS AMENDED BY ORDINANCE NO. 803 OF THE CITY AND THE LEASE AGREEMENT BETWEEN THE CITY AND LEAWOOD FOUNTAIN PLAZA, AS SUPPLEMENTED AND AMENDED, WITH RESPECT TO SAID BONDS.

WHEREAS, pursuant to Ordinance No. 738 of the City of Leawood, Kansas (the "City") duly adopted by the Governing Body on April 19, 1982 (said Ordinance No. 738 as supplemented and amended being herein called the "Bond Ordinance"), the City issued, sold and delivered its Industrial Revenue Bonds, Series of April 1, 1984 (The Leawood Fountain Plaza Project), in the aggregate principal amount of \$7,280,000 (the "Bonds"), and in connection therewith entered into a Lease Agreement dated April 1, 1982 with Leawood Fountain Plaza, a Kansas limited partnership (the "Company"), to provide the source for payment of said Bonds and the interest thereon (said Lease Agreement as supplemented and amended being herein called the "Lease"); and

WHEREAS, pursuant to the Bond Ordinance the City appointed The First National Bank and Trust Company of Oklahoma City ("First National") as fiscal agent of the City with respect to said Bonds to serve under and in accordance with the Bond Ordinance and Lease; and

WHEREAS, First National has tendered to the City its resignation as fiscal agent, and the City desires to appoint Commerce Bank of Kansas City, N.A. ("Commerce") as successor fiscal agent with respect to said Bonds and Commerce has indicated its willingness to accept such appointment; and

WHEREAS, Commerce is the registered owner of all of the issued and outstanding Bonds and in its capacity as bondholder has consented to the appointment of the successor fiscal agent to take effect immediately;

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

~~21-109.1~~ **Sec. no. changed by '84 Code**

~~29-109-1.~~ ACCEPTANCE OF RESIGNATION OF FISCAL AGENT. Section 1. The City hereby accepts the resignation of First National as fiscal agent of the City with respect to the Bonds.

~~21-109.2~~ **Sec. no. changed by '84 Code**

~~29-109-2.~~ APPOINTMENT OF SUCCESSOR FISCAL AGENT. Section 2. The City hereby appoints Commerce as fiscal agent for the Bonds to serve under and pursuant to the Bond Ordinance and the Lease, such appointment to take effect immediately upon the publication of this Ordinance as hereinafter provided.

TAKE EFFECT. Section 3. This Ordinance shall take effect and be in force from and after its passage and publication in the official newspaper of the City.

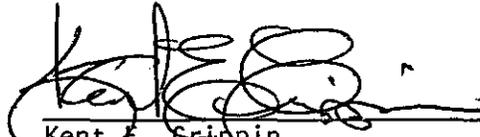
Page 2
ORDINANCE NO. 804
re Leawood Fountain Plaza IRB's -
resignation of fiscal agent

First Reading: 3/26/84 Second Reading: 3/26/84

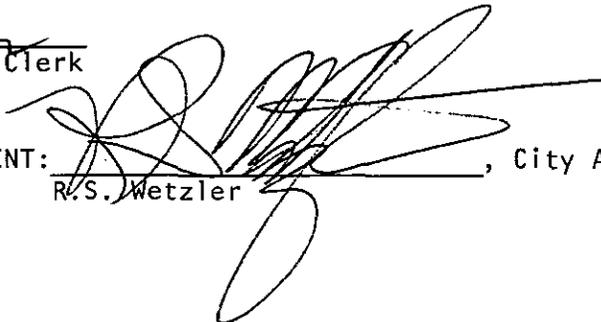
Passed by the Governing Body this 26th day of March, 1984,
the Governing Body having deemed the passage of this Ordinance to be a
matter of emergency nature.

Approved by the Mayor this 27th day of March, 1984.




Kent E. Grippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzler, City Attorney

CONSENT OF BONDHOLDER

Commerce Bank of Kansas City, N.A., as registered owner of all of the issued and outstanding Industrial Revenue Bonds, Series of April 1, 1982 (The Leawood Fountain Plaza Project), dated April 1, 1982, of the City of Leawood, Kansas, in the aggregate principal amount of \$7,280,000 does hereby accept, approve and consent to the appointment, effective immediately, of Commerce Bank of Kansas City, N.A., as successor fiscal agent of the City under the Bond Ordinance and Lease, all as provided in the foregoing Ordinance.

COMMERCE BANK OF KANSAS CITY, N.A.

By: 

Authorized Officer

ACCEPTANCE OF SUCCESSOR FISCAL AGENT

Commerce Bank of Kansas City, N.A., hereby accepts appointment as fiscal agent of the City of Leawood, Kansas, with respect to its Industrial Revenue Bonds, Series of April 1, 1982 (The Leawood Fountain Plaza Project), dated April 1, 1982, in the aggregate principal amount of \$7,280,000, and agrees to act as the City's agent with respect to said Bonds in accordance with Ordinance No. 738 of the City, as amended by Ordinance No. 803 of the City, (together the "Bond Ordinance"), and in accordance with the Lease Agreement, dated as of April 1, 1982, between the City and Leawood Fountain Plaza, a Kansas limited partnership, as amended, authorized by said Bond Ordinance.

COMMERCE BANK OF KANSAS CITY, N.A.

By: 

Authorized Officer

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- day (weeks, days) the first publication thereof being made as aforesaid on the 30th day of March 19-84, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A Ellis

Subscribe and sworn to before me this 30th day of March 19-84

Paula Peterson

NOTARY PUBLIC

PAULA A. PETERSON
Notary Public
My Exp. Expires Jan. 25, 1988

My Commission expires: -----
Printer's Fee \$ 42.75
Additional copies \$ -----

First Published in The Johnson County Sun Friday, March 30, 1984.
ORDINANCE NO. 804
AN ORDINANCE ACCEPTING THE RESIGNATION OF THE FIRST NATIONAL BANK AND TRUST COMPANY OF OKLAHOMA CITY AS FISCAL AGENT FOR THE CITY OF LEAWOOD, KANSAS, INDUSTRIAL REVENUE BONDS, SERIES OF APRIL 1, 1982 (THE LEAWOOD FOUNTAIN PLAZA PROJECT); AND APPOINTING COMMERCE BANK OF KANSAS CITY, N.A., AS SUCCESSOR FISCAL AGENT TO SERVE UNDER AND IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 738 OF SAID CITY, AS AMENDED BY ORDINANCE NO. 803 OF THE CITY AND THE LEASE AGREEMENT BETWEEN THE CITY AND LEAWOOD FOUNTAIN PLAZA, AS SUPPLEMENTED AND AMENDED, WITH RESPECT TO SAID BONDS. WHEREAS, pursuant to Ordinance No. 738 of the City of Leawood, Kansas (the "City") duly adopted by the Governing Body on April 19, 1982 (said Ordinance No. 738 as supplemented and amended being herein called the "Bond Ordinance"), the City issued, sold and delivered its Industrial Revenue Bonds, Series of April 1, 1984 (The Leawood Fountain Plaza Project), in the aggregate principal amount of \$7,280,000 (the "Bonds"), and in connection therewith entered into a Lease Agreement dated April 1, 1982 with Leawood Fountain Plaza, a Kansas limited partnership (the "Company"), to provide the source for payment of said Bonds and the interest thereon (said Lease Agreement as supplemented and amended being herein called the "Lease"); and WHEREAS, pursuant to the Bond Ordinance the City appointed The First National Bank and Trust Company of Oklahoma City ("First National") as fiscal agent of the City with respect to said Bonds to serve under and in accordance with the Bond Ordinance and Lease; and WHEREAS, First National has tendered to the City its resignation as fiscal agent, and the City desires to appoint Commerce Bank of Kansas City, N.A. ("Commerce") as successor fiscal agent with respect to said Bonds and Commerce has indicated its willingness to accept such appointment; and WHEREAS, Commerce is the registered owner of all of the issued and outstanding Bonds and in its capacity as bondholder has consented to the appointment of the successor fiscal agent to take effect immediately; NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:
29-109.1. ACCEPTANCE OF RESIGNATION OF FISCAL AGENT. Section 1. The City hereby accepts the resignation of First National as fiscal agent of the City with respect to the Bonds.
29-109.2. APPOINTMENT OF SUCCESSOR FISCAL AGENT. Section 2. The City hereby appoints Commerce as fiscal agent for the Bonds to serve under and pursuant to the Bond Ordinance and the Lease, such appointment to take effect immediately upon the publication of this Ordinance as hereinafter provided.
TAKE EFFECT. Section 3. This Ordinance shall take effect and be in force from and after its passage and publication in the official newspaper of the City.
First Reading: 3/26/84 Second Reading: 3/26/84
Passed by the Governing Body this 26th day of March, 1984, the Governing Body having deemed the passage of this Ordinance to be a matter of emergency nature.
Approved by the Mayor this 27th day of March, 1984.
(S E A L)
(s) Kent E. Crippin, Mayor
Attest:
(s) J. Oberlander, City Clerk
APPROVED FOR FORM AND CONTENT: (s) R. S. Wetzler, City Attorney

ORDINANCE NO. 803

AN ORDINANCE AMENDING ORDINANCE NO. 738 OF THE CITY OF LEAWOOD, KANSAS, BY APPROVING THE EXTENSION OF THE MATURITY OF THE CITY'S INDUSTRIAL REVENUE BONDS, SERIES OF APRIL 1, 1982 (THE LEAWOOD FOUNTAIN PLAZA PROJECT), DATED APRIL 1, 1982, IN THE PRINCIPAL AMOUNT OF \$7,280,000; APPROVING THE FORM OF AND AUTHORIZING THE FIRST AMENDMENT OF LEASE BETWEEN SAID CITY AND LEAWOOD FOUNTAIN PLAZA, A KANSAS LIMITED PARTNERSHIP; APPROVING AND AUTHORIZING THE AMENDMENT OF THE TRI-PARTY AGREEMENT AMONG THE PROSPECT COMPANY, A DELAWARE CORPORATION, LEAWOOD FOUNTAIN PLAZA, THE CITY AND THE FIRST NATIONAL BANK AND TRUST COMPANY OF OKLAHOMA CITY; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SUCH FURTHER DOCUMENTS AND INSTRUMENTS AS MAY BE NECESSARY TO EFFECTUATE THE TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE.

WHEREAS, pursuant to Ordinance No. 738 of the City duly adopted by the Governing Body of the City of Leawood, Kansas on April 19, 1982 (the "Original Ordinance"), the City has issued its \$7,280,000 principal amount Industrial Revenue Bonds, Series of April 1, 1982 (The Leawood Fountain Plaza Project), dated April 1, 1982 (the "Bonds"), and in connection therewith the City did enter into a Lease, dated as of April 1, 1982 (the "Lease"), with Leawood Fountain Plaza, a Kansas limited partnership (the "Company"), and a certain Tri-Party Agreement, dated as of April 1, 1982 (the "Tri-Party Agreement"), with The Prospect Company, a Delaware corporation, the Company and The First National Bank of Oklahoma City to secure the payment of the principal of and interest on said Bonds; and

WHEREAS, all of said Bonds issued by the City were initially sold to The First National Bank and Trust Company of Oklahoma City (the "Purchaser") in a direct private placement, and The First National Bank and Trust Company of Oklahoma City continues to be as of this date the registered owner and the holder of all of said Bonds which are currently outstanding and unpaid but intends to sell said Bonds in the immediate future to Commerce Bank of Kansas City, N.A. ("Commerce"); and

WHEREAS, the Bonds are scheduled to mature and the Lease expires by its terms on February 29, 1984, and the Company has proposed that the term of the Lease be extended until January 1, 1985, which proposal requires that the maturity of the Bonds be likewise extended and that the Tri-Party Agreement be amended; and

WHEREAS, the Purchaser and Commerce have agreed to the amendment of the Lease and extension of the maturity of the Bonds as aforesaid to January 1, 1985, and the Purchaser and Commerce, the Company and The Prospect Company have agreed to appropriate amendment of the Tri-Party Agreement consistent with such extension;

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

REPEAL OF SECTION. Section 1. Section 29-103 of Revised Ordinances, as adopted by Ordinance No. 738, is hereby repealed and the following enacted in lieu thereof:

21-103 Sec. no. changed by '84 Code

29-103. DESCRIPTION AND DETAILS OF THE BONDS, DESIGNATION OF PAYING AGENT. Section 2. Said Industrial Revenue Bonds, Series of April 1, 1982 (The Leawood Fountain Plaza Project), of the City of Leawood, Kansas, shall consist of fully registered bonds without coupons, numbered from 1 consecutively upward in order of issuance, the number of each of such Bonds to be preceded by the letter "R" to identify its registered form. Said Bonds shall be issuable in the denomination of \$5,000 or any integral multiple thereof not exceeding, however, the total aggregate amount of principal coming due on the stated maturity date that each particular Bond shall bear, and at no time shall the aggregate principal amount of the Bonds issued and outstanding exceed \$7,280,000. All of said Bonds shall be dated April 1, 1982, and said Bonds shall become due and shall mature on January 1, 1985.

The Bonds shall bear interest from their effective dates of registration, respectively, as hereafter provided, at the per annum rate of interest equal to seventy percent (70%) of the Prime Rate (as hereinafter defined) of The First National Bank and Trust Company of Oklahoma City, in the City of Oklahoma City, Oklahoma, which rate shall change from time to time. The term "Prime Rate" shall mean the most recently announced national prime rate of The First National Bank and Trust Company of Oklahoma City, for new ninety (90) day unsecured loans. Such interest shall be payable monthly on the last day of each calendar month during which the Bonds are outstanding and unpaid commencing with the last day of the month of the effective date of registration.

The interest rate on the Bonds will be adjusted throughout the term that the Bonds remain outstanding and unpaid effective on the date of a change in the Prime Rate. In addition, if at any time during which the Bonds remain outstanding and unpaid the marginal income tax rate on which the federal income tax of the holder of the Bonds is based should be less than the rate on which tax was based for the calendar year ending December 31, 1981, resulting from an amendment to the Internal Revenue Code of 1954, as amended, the interest rate on the Bonds shall be increased by an amount sufficient to cause the yield on the Bonds to remain constant. The following formula shall be utilized to establish the adjusted percentage of the Prime Rate (PR) to be applied:

$$\text{New \% of PR} = \frac{\text{Old \% of PR} - (\text{Old \% of PR} \times \text{New Corporate Tax Rate})}{(1 - \text{Old Corporate Tax Rate})}$$

If any payment of principal interest or premium on the Bonds or any of them shall not be made on or before the date such payment shall be due and payable under the provisions hereof and the expiration of any applicable grace period, such sums as shall be in default shall bear interest at a rate of interest equal to the effective rate of interest on the Bonds plus three (3) percentage points until paid.

The principal of, redemption premium, if any, and interest on said Bonds shall be payable in any coin or currency of the United States of America which on the respective dates of payment thereof is legal tender for the payment of public and private debts. Payment of such principal and redemption premium, if any, on said Bonds shall be made upon presentation and surrender of such Bonds as they become due at the principal corporate trust offices of The First National Bank and Trust Company of Oklahoma City, in the City of Oklahoma City, Oklahoma, or its successor as fiscal agent, herein sometimes referred to as the "Fiscal Agent". Payment of the interest on each of the Bonds shall be made by the Fiscal Agent on each interest payment date to the person appearing on the registration books of the City hereinafter provided for as the registered owner thereof by check mailed to such registered owner at the address of such registered owner as it appears on the registration books.

In the event any Bonds shall not be presented for payment when the principal thereof becomes due, either at maturity or otherwise, or at the date fixed for redemption thereof, and if funds sufficient to pay such Bonds shall have been made available to the Fiscal Agent, all liability of the City for the payment of such Bonds shall forthwith cease and be completely discharged.

21-103.1 Sec. no. changed by '84 Code

~~29-103-1.~~ AUTHORITY FOR AMENDMENT; NO REQUIREMENT OF NOTATION ON BONDS.

Section 3: This amendment of the Original Ordinance is made pursuant to the Authority of Section 17 of the Original Ordinance with the express written consent of the Purchaser as holder of all Bonds currently outstanding. In accordance with the provisions of said Section 17 of the Original Ordinance, no notation shall be made on any outstanding Bonds of the amendment provided for by the provisions of this Ordinance, including specifically the extension of the maturity date for said Bonds as provided in Section 2 above, but notwithstanding the foregoing the provisions of the Bonds shall be deemed to be amended consistent with the provisions of this Ordinance.

21-103.2 Sec. no. changed by '84 Code

~~29-103-2.~~ AMENDMENT OF LEASE. Section 4. The Lease dated as of April 1, 1982, is hereby amended as provided in the First Amendment of Lease, dated as of February 1, 1984, attached hereto as Exhibit A and incorporated herein by this reference, and the Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, said First Amendment of Lease in form and substance substantially as set forth in Exhibit A but with such changes therein as they shall, upon advice of the City Attorney, deem appropriate.

21-103.3 Sec. no. changed by '84 Code

~~29-103-3.~~ AMENDMENT OF TRI-PARTY AGREEMENT. Section 5. The amendment of the Tri-Party Agreement, dated as of April 1, 1982, to provide for the extension of the date for payment of amounts due and payable thereunder

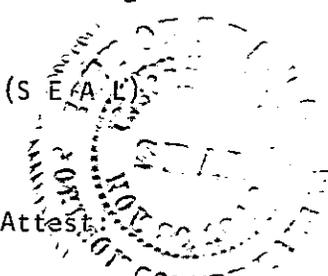
consistent with the extension of the maturity of the Bonds and the term of the Lease, as herein provided, and to substitute Commerce for the Purchaser as a party thereto is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, an amendment to the Tri-Party Agreement in such form and substance consistent with the foregoing as they shall, upon advice of the City Attorney, deem appropriate.

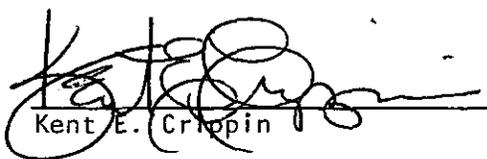
TAKE EFFECT. Section 6. This Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

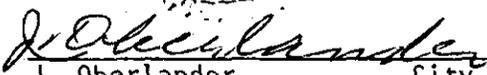
First Reading: 2/6/84 Second Reading: 2/20/84

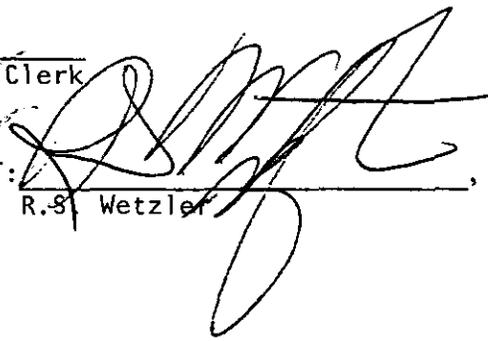
Passed by the Governing Body this 20th day of February, 1984.

Approved by the Mayor this 20th day of February, 1984.




Kent E. Crippin Mayor

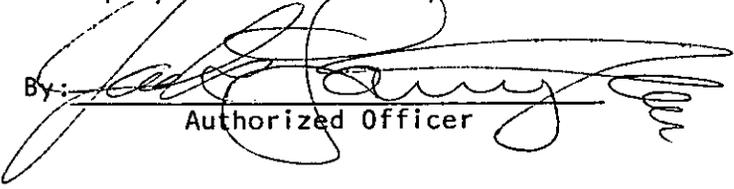
Attest:

J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney
R.S. Wetzler

Consent of Bondholder

The First National Bank and Trust Company of Oklahoma City, as registered owner of all of the issued and outstanding Industrial Revenue Bonds, Series of April 1, 1982 (The Leawood Fountain Plaza Project), dated April 1, 1982, of the City of Leawood, Kansas, in the aggregate principal amount of \$7,280,000, does hereby accept, approve and consent to the amendment of Ordinance No. 738 of said City and the extension of the maturity of the Bonds authorized thereby and issued thereunder and to the amendment of the Lease in accordance with the First Amendment of Lease, all as provided in the foregoing Ordinance.

The First National Bank and Trust
Company of Oklahoma City

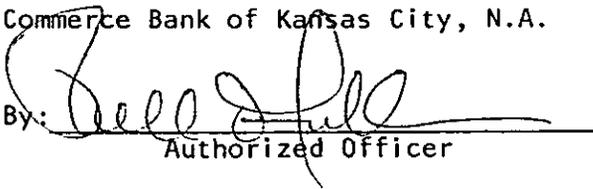
By: 
Authorized Officer

Dated: 2/28/84

Consent of Bondholder

Commerce Bank of Kansas City, N.A., as registered owner of all of the issued and outstanding Industrial Revenue Bonds, Series of April 1, 1982 (The Leawood Fountain Plaza Project), dated April 1, 1982, of the City of Leawood, Kansas, in the aggregate principal amount of \$7,280,000, does hereby accept, approve and consent to the amendment of Ordinance No. 738 of said City and the extension of the maturity of the Bonds authorized thereby and issued thereunder and to the amendment of the Lease in accordance with the First Amendment of Lease, all as provided in the foregoing Ordinance.

Commerce Bank of Kansas City, N.A.

By: 
Authorized Officer

Date: 2/29/84

Consent of Company

Leawood Fountain Plaza does hereby accept, approve and consent to the amendment of Ordinance No. 738 of the City of Leawood, Kansas and the extension of the maturity of the Industrial Revenue Bonds, Series of April 1, 1982 (The Leawood Fountain Plaza Project), dated April 1, 1982, of said City in the aggregate principal amount of \$7,280,000 authorized thereby and issued thereunder as provided in the foregoing Ordinance.

Leawood Fountain Plaza

By: *Richard Sailors*
General Partner

By: *[Signature]*
General Partner

FIRST AMENDMENT OF LEASE

THIS FIRST AMENDMENT OF LEASE, made and entered into as of the First day of February, 1984, by and between THE CITY OF LEAWOOD, KANSAS, a municipal corporation, of Johnson County, Kansas (the "Landlord"), and Leawood Fountain Plaza, a Kansas limited partnership (the "Tenant").

WITNESSETH:

WHEREAS, Landlord is a municipality duly organized and existing under the laws of the State of Kansas, with full and lawful power and authority to enter into this First Amendment of Lease (herein referred to as the "First Amendment of Lease") by and through its Governing Body; and

WHEREAS, pursuant to Ordinance No. 738 of the City (the "Original Ordinance"), adopted April 19, 1982, Landlord issued its Industrial Revenue Bonds, Series of April 1, 1982 (The Leawood Fountain Plaza Project), in the principal amount of \$7,280,000 (the "Bonds"), for the purpose of purchasing the real property described on Schedule 1 attached hereto and purchasing and constructing thereon buildings, improvements, machinery and equipment being referred to as the "Facility" (as more fully described in the Original Ordinance); and

WHEREAS, Landlord has leased the Facility to the Tenant pursuant to a Lease dated as of April 1, 1982 (the "Original Lease"); and

WHEREAS, Tenant has requested Landlord to extend the term of said Original Lease to January 1, 1985, and in connection therewith Landlord intends to extend the maturity of the Bonds to January 1, 1985, so as to delay Tenant's obligation to pay basic rent attributable to Landlord's payment of the principal of the Bonds at maturity; and

WHEREAS, Section 30.4 of the Original Lease and Section 17 of the Original Ordinance provide for amendment of the Lease by an agreement in writing executed by Landlord, Tenant and the holders or registered owners of 100% in principal amount of the Bonds then outstanding; and

WHEREAS, the Governing Body of Landlord, pursuant to Ordinance No. 803 (the "1984 Ordinance") has duly authorized the execution and delivery of this First Amendment of Lease to provide for the extension of the term hereof to January 1, 1985; and

WHEREAS, The First National Bank of Oklahoma City, the original purchaser of the Bonds and Commerce Bank of Kansas City, N.A., the registered owner and holder of all of the Bonds currently outstanding and unpaid, have consented to and approved the

extension of the maturity of the Bonds and the extension of the term of the Original Lease.

NOW, THEREFORE, the parties hereto agree as follows:

Section 1. Amendment of Original Lease Term. The provisions of Article I of the Original Lease are hereby amended by deleting all of Section 1.1 thereof and substituting the following Section 1.1:

"1.1 Granting of Leasehold. Landlord by these presents hereby rents, leases and lets unto Tenant and Tenant hereby rents, leases and hires from Landlord, for rentals and upon and subject to the terms and conditions hereafter set forth, the property described on Schedule I attached hereto and made a part hereof for a basic term of two (2) years and nine (9) months ending at midnight on January 1, 1985."

Section 2. Amendment of Original Lease Basic Rent Payment Provisions. The provisions of Article II of the Original Lease are hereby amended by deleting all of Section 2.1 thereof and substituting the following Section 2.1:

"2.1 Basic Rent. Landlord reserves and Tenant covenants and agrees to pay in immediately available funds to the Fiscal Agent hereinafter and in the Bond Ordinance designated, for the account of Landlord and during the full basic term, for deposit in the Principal and Interest Account hereinafter and in the Bond Ordinance established, in installments payable at the times and in the amounts specified below, until the principal of and interest on the Bonds shall have been fully paid or provision for the payment thereof shall have been made in accordance with the Bond Ordinance, as rent for the Facility, the aggregate of the following:

(a) Commencing on the last day of the calendar month of authentication and delivery of the Bonds to the purchaser thereof under the provisions of the Bond Ordinance and on the last day of each calendar month thereafter (such dates being hereinafter referred to as "interest payment dates") an amount which when added to other funds on deposit in the Principal and Interest Account and available for payment of interest on the Bonds shall equal the total amount of interest coming due on the Bonds on that interest payment date, plus

(b) On January 1, 1985, an amount which when added to other funds on deposit in the Principal and Interest Account and available for payment of principal and interest on the Bonds shall be equal

to the sum of \$7,280,000 (hereinafter referred to as the "principal payment date"),

(c) On or before any redemption date, an amount which when added to other funds on deposit in the Principal and Interest Account and available for such purpose shall be equal to all principal, interest and redemption premiums, if any, on all Bonds to be redeemed on such redemption date,

(such rent herein sometimes referred to as the "Basic Rent" or "basic rent"). Whenever any date on which any payment of basic rent hereunder is due and payable falls on a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close, then the Basic Rent payment shall be due and payable on the first business day next preceding such payment date.

Any amount due from the Tenant pursuant to the terms of this Lease which is not paid when due (allowing for any applicable grace period) will bear interest at the rate equal to three percent (3%) per annum in excess of the non-default rate of interest provided in the Bonds from date such payment is due until payment is made in full.

If on any interest payment date, the balance in the Principal and Interest Account available for the payment of principal and interest is insufficient to make the required payments of principal and interest when due and payable as above provided, then on such date Tenant will forthwith pay any such deficiency to the Fiscal Agent for deposit in the Principal and Interest Account. Any amounts at any time held by the Fiscal Agent in the Principal and Interest Account for the payment of the Bonds and which are in excess of the principal and interest due on the Bonds on the next interest payment date and which are also in excess of the amount required for payment of (a) any Bonds theretofore matured plus (b) past due interest in all cases where such Bonds or coupons have not been presented for payment, shall, as Tenant may direct, (i) be applied to, and shall to the extent sufficient, reduce Tenant's obligation to pay such next maturing installment of Basic Rent, or (ii) be used to call such Bonds as may be designated by Tenant for redemption and payment when the same are subject to redemption, or (iii) be used for purchasing said Bonds prior to maturity, paying the market price therefor. If, at any time, the amount held by the Fiscal Agent in the Principal and Interest Account, shall be sufficient to pay, at the time required, the principal and interest on all Bonds then remaining unpaid, the Tenant shall not be obligated to make any further rental payments under the provisions

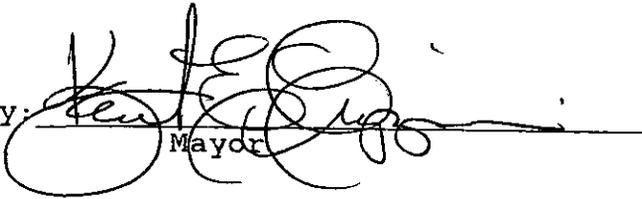
of this Article, and any funds held in the Principal and Interest Account in excess of the amount required to pay the Bonds in full as aforesaid, shall be re-funded to Tenant as excess rent.

Section 3. Applicability of Instruments. From and after the date hereof, the Bond Ordinance shall consist of the Original Ordinance, as amended by the 1984 Ordinance, and the Lease between the parties hereto shall consist of the Original Lease, as amended by this First Amendment of Lease, and all of the terms, covenants, conditions, agreements and provisions contained in the Original Lease that are not expressly or by necessary implication amended, supplemented or modified by this First Amendment of Lease shall remain in full force and effect, are hereby ratified and confirmed. This First Amendment of Lease shall be construed as having been authorized, executed and delivered pursuant to the provisions of Section 17 of the Original Ordinance and the 1984 Ordinance. All of the covenants, agreements and provisions of this First Amendment of Lease shall be deemed to be construed as part of the Original Lease and vice versa to the same extent as if fully set forth verbatim therein and herein. In the event of any variation or inconsistency between any covenant, agreement or provision contained in Sections 1 through 3, inclusive, of this First Amendment of Lease and any covenant, agreement or provision contained in the Original Lease, the covenant, agreement or provision in said Sections 1 through 3 hereof shall govern.

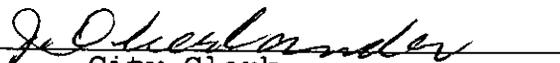
Section 4. Execution in Counterparts. This First Amendment of Lease may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties have caused this First Amendment of Lease to be duly executed as of February 1, 1984.

CITY OF LEAWOOD, KANSAS

By: 

Mayor


(SEAL)
ATTEST:

City Clerk

LANDLORD

LEAWOOD FOUNTAIN PLAZA

By: Richard Sauls
General Partner

By: [Signature]
General Partner

TENANT

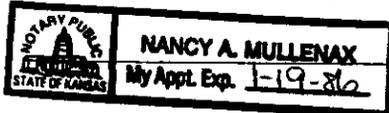
STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

Be it remembered, that on this 28 day of February, before me, the undersigned, a notary public in and for the county and state aforesaid came Kent E. Crippin, Mayor of the City of Leawood, Kansas, a municipality organized under the laws of Kansas, and J. Oberlander, City Clerk of said City, who are personally known to me to be the same persons who executed the foregoing instrument as Mayor and City Clerk, respectively, of said City, and said Kent E. Crippin, as Mayor of said City, duly acknowledged the execution of the same as the Mayor of said City; and J. Oberlander, City Clerk of said City, duly acknowledged the attestation of the same as such City Clerk and that she affixed thereto the seal of said City.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal, on the day and year last above written.

My Commission Expires:

Nancy A. Mullenax
Notary Public



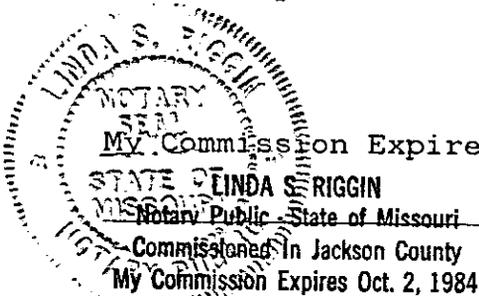
STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

Be it remembered, that on this 29 day of FEBRUARY, 1984, before me, the undersigned, a notary public in and for the county and state aforesaid, came RICHARD SAILORS and RICK STUCY, general partners of Leawood Fountain Plaza, a Kansas limited partnership, who are personally known to be the same persons who executed the foregoing instrument as general partners of said partnership.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal, on the day and year last above written.

My Commission Expires:

Linda S. Riggan
Notary Public



AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive *day* (weeks, days) the first publication thereof being made as aforesaid on the *24th* day of *February* 19-*84*, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this *24th* day of *February* 19-*84*

Pearlie A. Peterson

NOTARY PUBLIC

My Commission expires: -----
Printer's Fee \$ *1.08.39*
Additional copies \$ -----

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My App. Expires Jan. 25, 1988

First Published in
Johnson County Sun
February 24, 1984.

ORDINANCE NO. 803
AN ORDINANCE
AMENDING ORDINANCE
NO. 738 OF THE CITY OF
LEAWOOD, KANSAS, BY
APPROVING THE EXTEN-
SION OF THE MATURITY
OF THE CITY'S IN-
DUSTRIAL REVENUE
BONDS, SERIES OF APRIL
1, 1982 (THE LEAWOOD
FOUNTAIN PLAZA PRO-
JECT), DATED APRIL 1,
1982, IN THE PRINCIPAL
AMOUNT OF \$7,280,000;
APPROVING THE FORM
OF AND AUTHORIZING
THE FIRST AMENDMENT
OF LEASE BETWEEN SAID
CITY AND LEAWOOD
FOUNTAIN PLAZA, A
KANSAS LIMITED
PARTNERSHIP; APPROV-
ING AND AUTHORIZING
THE AMENDMENT OF THE
TRI-PARTY AGREEMENT
AMONG THE PROSPECT
COMPANY, A DELAWARE
CORPORATION, LEAWOOD
FOUNTAIN PLAZA, THE
CITY AND THE FIRST
NATIONAL BANK AND
TRUST COMPANY OF
OKLAHOMA CITY; AND
AUTHORIZING THE
MAYOR AND CITY CLERK
TO EXECUTE SUCH
FURTHER DOCUMENTS
AND INSTRUMENTS AS
MAY BE NECESSARY TO
EFFECTUATE THE TRAN-
SACTIONS CONTEMPLAT-
ED BY THIS ORDINANCE.
WHEREAS, pursuant to Ordinance No. 738 of the City duly adopted by the Governing Body of the City of Leawood, Kansas on April 1, 1982 (the "Original Ordinance"), the City has issued its \$7,280,000 principal amount Industrial Revenue Bonds, Series of April 1, 1982 (The Leawood Fountain Plaza Project), dated April 1, 1982 (the "Bonds"), and in connection therewith the City did enter into a Lease, dated as of April 1, 1982 (the "Lease"), with Leawood Fountain Plaza, a Kansas limited partnership (the "Company"), and a certain Tri-Party Agreement, dated as of April 1, 1982 (the "Tri-Party Agreement"), with The Prospect Company, a Delaware corporation, the Company and The First National Bank of Oklahoma City to secure the payment of the principal of and interest on said Bonds; and
WHEREAS, all of said Bonds issued by the City were initially sold to The First National Bank and Trust Company of Oklahoma City (the "Purchaser") in a direct private placement, and The First National Bank and Trust Company of Oklahoma City continues to be as of this date the registered owner and the holder of all of said Bonds which are currently outstanding and unpaid but intends to sell said Bonds in the immediate future to Commerce Bank of Kansas City, N.A. ("Commerce"); and
WHEREAS, the Bonds are scheduled to mature and the Lease expires by its terms on February 29, 1984, and the Company has proposed that the term of the Lease be extended until January 1, 1985, which proposal requires that the maturity of the Bonds be likewise extended and that the Tri-Party Agreement be amended; and
WHEREAS, the Purchaser and Commerce have agreed to the amendment of the Lease and extension of the maturity of the Bonds as aforesaid to January 1, 1985, and the Purchaser and Commerce, the Company and The Prospect Company have agreed to appropriate amendment of the Tri-Party Agreement consistent with such extension;
NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:
REPEAL OF SECTION 3. Section 3 of Ordinance No. 738, as amended by Ordinance No. 738, is hereby repealed and the following enacted in lieu thereof:
29-103. DESCRIPTION AND DETAILS OF THE BONDS, DESIGNATION OF PAYING AGENT. Section 2. Said Industrial Revenue Bonds, Series of April 1, 1982 (The Leawood Fountain Plaza Project), of the City of Leawood, Kansas, shall consist of fully registered bonds without coupons, numbered from 1 consecutively upward in order of issuance, the number of each of such Bonds to be preceded by the letter "R" to identify its registered form. Said Bonds shall be issuable in the denomination of \$5,000 or any integral multiple thereof not exceeding, however, the total aggregate

amount of principal coming due on the stated maturity date that each particular Bond shall bear, and at no time shall the aggregate principal amount of the Bonds issued and outstanding exceed \$7,280,000. All of said Bonds shall be dated April 1, 1982, and said Bonds shall become due and shall mature on January 1, 1985.

The Bonds shall bear interest from their effective dates of registration, respectively, as hereafter provided, at the per annum rate of interest equal to seventy percent (70%) of the Prime Rate (as hereinafter defined) of The First National Bank and Trust Company of Oklahoma City, in the City of Oklahoma City, Oklahoma, which rate shall change from time to time. The term "Prime Rate" shall mean the most recently announced national prime rate of The First National Bank and Trust Company of Oklahoma City, for new ninety (90) day unsecured loans. Such interest shall be payable monthly on the last day of each calendar month during which the Bonds are outstanding and unpaid commencing with the last day of the month of the effective date of registration.

The interest rate on the Bonds will be adjusted throughout the term that the Bonds remain outstanding and unpaid effective on the date of a change in the Prime Rate. In addition, if at any time during which the Bonds remain outstanding and unpaid the marginal income tax rate on which the federal income tax of the holder of the Bonds is based should be less than the rate on which tax was based for the calendar year ending December 31, 1981, resulting from an amendment to the Internal Revenue Code of 1954, as amended, the interest rate on the Bonds shall be increased by an amount sufficient to cause the yield on the Bonds to remain constant. The following formula shall be utilized to establish the adjusted percentage of the Prime Rate (PR) to be applied:
$$\text{New \% of PR} = \frac{\text{Old \% of PR} \times \text{New Corporate Tax Rate}}{\text{Old \% of PR} \times \text{New Corporate Tax Rate}}$$

(1 - Old Corporate Tax Rate)
If any payment of principal interest or premium on the Bonds or any of them shall not be made on or before the date such payment shall be due and payable under the provisions hereof and the expiration of any applicable grace period, such sums as shall be in default shall bear interest at a rate of interest equal to the effective rate of interest on the Bonds plus three (3) percentage points until paid.
The principal of, redemption premium, if any, and interest on said Bonds shall be payable in any coin or currency of the United States of America which on the respective dates of payment thereof is legal tender for the payment of public and private debts. Payment of such principal and redemption premium, if any, on said Bonds shall be made upon presentation and surrender of such Bonds as they become due at the principal corporate trust offices of The First National Bank and Trust Company of Oklahoma City, in the City of Oklahoma City, Oklahoma, or its successor as fiscal agent, herein sometimes referred to as the "Fiscal Agent". Payment of the interest on each of the Bonds shall be made by the Fiscal Agent on each interest payment date to the person appearing on the registration books of the City hereinafter provided for as the registered owner thereof by check mailed to such registered owner at the address of such registered owner as it appears on the registration books.

In the event any Bonds shall not be presented for payment when the principal thereof becomes due, either at maturity or otherwise, or at the date fixed for redemption thereof, and if funds sufficient to pay such Bonds shall have been made available to the Fiscal Agent, all liability of the City for the payment of such Bonds shall forthwith cease and be completely discharged.

29-103.1. AUTHORITY FOR AMENDMENT; NO REQUIREMENT OF NOTATION ON BONDS. Section 3. This amendment of the Original Ordinance is made pursuant to the authority of Section 17 of the Original Ordinance with the express written consent of the Purchaser as holder of all Bonds currently outstanding, in accordance with the provisions of said Section 17 of the Original Ordinance, no notation shall be made on any outstanding Bonds of the amendment provided for by this Ordinance specifically in the maturity of the Bonds as provided above, but notwithstanding the foregoing the provisions of the Bonds shall be deemed to be amended to the provisions of this Ordinance.

29-103.2. AMENDMENT OF LEASE. Section 4. The Lease dated as of April 1, 1982, is hereby amended as provided in the First Amendment of Lease, dated as of February 1, 1984, attached hereto as Exhibit A and incorporated herein by reference. The Mayor hereby directed and attested, respectively, said First Amendment of Lease in form and substance substantially as set forth in Exhibit A but with such changes therein as they shall, upon advice of the City Attorney, deem appropriate.

29-103.3. AMENDMENT OF TRI-PARTY AGREEMENT. Section 5. The amendment of the Tri-Party Agreement, dated as of April 1, 1982, to provide for the extension of the date for payment of amounts due and payable thereunder consistent with the extension of the maturity of the Bonds and the term of the Lease, as herein provided, and to substitute Commerce for the Purchaser as a party thereto and the City of Leawood, Kansas, are hereby authorized and attested, respectively, an amendment to the Tri-Party Agreement in such form and substance consistent with the foregoing as the City Attorney, upon advice of the City Attorney, deem appropriate.

TAKEN EFFECT. Section 6. This Ordinance shall take effect and after its publication in the newspaper. First Reading: 2/27/84 Second Reading: 2/27/84 Passed by the Governing Body this 20th day of February, 1984. Approved by the Mayor this 20th day of February, 1984.
(S E A)
(S) K
Mayor
Attest:
(S) J
City Clerk
APPR
AND C
(S) R
City A

eff. 10/24/84

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~18-1204~~ ~~16-1204~~ Sec. no. changed by '84 Code

Section 1. The following described real property is hereby designated as being zoned CP-1, Planned Restricted Business District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, with restrictions as set forth herein, this property having been previously zoned R-1, Single Family Residential District:

Lot 566, Leawood Estates, a subdivision in the City of Leawood, Johnson County, Kansas.

(northwest corner, 103rd & State Line Rd.)

Said property shall be rezoned to CP-1, provided the use of the property is limited to the uses of financial institutions and general administrative or professional offices. Any proposed use of this property which is other than financial institution or administrative or professional office shall require submission of a new zoning application under the requirements of Section 15-3102 of the Leawood Zoning Regulations.

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/19/83 Second Reading: 2/20/84

Passed by the Governing Body this 20th day of February, 1984.

Approved by the Mayor this 20th day of February, 1984.



[Signature]
S. Oberlander City Clerk

[Signature]
Kent E. Crippin Mayor

APPROVED FOR FORM AND CONTENT: *[Signature]*, City Attorney
R.S. Wetzler

AFFIDAVIT OF PUBLICATION

First Published in The Johnson County Sun, Wednesday, October 24, 1984.

ORDINANCE NO. 802 AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS:

Be it ordained by the Governing Body of the City of Leawood, Kansas:

16-1204. Section 1. The following described real property is hereby designated as being zoned CP-1, Planned Restricted Business District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, with restrictions as set forth herein, this property having been previously zoned R-1, Single Family Residential District:

Lot 566, Leawood Estates, a subdivision in the City of Leawood, Johnson County, Kansas.

(northwest corner, 103rd & State Line Rd.)

Said property shall be rezoned to CP-1, provided the use of the property is limited to the uses of financial institutions and general administrative or professional offices. Any proposed use of this property which is other than financial institution or administrative or professional office shall require submission of a new zoning application under the requirements of Section 15-3102 of the Leawood Zoning Regulations.

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/19/83, Second Reading: 2/20/84.

Passed by the Governing Body this 20th day of February, 1984.

Approved by the Mayor this 20th day of February, 1984.

(s) Kent E. Crippin, Mayor (SEAL)

Attest: (s) J. Oberlander, City Clerk APPROVED FOR FORM AND CONTENT:

(s) R. S. Wetzler, City Attorney

(1300 1W)

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ day _____ (weeks, days) the first publication thereof being made as aforesaid on the 24th day of, October 1984, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____
_____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 24th day of October 1984

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: 3-15-88
Printer's Fee \$ 21.45
Additional copies \$ _____

ORDINANCE NO. 801 *entire ord. repealed by Ord. 1331, 1/18/93.*

AN ORDINANCE ESTABLISHING FEES TO BE CHARGED TO PERSONS FOR ACCESSING AND/OR COPYING OPEN PUBLIC RECORDS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

28-201 1-1301 Sec. no. changed by '84 Code

STATEMENT OF PURPOSE, REVIEW. Section 1. It is the purpose of this Ordinance to establish reasonable fees and charges for the provision of access to or copies of open public records in the possession of the City to avoid the necessity of using general public funds of the City to subsidize special services and benefits to a record requester. The official record custodian shall periodically recommend to the Governing Body such changes in this Ordinance as may be necessary to secure this purpose.

28-202 1-1302 Sec. no. changed by '84 Code

INSPECTION FEE. Section 2.

- (a) Where a request has been made for inspection of any open public record which is readily available to the record custodian, there shall be no inspection fee charged to the requester.
- (b) In all cases not covered by subsection (a) of this section, a record inspection fee shall be charged at the rate of \$10.00 per hour per employee engaged in the record search. A minimum charge of \$10.00 shall be charged for each such request.

28-203 1-1303 Sec. no. changed by '84 Code

COPYING FEE. Section 3.

- (a) A fee of \$.50 per page shall be charged for photocopying public records, such fee to cover the cost of labor, materials and equipment.
- (b) For copying any public records which cannot be reproduced by the City's photocopying equipment, the requester shall be charged the actual cost to the City, including staff time, in reproducing such records.

28-204 1-1304 Sec. no. changed by '84 Code

PREPAYMENT OF FEES. Section 4. A record custodian may demand prepayment of the fees established by this Ordinance whenever he or she believes this to be in the best interest of the City. The prepayment amount shall be an estimate of the inspection and/or copying charges accrued in fulfilling the record request. Any overage or underage in the prepayment shall be settled prior to inspection of the requested record or delivery of the requested copies.

28-205 1-1305 Sec. no. changed by '84 Code

PAYMENT. Section 5. All fees charged under this Ordinance shall be paid to the custodian of the records inspected and/or copied. At least once a month, each custodian shall transmit all record fee moneys collected to the City Treasurer.

TAKE EFFECT. Section 6. This Ordinance shall take effect and be in force from and after its publication in the official City newspaper, and shall be retroactive to January 1, 1984.

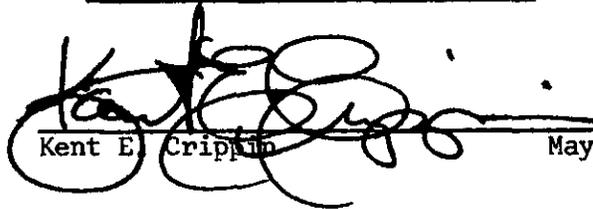
Page 2
ORDINANCE NO. 801
re Fees Charged-Open Public Records

First Reading: 1/3/84 Second Reading: 1/16/84

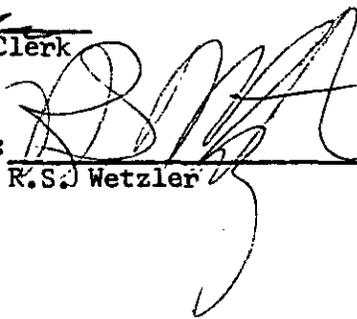
Passed by the Governing Body this 16th day of January, 1984.

Approved by the Mayor this 16th day of January, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ ^{day} (weeks, days) the first publication thereof being made as aforesaid on the 20th day of, January 1984, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____
_____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 20th day of January 1984

Pearlie A. Peterson

NOTARY PUBLIC

My Commission expires: _____
Printer's Fee \$ 33.09
Additional copies \$ _____

STATE OF KANSAS
PEARLIE A. PETERSON
JOHNSON COUNTY, KANSAS
My Appl. Exp. Jan. 25, 1984

First Published in The
Johnson County Sun Friday,
January 20, 1984.

**ORDINANCE NO. 801
AN
ORDINANCE
ESTABLISHING FEES TO
BE CHARGED TO PERSONS
FOR ACCESSING AND/OR
COPYING OPEN PUBLIC
RECORDS.**

**Be it ordained by the Govern-
ing Body of the City of
Leawood, Kansas:**

**1-1301. STATEMENT OF
PURPOSE, REVIEW.** Section 1. It is the purpose of this Ordinance to establish reasonable fees and charges for the provision of access to or copies of open public records in the possession of the City to avoid the necessity of using general public funds of the City to subsidize special services and benefits to a record requester. The official record custodian shall periodically recommend to the Governing Body such changes in this Ordinance as may be necessary to secure this purpose.

1-1302. INSPECTION FEE. Section 2.

(a) Where a request has been made for inspection of any open public record which is readily available to the record custodian, there shall be no inspection fee charged to the requester.

(b) In all cases not covered by subsection (a) of this section, a record inspection fee shall be charged at the rate of \$10.00 per hour per employee engaged in the record search. A minimum charge of \$10.00 shall be charged for each such request.

1-1303. COPYING FEE. Section 3.

(a) A fee of \$.50 per page shall be charged for photocopying public records, such fee to cover the cost of labor, materials and equipment.

(b) For copying any public records which cannot be reproduced by the City's photocopying equipment, the requester shall be charged the actual cost to the City, including staff time, in reproducing such records.

**1-1304. PREPAYMENT OF
FEES.** Section 4. A record custodian may demand prepayment of the fees established by this Ordinance whenever he or she believes this to be in the best interest of the City. The prepayment amount shall be an estimate of the inspection and/or copying charges accrued in fulfilling the record request. Any overage or underage in the prepayment shall be settled prior to inspection of the requested record or delivery of the requested copies.

1-1305. PAYMENT. Section 5. All fees charged under this Ordinance shall be paid to the custodian of the records inspected and/or copies. At least once a month, each custodian shall transmit all record fee moneys collected to the City Treasurer.

TAKE EFFECT. Section 6. This Ordinance shall take effect and be in force from and after its publication in the official City newspaper, and shall be retroactive to January 1, 1984.

First Reading: 1/3/84 Second
Reading: 1/16/84.

Passed by the Governing
Body this 16th day of
January, 1984.

Approved by the Mayor this
16th day of January, 1984.

(S E A L)

(s) Kent E. Crippin,

Mayor

Attest:

(s) J. Oberlander,

City Clerk

APPROVED FOR FORM

AND CONTENT:

(s) R. S. Wetzler,

City Attorney

(6754 1F)

ORDINANCE NO. 800

AN ORDINANCE RELATING TO WARD BOUNDARY CHANGES, AND REPEAL OF SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 6-103 and 6-104 of Revised Ordinances, as adopted by Ordinance No. 715, are hereby repealed and the following enacted in lieu thereof:

6-103. BOUNDARIES OF WARD 1. Section 2. That territory of the City of Leawood beginning at the northeast corner of the present limits of the City of Leawood; thence south along the eastern limits of the City to the centerline of 89th Street; thence west along the centerline of 89th Street to the western limits of the City; thence north along the western limits of the City until the junction of said western limits with the northern limits of the City; thence east along the northern limits of the City to the point of beginning.

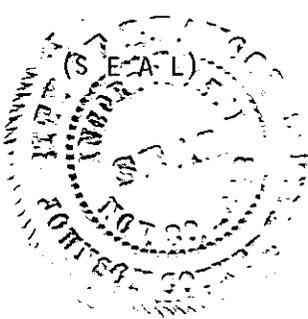
6-104. BOUNDARIES OF WARD 2. Section 3. That territory of the City of Leawood beginning at the centerline of 89th Street at the eastern limits of the City; thence south along the eastern limits of the City to the centerline of 97th Street; thence westerly along the centerline of 97th Street to the centerline of Lee Boulevard; thence southerly along the centerline of Lee Boulevard to the centerline of 98th Street; thence westerly along the centerline of 98th Street to the southeast corner of Lot 658 of Leawood Estates, a subdivision according to the recorded plat thereof; thence northerly along the western boundaries of Lots 658, 659, 660, 661, and 662 of Leawood Estates, to the northwest corner of Lot 662, Leawood Estates; thence east to the northeast corner of Lot 662, Leawood Estates; thence due north in a straight line to the centerline of 95th Street; thence west along the centerline of 95th Street to the western limits of the City; thence north along the western limits of the City to the centerline of 89th Street; thence easterly and following the southern boundary of Ward 1 to the point of beginning.

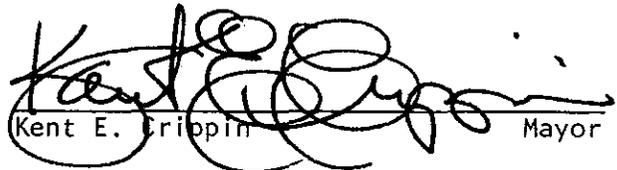
TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/19/83 Second Reading: 1/3/84

Passed by the Governing Body this 3rd day of January, 1984.

Approved by the Mayor this 3rd day of January, 1984.



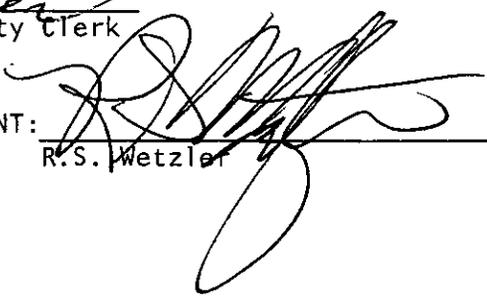

Kent E. Crippin Mayor

Page 2
ORDINANCE NO. 800
re Ward Boundary Changes

Attest:



J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
_____, City Attorney
R.S. Wetzi

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- ^{day} (weeks, days) the first publication thereof being made as aforesaid on the ^{6th} day of, January 19-⁸⁴, with subsequent publications being made on the following dates:

-----, 19----- -----, 19-----

-----, 19----- -----, 19-----

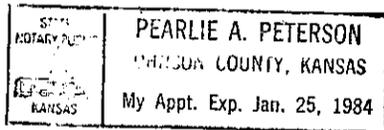
Barbara A. Ellis

Subscribe and sworn to before me this ^{6th} day of January 19-⁸⁴

Pearlie A. Peterson

NOTARY PUBLIC

My Commission expires: -----
Printer's Fee \$ 26.62
Additional copies \$ -----



First Published in The
Johnson County Sun Friday,
January 6, 1984.

**ORDINANCE NO. 800
AN ORDINANCE
RELATING TO WARD
BOUNDARY CHANGES,
AND REPEAL OF SEC-
TIONS.**

Be It ordained by the Govern-
ing Body of the City of
Leawood, Kansas:

REPEAL OF SECTIONS.
Section 1. Sections 6-103 and 6-
104 of Revised Ordinances, as
adopted by Ordinance No.
715, are hereby repealed and
the following enacted in lieu
thereof:

**6-103. BOUNDARIES OF
WARD 1.** Section 2. That
territory of the City of
Leawood beginning at the
northeast corner of the pre-
sent limits of the City of
Leawood; thence south along
the eastern limits of the City
to the centerline of 89th
Street; thence west along the
centerline of 89th Street to the
western limits of the City;
thence north along the
western limits of the City un-
til the junction of said western
limits with the northern limits
of the City; thence east along
the northern limits of the City
to the point of beginning.

**6-104. BOUNDARIES OF
WARD 2.** Section 3. That
territory of the City of
Leawood beginning at the
centerline of 89th Street at the
eastern limits of the City;
thence south along the
eastern limits of the City to
the centerline of 97th Street;
thence westerly along the
centerline of 97th Street to the
centerline of Lee Boulevard;
thence southerly along the
centerline of Lee Boulevard
to the centerline of 98th
Street; thence westerly along
the centerline of 98th Street to
the southeast corner of Lot
658 of Leawood Estates, a
subdivision according to the
recorded plat thereof; thence
northerly along the western
boundaries of Lots 658, 659,
660, 661, and 662 of Leawood
Estates, to the northwest cor-
ner of Lot 662, Leawood
Estates; thence east to the
northeast corner of Lot 662,
Leawood Estates; thence due
north in a straight line to the
centerline of 95th Street;
thence west along the
centerline of 95th Street to the
western limits of the City;
thence north along the
western limits of the City to
the centerline of 89th Street;
thence easterly and following
the southern boundary of
Ward 1 to the point of begin-
ning.

TAKE EFFECT. Section 4.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 12/19/83 Se-
cond Reading: 1/3/84

Passed by the Governing
Body this 3rd day of January,
1984.

Approved by the Mayor this
3rd day of January, 1984.

(s) Kent E. Crippin,
Mayor

(S E A L)

Attest:
(s) J. Oberlander,
City Clerk

APPROVED FOR FORM
AND CONTENT:

(s) R. S. Wetzler,
City Attorney

(3721 1F)

AN ORDINANCE REPEALING AND SUPERSEDING ORDINANCE NO. 786 AND AUTHORIZING THE ISSUANCE OF TEMPORARY NOTES IN THE SUM OF FIVE HUNDRED AND SEVENTY THOUSAND DOLLARS (\$570,000.00) OF THE CITY OF LEAWOOD, KANSAS, TO PROVIDE TEMPORARY FINANCING FOR THE CONSTRUCTION AND IMPROVEMENT OF 127TH STREET FROM THE CENTERLINE OF ROE AVENUE TO THE CENTERLINE OF MISSION ROAD CONSISTING OF A THIRTY-SIX FOOT (36') ROADWAY IN WIDTH BACK-TO-BACK WITH CURB, ALL IMPROVEMENTS TO BE INCLUSIVE OF STORM DRAINAGE FACILITIES; STREET LIGHTING AND OTHER APPURTENANCES, THE COST OF WHICH IMPROVEMENTS WILL BE PAID BY THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood adopted Resolution No. 617 making findings of advisability and authorizing construction of 127th Street between Roe Avenue and Mission Road in the City of Leawood, Kansas, pursuant to proceedings under K.S.A. 12-6(a)01 et. seq.; and

WHEREAS, it was previously determined that the estimated cost of the construction and improvements of the aforementioned street would be Four Hundred Twenty Thousand Dollars (\$420,000.00), for which it was necessary to issue temporary notes to finance the cost of construction of said improvements; and

WHEREAS, construction bids have been let for the project and it is apparent that the probable cost including engineering and construction will be approximately Five Hundred and Seventy Thousand Dollars (\$570,000.00), all as set out in the attached Engineer's Certificate; and

WHEREAS, all legal requirements pertaining to the authorization of said improvements have been complied with and that issuance of temporary notes is and will be required to finance engineering and construction costs authorized by K.S.A. 12-6(a)01 et. seq., and K.S.A. 10-123 and all acts amendatory thereto;

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

REPEAL OF SECTIONS. Section 1. Sections 20-197 and 20-198 of Revised Ordinances, as adopted by Ordinance No. 786, are hereby repealed and the following enacted in lieu thereof:

20-197. AUTHORIZATION, INTEREST AND MATURITY. Section 2. That for the purpose of paying the cost of making the improvements described and referred to in the title and preamble of this ordinance, including the payment of necessary engineering, incidental and legal costs thereto, there should be issued temporary notes from the City of Leawood, Kansas, in the total amount of Five Hundred Seventy Thousand Dollars (\$570,000.00), which amount does not exceed the total estimated costs of said improvements. Said note shall be numbered L.I.D. 84-1, and shall bear interest at a rate not to exceed nine percent per annum, payable at maturity, and shall mature one (1) year from January 1, 1984, and shall be callable in advance of maturity and shall be redeemed and cancelled before or at the time bonds are issued in lieu thereof. Said note so authorized by K.S.A. 12-6(a)01 et. seq. and K.S.A. 10-123 and all acts amendatory and supplementary thereto.

ORDINANCE NO. 799

re Issuance of Temporary Notes of \$570,000;
127th Street between Roe and Mission

20-198. EXECUTION AND PAYMENT. Section 3. Said note shall be in the form and executed as provided by law, both principal and interest shall be paid at the office of the City Clerk of Leawood, Kansas.

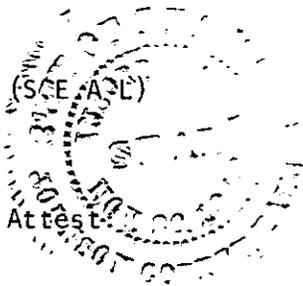
20-199. INCORPORATION BY REFERENCE. Section 4. A copy of the aforementioned Engineer's Certificate is attached to the original ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 5. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/19/83 Second Reading: 1/3/84

Passed by the Governing Body this 3rd day of January, 1984.

Approved by the Mayor this 3rd day of January, 1984.



Kent E. Crippin
Kent E. Crippin Mayor

J. Oberlander
J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: R.S. Wetzier, City Attorney



SHAFER, KLINE & WARREN, P.A.

CIVIL ENGINEERS — LAND SURVEYORS — LAND PLANNERS

11100 WEST 91ST STREET, OVERLAND PARK, KANSAS 66214

TEL. (913) 888-7800

PHILIP K. KLINE
ROBERT R. MYERS
TEX L. NEW
ROGER H. SELLERS
WM. I. SHAFER
EMMETT J. WARREN

December 16, 1983

ENGINEER'S CERTIFICATION IMPROVEMENT DISTRICT 83-1 127TH STREET - LEAWOOD, KANSAS

The Estimated or Probable Cost for the above captioned project was prepared early in 1983, and the amount projected at that time was \$420,000.00

As is the case in all such projects, the estimates are based on inconclusive data, because they are made before the project has been surveyed or designed, and of necessity, the estimated quantities and costs are just that, estimates.

In this project there were costs beyond the norm involved in the clearing and grading costs, the storm drainage costs and in the paving costs.

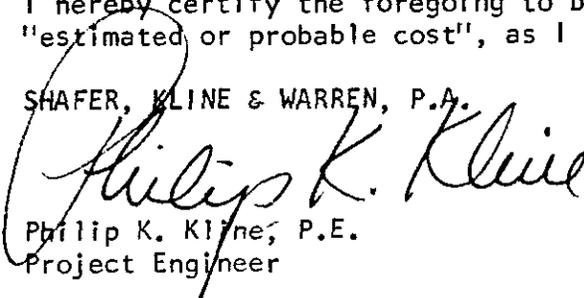
While the scope of the project, as originally proposed, has remained the same, factors affecting the costs have developed under which only a serious modification of the original specifications in the nature of safety sight distances, pavement widths and thicknesses, and ancillary facilities, such as sidewalks, street lighting and storm drainage could reduce the cost to the original "estimated or probable cost" of \$420,000.00.

After the plans and specifications were completed, and all the facts known, our firm projected an Engineer's Estimate of construction cost of \$566,363.00. The low bid of the Holland Corporation was \$501,533.60, or well under our estimate. Of the seven bids received, three bids were under the Engineer's Estimate, and four were over the estimate.

In summary, the difference between an "estimated or probable cost" of \$420,000.00, and a new total estimated project cost of \$570,000.00, was occasioned by additional quantities of construction required, beyond the norm, and also because of a construction cost inflation factor, which has not been a major consideration in recent years.

I hereby certify the foregoing to be the true factors in the change in the "estimated or probable cost", as I understand them.

SHAFER, KLINE & WARREN, P.A.


Philip K. Kline, P.E.
Project Engineer

PKK:lm

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- ^{day} (weeks, days) the first publication thereof being made as aforesaid on the ^{6th} day of, January 19-84, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

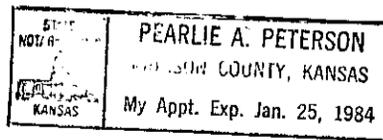
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 6th day of January 19-84

Pearlie A. Peterson

NOTARY PUBLIC



My Commission expires: -----
Printer's Fee \$ 52.69
Additional copies \$ -----

First Published in The
Johnson County Sun Fr. Day,
January 6, 1984.

ORDINANCE NO. 799

AN ORDINANCE REPEALING AND SUPERSEDING ORDINANCE NO. 786 AND AUTHORIZING THE ISSUANCE OF TEMPORARY NOTES IN THE SUM OF FIVE HUNDRED AND SEVENTY THOUSAND DOLLARS (\$570,000.00) OF THE CITY OF LEAWOOD, KANSAS, TO PROVIDE TEMPORARY FINANCING FOR THE CONSTRUCTION AND IMPROVEMENT OF 127TH STREET FROM THE CENTERLINE OF ROE AVENUE TO THE CENTERLINE OF MISSION ROAD CONSISTING OF A THIRTY-SIX FOOT (36') ROADWAY IN WIDTH BACK-TO-BACK WITH CURB, ALL IMPROVEMENTS TO BE INCLUSIVE OF STORM DRAINAGE FACILITIES, STREET LIGHTING AND OTHER APPURTENANCES, THE COST OF WHICH IMPROVEMENTS WILL BE PAID BY THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood adopted Resolution No. 617 making findings of advisability and authorizing construction of 127th Street between Roe Avenue and Mission Road in the City of Leawood, Kansas, pursuant to proceedings under K.S.A. 12-6(a)01 et. seq.; and

WHEREAS, it was previously determined that the ~~estimated cost of the construction and improvements of the~~ aforementioned street would be Four Hundred Twenty Thousand Dollars (\$420,000.00), for which it was necessary to issue temporary notes to finance the cost of construction of said improvements; and

WHEREAS, construction bids have been let for the project and it is apparent that the probable cost including engineering and construction will be approximately Five Hundred and Seventy Thousand Dollars (\$570,000.00), all as set out in the attached Engineer's Certificate; and
WHEREAS, all legal requirements pertaining to the authorization of said improvements have been complied with and that issuance of temporary notes is and will be required to finance engineering and construction costs authorized by K.S.A. 12-6(a)01 et. seq., and K.S.A. 10-123 and all acts amendatory thereto:

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

REPEAL OF SECTIONS. Section 1. Sections 20-197 and 20-198 of Revised Ordinances, as adopted by Ordinance No. 786, are hereby repealed and the following enacted in lieu thereof:

20-197. AUTHORIZATION, INTEREST AND MATURITY. Section 2. That for the purpose of paying the cost of making the improvements described and referred to in the title and preamble of this ordinance, including the payment of necessary engineering, incidental and legal costs thereto, there should be issued temporary notes from the City of Leawood, Kansas, in the total amount of Five Hundred Seventy Thousand Dollars (\$570,000.00), which amount does not exceed the total estimated costs of said improvements. Said note shall be numbered L.I.D. 84-1, and shall bear interest at a rate not to exceed nine percent per annum, payable at maturity, and shall mature one (1) year from January 1, 1984, and shall be callable in advance of maturity and shall be redeemed and cancelled before or at the time bonds are issued in lieu thereof. Said note so authorized by K.S.A. 12-6(a)01 et. seq. and K.S.A. 10-123 and all acts amendatory and supplementary thereto.

20-198. EXECUTION AND PAYMENT. Section 3. Said note shall be in the form and executed as provided by law, both principal and interest shall be paid at the office of the City Clerk of Leawood, Kansas.

20-199. INCORPORATION BY REFERENCE. Section 4. A copy of the aforementioned Engineer's Certificate is attached to the original ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 5. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/19/83
Second Reading: 1/3/84

Passed by the Governing Body this 3rd day of January, 1984.

Approved by the Mayor this 3rd day of January, 1984.

(s) Kent E. Crippin,
Mayor

(S E A L)

Attest:

(s) J. Oberlander,
City Clerk

APPROVED FOR FORM
AND CONTENT:

(s) R. S. Wetzler,
City Attorney

AN ORDINANCE ESTABLISHING A DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

1-1201. Section 1. To enable the City of Leawood to attract to and retain in its employment persons of competence and to provide a means for supplementing the retirement benefits of City employees, the City of Leawood hereby adopts the deferred compensation plan, attached hereto as Appendix A, and appoints the ICMA Retirement Corporation to serve as Administrator thereunder.

1-1202. Section 2. The City of Leawood hereby executes the ICMA Retirement Trust, attached hereto as Appendix B.

1-1203. Section 3. The City of Leawood hereby adopts the trust agreement attached hereto as Appendix C, and appoints the ICMA Retirement Corporation as Trustee thereunder, and directs the ICMA Retirement Corporation, as Trustee, to invest all funds held under the deferred compensation plan through the ICMA Retirement Trust as soon as is practicable.

1-1204. Section 4. The City Administrator shall be the coordinator for this program and shall receive necessary reports, notices, etc., from the ICMA Retirement Corporation as Administrator, and shall cast, on behalf of the Employer, any required votes under the program. Administrative duties to carry out the plan may be assigned to the appropriate departments.

1-1205. Section 5. Copies of Appendices A, B, and C, are attached to the original ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.
First Reading: 12/19/83 Second Reading: 1/3/84
Passed by the Governing Body this 3rd day of January, 1984.

Approved by the Mayor this 3rd day of January, 1984.



[Handwritten Signature]
Kent E. Crippin, Mayor

Attest:

[Handwritten Signature]
J. Oberlander, City Clerk

Approved for form and content:

[Handwritten Signature]
R. S. Wetzler, City Attorney

("EMPLOYER")

DEFERRED COMPENSATION PLAN

I. INTRODUCTION

The Employer hereby establishes the Employer's Deferred Compensation Plan, hereinafter referred to as the "Plan." The Plan consists of the provisions set forth in this document.

The primary purpose of this Plan is to provide retirement income and other deferred benefits to the Employees of the Employer in accordance with the provisions of section 457 of the Internal Revenue Code of 1954, as amended.

This Plan shall be an agreement solely between the Employer and participating Employees.

II. DEFINITIONS

2.01 Account: The bookkeeping account maintained for each Participant reflecting the cumulative amount of the Participant's Deferred Compensation, including any income, gains, losses, or increases or decreases in market value attributable to the Employer's investment of the Participant's Deferred Compensation, and further reflecting any distributions to the Participant or the Participant's Beneficiary and any fees or expenses charged against such Participant's Deferred Compensation.

2.02 Administrator: The person or persons named to carry out certain nondiscretionary administrative functions under the Plan, as hereinafter described. The Employer may remove any person as Administrator upon 60 days advance notice in writing to such person, in which case the Employer shall name another person or persons to act as Administrator. The Administrator may resign upon 60 days advance notice in writing to the Employer, in which case the Employer shall name another person or persons to act as Administrator.

2.03 Beneficiary: The person or persons designated by the Participant in his Joinder Agreement who shall receive any benefits payable hereunder in the event of the Participant's death.

2.04 Deferred Compensation: The amount of Normal Compensation otherwise payable to the Participant which the Participant and the Employer mutually agree to defer hereunder, any amount credited to a Participant's Account by reason of a transfer under Section 6.03, or any other amount which the Employer agrees to credit to a Participant's Account.

2.05 Employee: Any individual who provides services for the Employer, whether as an employee of the Employer or as an independent contractor, and who has been designated by the Employer as eligible to participate in the Plan.

2.06 Includible Compensation: The amount of an Employee's compensation from the Employer for a taxable year that is attributable to services performed for the Employer and that is includible in the Employee's gross income for the taxable year for federal income tax purposes; such term does not

include any amount excludable from gross income under this Plan or any other plan described in section 457(b) of the Internal Revenue Code, any amount excludable from gross income under section 403(b) of the Internal Revenue Code, or any other amount excludable from gross income for federal income tax purposes. Includible Compensation shall be determined without regard to any community property laws.

2.07 Joinder Agreement: An agreement entered into between an Employee and the Employer, including any amendments or modifications thereof. Such agreement shall fix the amount of Deferred Compensation, specify a preference among the investment alternatives designated by the Employer, designate the Employee's Beneficiary or Beneficiaries, and incorporate the terms, conditions, and provisions of the Plan by reference.

2.08 Normal Compensation: The amount of compensation which would be payable to a Participant by the Employer for a taxable year if no Joinder Agreement were in effect to defer compensation under this Plan.

2.09 Normal Retirement Age: Age 70, unless the Participant has elected an alternate Normal Retirement Age by written instrument delivered to the Administrator prior to Separation from Service. A Participant's Normal Retirement Age determines (a) the latest time when benefits may commence under this Plan (unless the Participant continues employment after Normal Retirement Age), and (b) the period during which a Participant may utilize the catch-up limitation of Section 5.02 hereunder. Once a Participant has to any extent utilized the catch-up limitation of Section 5.02, his Normal Retirement Age may not be changed.

A Participant's alternate Normal Retirement Age may not be earlier than the earliest date that the Participant will become eligible to retire and receive unreduced retirement benefits under the Employer's basic retirement plan covering the Participant and may not be later than the date the Participant attains age 70. If a Participant continues employment after attaining age 70, not having previously elected an alternate Normal Retirement Age, the Participant's alternate Normal Retirement Age shall not be later than the mandatory retirement age, if any, established by the Employer, or the age at which the Participant actually separates from service if the Employer has no mandatory retirement age. If the Participant will not become eligible to receive benefits under a basic retirement plan maintained by the Employer, the Participant's alternate Normal Retirement Age may not be earlier than attainment of age 55 and may not be later than attainment of age 70.

2.10 Participant: Any Employee who has joined the Plan pursuant to the requirements of Article IV.

2.11 Plan Year: The calendar year.

2.12 Retirement: The first date upon which both of the following shall have occurred with respect to a Participant: Separation from Service and attainment of Normal Retirement Age.

2.13 Separation from Service: Severance of the Participant's employment with the Employer. A Participant shall be deemed to have severed his employment with the Employer for purposes of this Plan when, in accordance with the established practices of the Employer, the employment relationship is considered to have actually terminated. In the case of a Participant who is an independent contractor of the Employer, Separation from Service shall be deemed to have occurred when the Participant's contract under which services are performed has completely expired and terminated, there is no foreseeable possibility that the Employer will renew the contract or enter into a new contract for the Participant's services, and it is not anticipated that the Participant will become an Employee of the Employer.

III. ADMINISTRATION

3.01 Duties of Employer: The Employer shall have the authority to make all discretionary decisions affecting the rights or benefits of Participants which may be required in the administration of this Plan.

3.02 Duties of Administrator: The Administrator, as agent for the Employer, shall perform nondiscretionary administrative functions in connection with the Plan, including the maintenance of Participants' Accounts, the provision of periodic reports of the status of each Account and the disbursement of benefits on behalf of the Employer in accordance with the provisions of this Plan.

IV. PARTICIPATION IN THE PLAN

4.01 Initial Participation: An Employee may become a Participant by entering into a Joinder Agreement prior to the beginning of the calendar month in which the Joinder Agreement is to become effective to defer compensation not yet earned.

4.02 Amendment of Joinder Agreement: A Participant may amend an executed Joinder Agreement to change the amount of compensation not yet earned which is to be deferred (including the reduction of such future deferrals to zero) or to change his investment preference (subject to such restrictions as may result from the nature or terms of any investment made by the Employer). Such amendment shall become effective as of the beginning of the calendar month commencing after the date the amendment is executed. A Participant may at any time amend his Joinder Agreement to change the designated Beneficiary and such amendment shall become effective immediately.

V. LIMITATIONS ON DEFERRALS

5.01 Normal Limitation: Except as provided in Section 5.02, the maximum amount of Deferred Compensation for any Participant for any taxable year shall not exceed the lesser of \$7,500.00 or 33 1/3 percent of the Participant's Includible Compensation for the taxable year. This limitation will ordinarily be equivalent to the lesser of \$7,500.00 or 25 percent of the Participant's Normal Compensation.

5.02 Catch-up Limitation: For each of the last three (3) taxable years of a Participant ending before his attainment of Normal Retirement Age, the maximum amount of Deferred Compensation shall be the lesser of: (1) \$15,000 or (2) the sum of (i) the Normal Limitation for the taxable year, and (ii) that portion of the Normal Limitation for each of the prior taxable years of the Participant commencing after 1978 during which the Plan was in existence and the Participant was eligible to participate in the Plan (or in any other plan established under section 457 of the Internal Revenue Code by an employer within the same State as the Employer) less the amount of Deferred Compensation for each such prior taxable year (including amounts deferred under such other

plan). For purposes of this Section 5.02, a Participant's Includible Compensation for the current taxable year shall be deemed to include any Deferred Compensation for the taxable year in excess of the amount permitted under the Normal Limitation, and the Participant's Includible Compensation for any prior taxable year shall be deemed to exclude any amount that could have been deferred under the Normal Limitation for such prior taxable year.

5.03 Section 403(b) Annuities: For purposes of Sections 5.01 and 5.02, amounts contributed by the Employer on behalf of a Participant for the purchase of an annuity contract described in section 403(b) of the Internal Revenue Code shall be treated as if such amounts constituted Deferred Compensation under this Plan for the taxable year in which the contribution was made and shall thereby reduce the maximum amount that may be deferred for such taxable year.

VI. INVESTMENTS AND ACCOUNT VALUES

6.01 Investment of Deferred Compensation: All investments of Participants' Deferred Compensation made by the Employer, including all property and rights purchased with such amounts and all income attributable thereto, shall be the sole property of the Employer and shall not be held in trust for Participants or as collateral security for the fulfillment of the Employer's obligations under the Plan. Such property shall be subject to the claims of general creditors of the Employer, and no Participant or Beneficiary shall have any vested interest or secured or preferred position with respect to such property or have any claim against the Employer except as a general creditor.

6.02 Crediting of Accounts: The Participant's Account shall reflect the amount and value of the investments or other property obtained by the Employer through the investment of the Participant's Deferred Compensation. It is anticipated that the Employer's investments with respect to a Participant will conform to the investment preference specified in the Participant's Joinder Agreement, but nothing herein shall be construed to require the Employer to make any particular investment of a Participant's Deferred Compensation. Each Participant shall receive periodic reports, not less frequently than annually, showing the then-current value of his Account.

6.03 Acceptance of Transfers: Pursuant to an appropriate written agreement, the Employer may accept and credit to a Participant's Account amounts transferred from another employer within the same State representing amounts held by such other employer under an eligible State deferred compensation plan described in section 457 of the Internal Revenue Code. Any such transferred amount shall not be treated as a deferral subject to the limitations of Article V, provided however, that the actual amount of any deferral under the plan from which the transfer is made shall be taken into account in computing the catch-up limitation under Section 5.02.

6.04 Employer Liability: In no event shall the Employer's liability to pay benefits to a Participant under Article VI exceed the value of the amounts credited to the Participant's Account; the Employer shall not be liable for losses arising from depreciation or shrinkage in the value of any investments acquired under this Plan.

VII. BENEFITS

7.01 Retirement Benefits and Election on Separation from Service: Except as otherwise provided in this Article VII, the distribution of a Participant's Account shall commence during the second calendar month after the close of the Plan Year of the Participant's Retirement, and the distribution of such Retirement benefits shall be made in accordance with one of the payment options described in Section 7.02. Notwithstanding the foregoing, the Participant may irrevocably

cably elect within 60 days following Separation from Service to have the distribution of benefits commence on a date other than that described in the preceding sentence which is at least 60 days after the date such election is delivered in writing to the Employer and forwarded to the Administrator but not later than 60 days after the close of the Plan Year of the Participant's Retirement.

7.02 Payment Options: As provided in Sections 7.01, 7.05 and 7.06, a Participant may elect to have the value of his Account distributed in accordance with one of the following payment options, provided that such option is consistent with the limitations set forth in Section 7.03:

(a) Equal monthly, quarterly, semi-annual or annual payments in an amount chosen by the Participant, continuing until his Account is exhausted;

(b) One lump sum payment;

(c) Approximately equal monthly, quarterly, semi-annual or annual payments, calculated to continue for a period certain chosen by the Participant;

(d) Payments equal to payments made by the issuer of a retirement annuity policy acquired by the Employer;

(e) Any other payment option elected by the Participant and agreed to by the Employer.

A Participant's election of a payment option must be made at least 30 days before the payment of benefits is to commence. If a Participant fails to make a timely election of a payment option, benefits shall be paid monthly under option (c) above for a period of five years.

7.03 Limitation on Options: No payment option may be selected by the Participant under Section 7.02 unless the present value of the payments to the Participant, determined as of the date benefits commence, exceeds 50 percent of the value of the Participant's Account as of the date benefits commence. Present value determinations under this Section shall be made by the Administrator in accordance with the expected return multiples set forth in section 1.72-9 of the Federal Income Tax Regulations (or any successor provision to such regulations).

7.04 Post-retirement Death Benefits: Should the Participant die after he has begun to receive benefits under a payment option, the remaining payments, if any, under the payment option shall be payable to the Participant's Beneficiary commencing within 60 days after the Administrator receives proof of the Participant's death, unless the Beneficiary elects payment under a different payment option at least 30 days prior to the date that the first payment becomes payable to the Beneficiary. In no event shall the Employer or Administrator be liable to the Beneficiary for the amount of any payment made in the name of the Participant before the Administrator receives proof of death of the Participant. Notwithstanding the foregoing, payments to a Beneficiary shall not extend over a period longer than (i) the Beneficiary's life expectancy if the Beneficiary is the Participant's spouse or (ii) fifteen (15) years if the Beneficiary is not the Participant's spouse. If no Beneficiary is designated in the Joinder Agreement, or if the designated Beneficiary does not survive the Participant for a period of fifteen (15) days, then the commuted value of any remaining payments under the payment option shall be paid in a lump sum to the estate of the Participant. If the designated Beneficiary survives the Participant for a period of fifteen (15) days, but does not continue to live for the remaining period of payments under the payment option (as modified, if necessary, in conformity with the third sentence of this section), then the commuted value of any remaining payments under the payment option shall be paid in a lump sum to the estate of the Beneficiary.

7.05 Pre-retirement Death Benefits: Should the Participant die, before he has begun to receive the benefits provided by

Sections 7.01 or 7.06, a death benefit equal to the value of the Participant's Account shall be payable to the Beneficiary commencing no later than 60 days after the close of the Plan Year in which the Participant would have attained Normal Retirement Age. Such death benefit shall be paid in a lump sum unless the Beneficiary elects a different payment option within 90 days of the Participant's death. A Beneficiary who may elect a payment option pursuant to the provisions of the preceding sentence shall be treated as if he were a Participant for purposes of determining the payment options available under Section 7.02; provided, however, that the payment option chosen by the Beneficiary must provide for payments to the Beneficiary over a period no longer than the life expectancy of the Beneficiary if the Beneficiary is the Participant's spouse and must provide for payments over a period not in excess of fifteen (15) years if the Beneficiary is not the Participant's spouse.

7.06 Disability: In the event a Participant becomes disabled before the commencement of Retirement benefits under Section 7.01, the Participant may elect to commence benefits under one of the payment options described in Section 7.02 on the last day of the month following a determination of disability by the Employer. The Participant's request for such determination must be made within a reasonable time after the impairment which constitutes the disability occurs. A Participant shall be considered disabled for purposes of this Plan if he is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or be of long-continued and indefinite duration. The disability of any Participant shall be determined in accordance with uniform principles consistently applied and upon the basis of such medical evidence as the Employer deems necessary and desirable.

7.07 Unforeseeable Emergencies: In the event an unforeseeable emergency occurs, a Participant may apply to the Employer to receive that part of the value of his account that is reasonably needed to satisfy the emergency need. If such an application is approved by the Employer, the Participant shall be paid only such amount as the Employer deems necessary to meet the emergency need, but payment shall not be made to the extent that the financial hardship may be relieved through cessation of deferral under the Plan, insurance or other reimbursement, or liquidation of other assets to the extent such liquidation would not itself cause severe financial hardship. An unforeseeable emergency shall be deemed to involve only circumstances of severe financial hardship to the Participant resulting from a sudden and unexpected illness or accident of the Participant or of a dependent (as defined in section 152(a) of the Internal Revenue Code) of the Participant, loss of the Participant's property due to casualty, or other similar and extraordinary unforeseeable circumstances arising as a result of events beyond the control of the Participant. The need to send a Participant's child to college or to purchase a new home shall not be considered unforeseeable emergencies. The determination as to whether such an unforeseeable emergency exists shall be based on the merits of each individual case.

VIII. NON-ASSIGNABILITY

No Participant or Beneficiary shall have any right to commute, sell, assign, pledge, transfer or otherwise convey or encumber the right to receive any payments hereunder, which payments and rights are expressly declared to be non-assignable and non-transferable.

IX. RELATIONSHIP TO OTHER PLANS AND EMPLOYMENT AGREEMENTS

This Plan serves in addition to any other retirement, pension, or benefit plan or system presently in existence or hereinafter established for the benefit of the Employer's employees, and participation hereunder shall not affect benefits receivable under

any such plan or system. Nothing contained in this Plan shall be deemed to constitute an employment contract or agreement between any Participant and the Employer or to give any Participant the right to be retained in the employ of the Employer. Nor shall anything herein be construed to modify the terms of any employment contract or agreement between a Participant and the Employer.

X. AMENDMENT OR TERMINATION OF PLAN

The Employer may at any time amend this Plan provided that it transmits such amendment in writing to the Administrator at least 30 days prior to the effective date of the amendment. The consent of the Administrator shall not be required in order for such amendment to become effective, but the Administrator shall be under no obligation to continue acting as Administrator hereunder if it disapproves of such amendment. The Employer may at any time terminate this Plan.

The Administrator may at any time propose an amendment to the Plan by an instrument in writing transmitted to the Employer at least 30 days before the effective date of the amendment. Such amendment shall become effective unless, within such 30-day

period, the Employer notifies the Administrator in writing that it disapproves such amendment, in which case such amendment shall not become effective. In the event of such disapproval, the Administrator shall be under no obligation to continue acting as Administrator hereunder.

No amendment or termination of the Plan shall divest any Participant of any rights with respect to compensation deferred before the date of the amendment or termination.

XI. APPLICABLE LAW

This Plan shall be construed under the laws of the state where the Employer is located and is established with the intent that it meet the requirements of an "eligible State deferred compensation plan" under section 457 of the Internal Revenue Code of 1954, as amended. The provisions of this Plan shall be interpreted wherever possible in conformity with the requirements of that section.

XII. GENDER AND NUMBER

The masculine pronoun, whenever used herein, shall include the feminine pronoun, and the singular shall include the plural, except where the context requires otherwise.

DECLARATION OF TRUST of ICMA RETIREMENT TRUST

ARTICLE I. Name and Definitions

SECTION 1.1. Name. The Name of the Trust created hereby is the ICMA Retirement Trust.

SECTION 1.2. Definitions. Wherever they are used herein, the following terms shall have the following respective meanings:

(a) By-Laws. The By-Laws referred to in Section 4.1 hereof, as amended from time to time.

(b) Deferred Compensation Plan. A deferred compensation plan established and maintained by a Public Employer for the purpose of providing retirement income and other deferred benefits to its employees in accordance with the provisions of section 457 of the Internal Revenue Code of 1954, as amended.

(c) Guaranteed Investment Contract. A contract entered into by the Retirement Trust with insurance companies that provides for a guaranteed rate of return on investments made pursuant to such contract.

(d) ICMA. The International City Management Association.

(e) ICMA/RC Trustees. Those Trustees elected by the Public Employers who, in accordance with the provisions of Section 3.1(a) hereof, are also members of the Board of Directors of ICMA or RC.

(f) Investment Adviser. The Investment Adviser that enters into a contract with the Retirement Trust to provide advice with respect to investment of the Trust Property.

(g) Employer Trust. A trust created pursuant to an agreement between RC and a Public Employer for the purpose of investing and administering the funds set aside by such employer in connection with its deferred compensation agreements with its employees.

(h) Portfolios. The Portfolios of investments established by the Investment Adviser to the Retirement Trust, under the supervision of the Trustees, for the purpose of providing investments for the Trust Property.

(i) Public Employee Trustees. Those Trustees elected by the Public Employers who, in accordance with the provisions of Section 3.1(a) hereof, are full-time employees of Public Employers.

(j) Public Employer. A unit of state or local government, or any agency or instrumentality thereof, that has adopted a Deferred Compensation Plan and has executed this Declaration of Trust.

(k) RC. The International City Management Association Retirement Corporation.

(l) Retirement Trust. The Trust created by this Declaration of Trust.

(m) Trust Property. The amounts held in the Retirement Trust on behalf of the Public Employers. The Trust Property shall include any income resulting from the investment of the amounts so held.

(n) Trustees. The Public Employee Trustees and ICMA/RC Trustees elected by the Public Employers to serve as members of the Board of Trustees of the Retirement Trust.

ARTICLE II. Creation and Purpose of the Trust; Ownership of Trust Property

SECTION 2.1. Creation. The Retirement Trust is created and established by the execution of this Declaration of Trust by the Trustees and the participating Public Employers.

SECTION 2.2. Purpose. The purpose of the Retirement Trust is to provide for the commingled investment of funds held by the Public Employers in connection with their Deferred Compensation Plans. The Trust Property shall be invested in the Portfolios, in Guaranteed Investment Contracts and in other investments recommended by the investment Adviser under the supervision of the Board of Trustees.

SECTION 2.3 Ownership of Trust Property. The Trustees shall have legal title to the Trust Property. The Public Employers shall be the beneficial owners of the Trust Property.

ARTICLE III. Trustees

SECTION 3.1. Number and Qualification of Trustees.

(a) The Board of Trustees shall consist of nine Trustees. Five of the Trustees shall be full-time employees of a Public Employer (the Public Employee Trustees) who are authorized by such Public Employer to serve as Trustee. The remaining four Trustees shall consist of two persons who, at the time of election to the Board of Trustees, are members of the Board of Directors of ICMA and two persons who, at the time of election, are members of the Board of Directors of RC (the ICMA/RC Trustees). One of the Trustees who is a director of ICMA, and one of the Trustees who is a director of RC, shall, at the time of election, be full-time employees of a Public Employer.

(b) No person may serve as a Trustee for more than one term in any ten-year period.

SECTION 3.2. Election and Term.

(a) Except for the Trustees appointed to fill vacancies pursuant to Section 3.5 hereof, the Trustees shall be elected by a vote of a majority of the Public Employers in accordance with the procedures set forth in the By-Laws.

(b) At the first election of Trustees, three Trustees shall be elected for a term of three years, three Trustees shall be elected for a term of two years and three Trustees shall be elected for a term of one year. At each subsequent election, three Trustees shall be elected for a term of three years and until his or her successor is elected and qualified.

SECTION 3.3. Nominations. The Trustees who are full-time employees of Public Employers shall serve as the Nominating Committee for the Public Employee Trustees. The Nominating Committee shall choose candidates for Public Employee Trustees in accordance with the procedures set forth in the By-Laws.

SECTION 3.4. Resignation and Removal.

(a) Any Trustee may resign as Trustee (without need for prior or subsequent accounting) by an instrument in writing signed by the Trustee and delivered to the other Trustees and such resignation shall be effective upon such delivery, or at a later date according

to the terms of the instrument. Any of the Trustees may be removed for cause, by a vote of a majority of the Public Employers.

(b) Each Public Employee Trustee shall resign his or her position as Trustee within sixty days of the date on which he or she ceases to be a full-time employee of a Public Employer.

SECTION 3.5. Vacancies. The term of office of a Trustee shall terminate and a vacancy shall occur in the event of the death, resignation, removal, adjudicated incompetence or other incapacity to perform the duties of the office of a Trustee. In the case of a vacancy, the remaining Trustees shall appoint such person as they in their discretion shall see fit (subject to the limitations set forth in this Section), to serve for the unexpired portion of the term of the Trustee who has resigned or otherwise ceased to be a Trustee. The appointment shall be made by a written instrument signed by a majority of the Trustees. The person appointed must be the same type of Trustee (i.e., Public Employee Trustee or ICMA/RC Trustee) as the person who has ceased to be a Trustee. An appointment of a Trustee may be made in anticipation of a vacancy to occur at a later date by reason of retirement or resignation, provided that such appointment shall not become effective prior to such retirement or resignation. Whenever a vacancy in the number of Trustees shall occur, until such vacancy is filled as provided in this Section 3.5, the Trustees in office, regardless of their number, shall have all the powers granted to the Trustees and shall discharge all the duties imposed upon the Trustees by this Declaration. A written instrument certifying the existence of such vacancy signed by a majority of the Trustees shall be conclusive evidence of the existence of such vacancy.

SECTION 3.6. Trustees Serve in Representative Capacity. By executing this Declaration, each Public Employer agrees that the Public Employee Trustees elected by the Public Employers are authorized to act as agents and representatives of the Public Employers collectively.

ARTICLE IV. Powers of Trustees

SECTION 4.1. General Powers. The Trustees shall have the power to conduct the business of the Trust and to carry on its operations. Such power shall include, but shall not be limited to, the power to:

- (a) receive the Trust Property from the Public Employers or from a Trustee of any Employer Trust;
- (b) enter into a contract with an Investment Adviser providing, among other things, for the establishment and operation of the Portfolios, selection of the Guaranteed Investment Contracts in which the Trust Property may be invested, selection of other investments for the Trust Property and the payment of reasonable fees to the Investment Adviser and to any sub-investment adviser retained by the Investment Adviser;
- (c) review annually the performance of the Investment Adviser and approve annually the contract with such Investment Adviser;
- (d) invest and reinvest the Trust Property in the Portfolios, the Guaranteed Investment Contracts and in any other investment recommended by the Investment Adviser, provided that if a Public Employer has directed that its monies be invested in specified Portfolios or in a Guaranteed Investment Contract, the Trustees of the Retirement Trust shall invest such monies in accordance with such directions;
- (e) keep such portion of the Trust Property in cash or cash balances as the Trustees, from time to time, may deem to be in the best interest of the Retirement Trust created hereby, without liability for interest thereon;
- (f) accept and retain for such time as they may deem advisable any securities or other property received or acquired by them as Trustees hereunder, whether or not such securities or other property would normally be purchased as investments hereunder;
- (g) cause any securities or other property held as part of the Trust Property to be registered in the name of the Retirement Trust or in the name of a nominee, and to hold any investments in bearer form, but the books and records of the Trustees shall at all

times show that all such investments are a part of the Trust Property;

(h) make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(i) vote upon any stock, bonds, or other securities; give general or special proxies or powers of attorney with or without power of substitution; exercise any conversion privileges, subscription rights, or other options, and make any payments incidental thereto; oppose, or consent to, or otherwise participate in, corporate reorganizations or other changes affecting corporate securities, and delegate discretionary powers, and pay any assessments or charges in connection therewith; and generally exercise any of the powers of an owner with respect to stocks, bonds, securities or other property held as part of the Trust Property;

(j) enter into contracts or arrangements for goods or services required in connection with the operation of the Retirement Trust, including, but not limited to, contracts with custodians and contracts for the provision of administrative services;

(k) borrow or raise money for the purpose of the Retirement Trust in such amount, and upon such terms and conditions, as the Trustees shall deem advisable, provided that the aggregate amount of such borrowings shall not exceed 30% of the value of the Trust Property. No person lending money to the Trustees shall be bound to see the application of the money lent or to inquire into its validity, expediency or propriety of any such borrowing;

(l) incur reasonable expenses as required for the operation of the Retirement Trust and deduct such expenses from the Trust Property;

(m) pay expenses properly allocable to the Trust Property incurred in connection with the Deferred Compensation Plans or the Employer Trusts and deduct such expenses from that portion of the Trust Property beneficially owned by the Public Employer to whom such expenses are properly allocable;

(n) pay out of the Trust Property all real and personal property taxes, income taxes and other taxes of any and all kinds which, in the opinion of the Trustees, are properly levied, or assessed under existing or future laws upon, or in respect of, the Trust Property and allocate any such taxes to the appropriate accounts;

(o) adopt, amend and repeal the By-Laws, provided that such By-Laws are at all times consistent with the terms of this Declaration of Trust;

(p) employ persons to make available interests in the Retirement Trust to employers eligible to maintain a deferred compensation plan under section 457 of the Internal Revenue Code, as amended;

(q) issue the Annual Report of the Retirement Trust, and the disclosure documents and other literature used by the Retirement Trust;

(r) make loans, including the purchase of debt obligations, provided that all such loans shall bear interest at the current market rate;

(s) contract for, and delegate any powers granted hereunder to, such officers, agents, employees, auditors and attorneys as the Trustees may select, provided that the Trustees may not delegate the powers set forth in paragraphs (b), (c) and (o) of this Section 4.1 and may not delegate any powers if such delegation would violate their fiduciary duties;

(t) provide for the indemnification of the officers and Trustees of the Retirement Trust and purchase fiduciary insurance;

(u) maintain books and records, including separate accounts for each Public Employer or Employer Trust and such additional separate accounts as are required under, and consistent with, the Deferred Compensation Plan of each Public Employer; and

(v) do all such acts, take all such proceedings, and exercise all such rights and privileges, although not specifically mentioned herein, as the Trustees may deem necessary or appropriate to administer the Trust Property and to carry out the purposes of the Retirement Trust.

SECTION 4.2. Distribution of Trust Property. Distributions of the Trust Property shall be made to, or on behalf of, the Public Employer, in accordance with the terms of the Deferred Compensation Plans or Employer Trusts. The Trustees of the Retirement Trust shall be fully protected in making payments in accordance with the directions of the Public Employers or the Trustees of the Employer Trusts without ascertaining whether such payments are in compliance with the provisions of the Deferred Compensation Plans or the agreements creating the Employer Trusts.

SECTION 4.3. Execution of Instruments. The Trustees may unanimously designate any one or more of the Trustees to execute any instrument or document on behalf of all, including but not limited to the signing or endorsement of any check and the signing of any applications, insurance and other contracts, and the action of such designated Trustee or Trustees shall have the same force and effect as if taken by all the Trustees.

ARTICLE V. Duty of Care and Liability of Trustees

SECTION 5.1. Duty of Care. In exercising the powers hereinbefore granted to the Trustees, the Trustees shall perform all acts within their authority for the exclusive purpose of providing benefits for the Public Employers, and shall perform such acts with the care, skill, prudence and diligence in the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims.

SECTION 5.2. Liability. The Trustees shall not be liable for any mistake of judgment or other action taken in good faith, and for any action taken or omitted in reliance in good faith upon the books of account or other records of the Retirement Trust, upon the opinion of counsel, or upon reports made to the Retirement Trust by any of its officers, employees or agents or by the Investment Adviser or any sub-investment adviser, accountants, appraisers or other experts or consultants selected with reasonable care by the Trustees, officers or employees of the Retirement Trust. The Trustees shall also not be liable for any loss sustained by the Trust Property by reason of any investment made in good faith and in accordance with the standard of care set forth in Section 5.1.

SECTION 5.3. Bond. No Trustee shall be obligated to give any bond or other security for the performance of any of his or her duties hereunder.

ARTICLE VI. Annual Report to Shareholders

The Trustees shall annually submit to the Public Employers a written report of the transactions of the Retirement Trust, including financial statements which shall be certified by independent public accountants chosen by the Trustees.

ARTICLE VII. Duration or Amendment of Retirement Trust

SECTION 7.1. Withdrawal. A Public Employer may, at any time, withdraw from this Retirement Trust by delivering to the Board of Trustees a statement to that effect. The withdrawing Public Employer's beneficial interest in the Retirement Trust shall be paid out to the Public Employer or to the Trustee of the Employer Trust, as appropriate.

SECTION 7.2. Duration. The Retirement Trust shall continue until terminated by the vote of a majority of the Public Employers, each casting one vote. Upon termination, all of the Trust Property shall be paid out to the Public Employers or the Trustees of the Employer Trusts, as appropriate.

SECTION 7.3. Amendment. The Retirement Trust may be amended by the vote of a majority of the Public Employers, each casting one vote.

SECTION 7.4. Procedure. A resolution to terminate or amend the Retirement Trust or to remove a Trustee shall be submitted to a vote of the Public Employers if: (a) a majority of the Trustees so direct, or (b) a petition requesting a vote, signed by not less than 25% of the Public Employers, is submitted to the Trustees.

ARTICLE VIII. Miscellaneous

SECTION 8.1. Governing Law. Except as otherwise required by state or local law, this Declaration of Trust and the Retirement Trust hereby created shall be construed and regulated by the laws of the District of Columbia.

SECTION 8.2. Counterparts. This Declaration may be executed by the Public Employers and Trustees in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

TRUST AGREEMENT WITH THE ICMA RETIREMENT CORPORATION

AGREEMENT made by and between the Employer named in the attached resolution and the International City Management Association Retirement Corporation (hereinafter the "Trustee" or "Retirement Corporation"), a nonprofit corporation organized and existing under the laws of the State of Delaware, for the purpose of investing and otherwise administering the funds set aside by Employers in connection with deferred compensation plans established under section 457 of the Internal Revenue Code of 1954 (the "Code"). This Agreement shall take effect upon acceptance by the Trustee of its appointment by the Employer to serve as Trustee in accordance herewith as set forth in the attached resolution.

WHEREAS, the Employer has established a deferred compensation plan under section 457 of the Code (the "Plan");

WHEREAS, in order that there will be sufficient funds available to discharge the Employer's contractual obligations under the Plan, the Employer desires to set aside periodically amounts equal to the amount of compensation deferred;

WHEREAS, the funds set aside, together with any and all assets derived from the investment thereof, are to be exclusively within the dominion, control, and ownership of the Employer, and subject to the Employer's absolute right of withdrawal, no employees having any interest whatsoever therein;

NOW, THEREFORE, this Agreement witnesseth that (a) the Employer will pay monies to the Trustee to be placed in deferred compensation accounts for the Employer; (b) the Trustee covenants that it will hold said sums, and any other funds which it may receive hereunder, in trust for the uses and purposes and upon the terms and conditions hereinafter stated; and (c) the parties hereto agree as follows:

ARTICLE I. General Duties of the Parties.

Section 1.1. General Duty of the Employer. The Employer shall make regular periodic payments equal to the amounts of its employees' compensation which are deferred in accordance with the terms and conditions of the Plan to the extent that such amounts are to be invested under the Trust.

Section 1.2. General Duties of the Trustee. The Trustee shall hold all funds received by it hereunder, which, together with the income therefrom, shall constitute the Trust Funds. It shall administer the Trust Funds, collect the income thereof, and make payments therefrom, all as hereinafter provided. The Trustee shall also hold all Trust Funds which are transferred to it as successor Trustee by the Employer from existing deferred compensation arrangements with its Employees under plans described in section 457 of the Code. Such Trust Funds shall be subject to all of the terms and provisions of this Agreement.

ARTICLE II. Powers and Duties of the Trustee in Investment, Administration, and Disbursement of the Trust Funds.

Section 2.1. Investment Powers and Duties of the Trustee. The Trustee shall have the power to invest and reinvest the principal and income of the Trust Funds and keep the Trust Funds invested, without distinction between principal and income, in securities or in other property, real or personal, wherever situated, including, but not limited to, stocks, common or preferred, bonds, retirement annuity and insurance policies, mortgages, and other evidences of indebtedness or ownership, investment companies, common or group trust funds, or separate and different types of funds (including equity, fixed income) which fulfill requirements of state and local governmental laws,

provided, however, that the Employer may direct investment by the Trustee among available investment alternatives in such proportions as the Employer authorizes in connection with its deferred compensation agreements with its employees. For these purposes, these Trust Funds may be commingled with Trust Funds set aside by other Employers pursuant to the terms of the ICMA Retirement Trust. Investment powers vested in the Trustee by the Section may be delegated by the Trustee to any bank, insurance or trust company, or any investment advisor, manager or agent selected by it.

Section 2.2. Administrative Powers of the Trustee. The Trustee shall have the power in its discretion:

(a) To purchase, or subscribe for, any securities or other property and to retain the same in trust.

(b) To sell, exchange, convey, transfer or otherwise dispose of any securities or other property held by it, by private contract, or at public auction. No person dealing with the Trustee shall be bound to see the application of the purchase money or to inquire into the validity, expediency, or propriety of any such sale or other disposition.

(c) To vote upon any stocks, bonds, or other securities; to give general or special proxies or powers of attorney with or without power of substitution; to exercise any conversion privileges, subscription rights, or other options, and to make any payments incidental thereto; to oppose, or to consent to, or otherwise participate in, corporate reorganizations or other changes affecting corporate securities, and to delegate discretionary powers, and to pay any assessments or charges in connection therewith; and generally to exercise any of the powers of an owner with respect to stocks, bonds, securities or other property held as part of the Trust Funds.

(d) To cause any securities or other property held as part of the Trust Funds to be registered in its own name, and to hold any investments in bearer form, but the books and records of the Trustee shall at all times show that all such investments are a part of the Trust Funds.

(e) To borrow or raise money for the purpose of the Trust in such amount, and upon such terms and conditions, as the Trustee shall deem advisable; and, for any sum so borrowed, to issue its promissory note as Trustee, and to secure the repayment thereof by pledging all, or any part, of the Trust Funds. No person lending money to the Trustee shall be bound to see the application of the money lent or to inquire into its validity, expediency or propriety of any such borrowing.

(f) To keep such portion of the Trust Funds in cash or cash balances as the Trustee, from time to time, may deem to be in the best interest of the Trust created hereby, without liability for interest thereon.

(g) To accept and retain for such time as it may deem advisable any securities or other property received or acquired by it as Trustee hereunder, whether or not such securities or other property would normally be purchased as investment hereunder.

(h) To make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted.

(i) To settle, compromise, or submit to arbitration any claims, debts, or damages due or owing to or from the Trust Funds; to commence or defend suits or legal or administrative proceedings; and to represent the Trust Funds in all suits and legal and administrative proceedings.

(j) To do all such acts, take all such proceedings, and exercise all such rights and privileges, although not specifically mentioned herein, as the Trustee may deem necessary to administer the Trust Funds and to carry out the purposes of this Trust.

Section 2.3. Distributions from the Trust Funds. The Employer hereby appoints the Trustee as its agent for the purpose of making distributions from the Trust Funds. In this regard the terms and conditions set forth in the Plan are to guide and control the Trustee's power.

Section 2.4. Valuation of Trust Funds. At least once a year as of Valuation Dates designated by the Trustee, the Trustee shall determine the value of the Trust Funds. Assets of the Trust Funds shall be valued at their market values at the close of business on the Valuation Date, or, in the absence of readily ascertainable market values as the Trustee shall determine, in accordance with methods consistently followed and uniformly applied.

ARTICLE III. For Protection of Trustee.

Section 3.1. Evidence of Action by Employer. The Trustee may rely upon any certificate, notice or direction purporting to have been signed on behalf of the Employer which the Trustee believes to have been signed by a duly designated official of the Employer. No communication shall be binding upon any of the Trust Funds or Trustee until they are received by the Trustee.

Section 3.2. Advice of Counsel. The Trustee may consult with any legal counsel with respect to the construction of this Agreement, its duties hereunder, or any act, which it proposes to take or omit, and shall not be liable for any action taken or omitted in good faith pursuant to such advice.

Section 3.3. Miscellaneous. The Trustee shall use ordinary care and reasonable diligence, but shall not be liable for any mistake of judgment or other action taken in good faith. The Trustee shall not be liable for any loss sustained by the Trust Funds by reasons of any investment made in good faith and in accordance with the provisions of this Agreement.

The Trustee's duties and obligations shall be limited to those expressly imposed upon it by this Agreement.

ARTICLE IV. Taxes, Expenses and Compensation of Trustee.

Section 4.1. Taxes. The Trustee shall deduct from and charge against the Trust Funds any taxes on the Trust Funds or the income thereof or which the Trustee is required to pay with respect to the interest of any person therein.

Section 4.2. Expenses. The Trustee shall deduct from and charge against the Trust Funds all reasonable expenses incurred by the Trustee in the administration of the Trust Funds, including counsel, agency, investment advisory, and other necessary fees.

ARTICLE V. Settlement of Accounts. The Trustee shall keep accurate and detailed accounts of all investments, receipts, disbursements, and other transactions hereunder.

Within ninety (90) days after the close of each fiscal year, the Trustee shall render in duplicate to the Employer an account of its acts and transactions as Trustee hereunder. If any part of the Trust Fund shall be invested through the medium of any common, collective or commingled Trust Funds, the last annual report of such Trust Funds shall be submitted with and incorporated in the account.

If within ninety (90) days after the mailing of the account or any amended account the Employer has not filed with the Trustee notice of any objection to any act or transaction of the Trustee, the account or amended account shall become an account stated. If any objection has been filed, and if the Employer is satisfied that it should be withdrawn or the account is adjusted to the Employer's satisfaction, the Employer shall in writing filed with the Trustee signify approval of the account and it shall become an account stated.

When an account becomes an account stated, such account shall be finally settled, and the Trustee shall be completely discharged and released, as if such account had been settled and allowed by a judgment or decree of a court of competent jurisdiction in an action or proceeding in which the Trustee and the Employer were parties.

The Trustee shall have the right to apply at any time to a court of competent jurisdiction for the judicial settlement of its account.

ARTICLE VI. Resignation and Removal of Trustee.

Section 6.1. Resignation of Trustee. The Trustee may resign at any time by filing with the Employer its written resignation. Such resignation shall take effect sixty (60) days from the date of such filing and upon appointment of a successor pursuant to Section 6.3., whichever shall first occur.

Section 6.2. Removal of Trustee. The Employer may remove the Trustee at any time by delivering to the Trustee a written notice of its removal and an appointment of a successor pursuant to Section 6.3. Such removal shall not take effect prior to sixty (60) days from such delivery unless the Trustee agrees to an earlier effective date.

Section 6.3. Appointment of Successor Trustee. The appointment of a successor to the Trustee shall take effect upon the delivery to the Trustee of (a) an instrument in writing executed by the Employer appointing such successor, and exonerating such successor from liability for the acts and omissions of its predecessor, and (b) an acceptance in writing, executed by such successor.

All of the provisions set forth herein with respect to the Trustee shall relate to each successor with the same force and effect as if such successor had been originally named as Trustee hereunder.

If a successor is not appointed within sixty (60) days after the Trustee gives notice of its resignation pursuant to Section 6.1., the Trustee may apply to any court of competent jurisdiction for appointment of a successor.

Section 6.4. Transfer of Funds to Successor. Upon the resignation or removal of the Trustee and appointment of a successor, and after the final account of the Trustee has been properly settled, the Trustee shall transfer and deliver any of the Trust Funds involved to such successor.

ARTICLE VII. Duration and Revocation of Trust Agreement.

Section 7.1. Duration and Revocation. This Trust shall continue for such time as may be necessary to accomplish the purpose for which it was created but may be terminated or revoked at any time by the Employer as it relates to any and/or all related participating Employees. Written notice of such termination or revocation shall be given to the Trustee by the Employer. Upon termination or revocation of the Trust, all of the assets thereof shall return to and revert to the Employer. Termination of this Trust shall not, however, relieve the Employer of the Employer's continuing obligation to pay deferred compensation to Employees in accordance with the terms of the Plan.

Section 7.2. Amendment. The Employer shall have the right to amend this Agreement in whole and in part but only with the Trustee's written consent. Any such amendment shall become effective upon (a) delivery to the Trustee of a written instrument of amendment, and (b) the endorsement by the Trustee on such instrument of its consent thereto.

ARTICLE VIII. Miscellaneous.

Section 8.1. Laws of the District of Columbia to Govern. This Agreement and the Trust hereby created shall be construed and regulated by the laws of the District of Columbia.

Section 8.2. Successor Employers. The "Employer" shall include any person who succeeds the Employer and who thereby becomes subject to the obligations of the Employer under the Plan.

Section 8.3. Withdrawals. The Employer may, at any time, and from time to time, withdraw a portion or all of Trust Funds created by this Agreement.

Section 8.4. Gender and Number. The masculine includes the feminine and the singular includes the plural unless the context requires another meaning.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- 1 ----- consecutive ----- day ----- (weeks, days) the first publication thereof being made as aforesaid on the ----- 6th ----- day of, January ----- 19-87 -----, with subsequent publications being made on the following dates:

-----, 19----- -----, 19-----

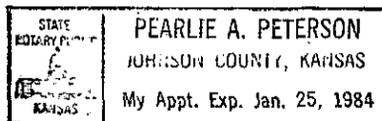
-----, 19----- -----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 6th day of January 19-87

Pearlie A. Peterson

NOTARY PUBLIC



My Commission expires: -----
Printer's Fee \$ 24.66 -----
Additional copies \$ -----

First Published in The
Johnson County Sun Friday,
January 6, 1984.

ORDINANCE NO. 798

AN ORDINANCE
ESTABLISHING A
DEFERRED COMPENSA-
TION PLAN FOR THE
EMPLOYEES OF THE CITY
OF LEAWOOD, KANSAS.

Be it ordained by the Govern-
ing Body of the City of
Leawood, Kansas:

1-1201. Section 1. To enable
the City of Leawood to attract
to and retain in its employ-
ment persons of competence
and to provide a means for
supplementing the retire-
ment benefits of City
employees, the City of
Leawood hereby adopts the
deferred compensation plan,
attached hereto as Appendix
A, and appoints the ICMA
Retirement Corporation to
serve as Administrator
thereunder.

1-1202. Section 2. The City of
Leawood hereby executes the
ICMA Retirement Trust, at-
tached hereto as Appendix B.

1-1203. Section 3. The City of
Leawood hereby adopts the
trust agreement attached
hereto as Appendix C, and ap-
points the ICMA Retirement
Corporation as Trustee there-
under, and directs the ICMA
Retirement Corporation, as
Trustee, to invest all funds
held under the deferred com-
pensation plan through the
ICMA Retirement Trust as
soon as is practicable.

1-1204. Section 4. The City Ad-
ministrator shall be the coord-
inator for this program and
shall receive necessary
reports, notices, etc., from
the ICMA Retirement Cor-
poration as Administrator,
and shall cast, on behalf of the
Employer, any required votes
under the program. Ad-
ministrative duties to carry
out the plan may be assigned
to the appropriate depart-
ments.

1-1205. Section 5. Copies of Ap-
pendices A, B, and C, are at-
tached to the original or-
dinance and thereby incor-
porated by reference.

TAKE EFFECT. Section 6.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 12/19/83 Se-
cond Reading: 1/3/84
Passed by the Governing
Body this 3rd day of January,
1984.

Approved by the Mayor this
3rd day of January, 1984.

(s) Kent E. Crippin,
Mayor

(S E A L)

Attest:

(s) J. Oberlander,
City Clerk

Approved for form and con-
tents:

(s) R. S. Wetzler,
City Attorney

ORDINANCE NO. 797

Repealed by Ord. #839
CODE OF 1984
Effective 12/21/84

AN ORDINANCE RELATING TO THE ADOPTION OF PERSONNEL RULES AND REGULATIONS,
AND REPEAL OF SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 1-1001 and 1-1002 of Revised Ordinances, as adopted by Ordinance No. 716, are hereby repealed and the following enacted in lieu thereof:

1-1001. ADOPTION OF PERSONNEL RULES AND REGULATIONS. Section 2. The Governing Body of the City of Leawood, Kansas, does hereby adopt the document known as the "Personnel Rules and Regulations", dated January 3, 1984, and as from time to time amended.

The City Administrator is hereby authorized to review the "Personnel Rules and Regulations" periodically and submit recommended changes to the Governing Body, which shall be ratified by resolution.

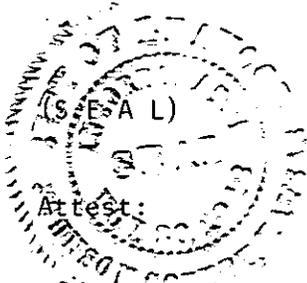
1-1002. INCORPORATION BY REFERENCE. Section 3. A copy of said document is attached to the original ordinance and thereby incorporated by reference.

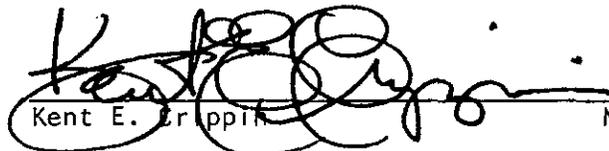
TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/19/83 Second Reading: 1/3/84

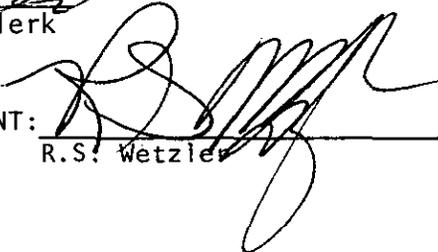
Passed by the Governing Body this 3rd day of January, 1984.

Approved by the Mayor this 3rd day of January, 1984.




Kent E. Crispin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:  , City Attorney
R.S. Wetzler

PERSONNEL RULES AND REGULATIONS

SECTION 1. GENERAL PROVISIONS

1.1 PURPOSE OF RULES

It is the purpose of these rules to set forth the principles and procedures which will be followed by the City of Leawood in the administration of its personnel program. They are intended to establish an efficient, equitable, and functional system of paid personnel administration based on merit principles which govern the appointment, promotion, transfer, layoff, dismissal, discipline, and other related conditions of employment.

1.2 POSITIONS COVERED BY RULES

These rules shall apply to all positions in the classified service in all departments of the city and to such positions in the unclassified service as may be provided herein.

1.3 ADMINISTRATION OF RULES

The City Administrator or his/her designee shall be the Personnel Director and shall be charged with the responsibility for the administration of these rules.

1.4 DEPARTMENTAL REGULATIONS

These rules shall not be construed as limiting in any way the power and authority of any Department Head to make departmental rules and regulations governing the conduct and performance of employees. Departmental rules and regulations shall not conflict with the provisions of these rules or ordinances. Departmental rules shall be approved by the Personnel Director and shall be published and a copy furnished each employee to whom they apply. Such rules and regulations, when approved, published, and distributed as herein provided, shall have the force and affect of rules of that department and disciplinary action may be based upon breach of any such rules and regulations.

1.5 PROHIBITION OF POLITICAL ACTIVITY AND DISCRIMINATION

(a) No person in the classified or unclassified service, or seeking admission thereto, shall be appointed, promoted, demoted, removed, or advanced on any basis or for any reason other than qualification, merit, and fitness for the service or lack thereof.

(b) No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing a vote or political action of any person.

1.6 UNLAWFUL ACTS PROHIBITED

(a) No person shall willfully or corruptly make any false statement, certificate, mark, rating, or report in regards to any application for employment, test, certification, or appointment held or made under these rules, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such personnel provisions for the rules and regulations made thereunder.

(b) No person seeking appointment, promotion or retention in the classified service shall either directly or indirectly give, promise, render, or pay any money, service, or other valuable thing to any person for, or on account of, or in connection with, his test, appointment, proposed appointment, promotion or proposed promotion.

(c) No employee shall defeat, deceive, or obstruct any person in his right to examination, eligibility, certification or appointment under these rules, or furnish to any person any special or confidential information for the purpose of affecting the rights or prospects of any person with respect to employment, promotion or retention in the municipal service.

1.7 PERSONNEL COMMITTEE

There is hereby created a Personnel Committee consisting of the City Administrator, the Personnel Director, who shall act as chairman in the absence of the City Administrator, and all department heads. The Personnel Committee shall have jurisdiction over subject matter referred or designated to it by ordinance or administrative regulation. In addition, the Personnel Committee may request further representation as it deems necessary.

SECTION 2. DEFINITION OF TERMS

The following words and phrases shall have the meanings indicated throughout these rules except where the context clearly indicates otherwise.

ALLOCATION

The establishment of a position in a department budget.

ANNIVERSARY DATE

1. Pay Anniversary Date - the effective date of any salary increase or decrease, except for an across-the-board increase shall constitute an employee's pay anniversary date.
2. Employment Anniversary Date - the date of initial employment with the city which is used to determine vacation and sick leave credits.

APPEAL

Any regular employee in the classified service who is separated, demoted, or suspended shall have the right of appeal to the Personnel Committee.

APPOINTING AUTHORITY

The officer having the power of appointment and removal of subordinate positions in any office, department, or any person or group of persons having the power by virtue of the City Ordinance, or other lawfully delegated authority to make appointment to positions in the municipal service.

APPOINTMENT

The designation to a position in the classified service of a person on an appropriate eligible list who has qualified for the appointment through an appropriate examination.

ASSEMBLED EXAMINATION

An examination for which applicants are required to appear at a specific place for the purpose of taking a written test.

CERTIFICATION

The act of the Personnel Director in supplying an appointing authority with an appropriate number of names of applicants who are eligible, in accordance with the provisions of the City Ordinance and these rules, or appointment to a position for which certification is required.

CITY ORDINANCES

The Ordinances of the City of Leawood, Kansas, and its subsequent amendments and revisions.

CLASS

One or more positions sufficiently similar in respect to assigned work duties and responsibilities, which justify assignment to the same salary range.

CLASSIFICATION

The original assignment of a position to an appropriate class on the basis of the kind, difficulty, and responsibility of work to be performed.

CLASS SERIES

The arrangement in a sequence of classes that are alike in kind of work and responsibility, but not at the level of assigned work and responsibility.

DEMOTION

The movement of an employee from one position to another position having a lower maximum salary rate because of disciplinary reasons, incapacity to perform the work, inefficiency or unsatisfactory work performance.

DEPARTMENT

Any of the departments in the municipal government, now or as hereafter established under provisions of the city ordinances of the City of Leawood, Kansas.

DEPARTMENT HEAD

The official head of any department.

DIRECTOR

The Personnel Director.

ELIGIBLE

A person whose name is on a current eligible list and who may under these rules be certified for appointment to a position in the classified service.

EMERGENCY

A sudden and unforeseen happening that requires the unscheduled services of an employee to protect the health, welfare, and safety of the community.

GRIEVANCE

A grievance is a disagreement relating to employment and working conditions or relationships between an employee and his supervisor or other employees.

IMMEDIATE FAMILY

Any spouse, children, mother, father, sister, brother, mother-in-law, father-in-law, blood relative who resides on the premises of the employee.

LAYOFF

The separation of an employee from the classified service which has been made necessary by lack of work or funds or other reasons not related to fault, delinquency or misconduct on the part of the employee.

EMPLOYMENT DATE

Date of official appointment to a position in the municipal service for any period of continuous service.

POSITION

A group of current duties and responsibilities assigned or delegated by competent authority, requiring the full-time, part-time, or temporary employment of one person.

(a) REGULAR a position included in the adopted annual budget that is neither specified as part-time or temporary employment, nor limited for a period of less than the budget year; also any such position established during a given budget year unless the appointing authority certifies to the Director that such person shall not be continued in the succeeding year's budget.

(b) PART-TIME employment in a position for work on a basis of less than 1820 hours per year which may be of regular or intermittent nature.

(c) TEMPORARY a position comprising duties which occur, terminate, and reoccur seasonally, intermittently according to the needs of a department.

POSITION DESCRIPTION

A written statement of the characteristic duties, responsibilities and qualification requirements that distinguish a specific position from other positions.

PROBATIONARY PERIOD

A 12 month working test period during which a newly appointed employee is required to demonstrate his fitness by actual performance of the duties of the position to which he is appointed.

PROMOTION

The movement of any employee, after proper examination and certification, from one position to a position having a higher maximum salary rate.

PROMOTIONAL EXAMINATION

An examination for positions in a particular class, admission to which is limited to non-probationary employees in the classified service who meet the qualifications set forth in the examination announcement notice.

PROMOTIONAL LIST

The names of persons arranged in descending order of their final ratings on promotional examinations for classes of positions for which they have competed and are qualified for appointment.

RECLASSIFICATION

The official determination by the Personnel Director that a position be assigned to a class different from the one to which it was previously classified.

REGULAR EMPLOYEE

An employee who has successfully completed the probationary period and has been appointed to a position in the classified service in accordance with those rules.

RESIDENT

A person whose principal place of domicile is within the corporate boundaries of the City of Leawood, Kansas.

TRANSFER

The movement of an employee from one department, division, or unit of the municipal government to another, from one position to another position of the same class, or to another class having the same maximum salary range.

UNASSEMBLED EXAMINATION

An examination process which consists of the rating of training and work experience and/or oral interview test.

VACANCY

A duly created position which is not occupied and for which funds have been provided.

SECTION 3. CLASSIFIED AND UNCLASSIFIED SERVICES

3.1 UNCLASSIFIED SERVICE

The unclassified service shall comprise all positions in all departments and offices as specifically cited below:

- (a) All persons filling elective office.
- (b) Members of appointed Boards, Commissions, and Committees.
- (c) Persons engaged under contract to supply expert professional or technical services for a definite period of time.
- (d) Volunteer personnel.
- (e) City Administrator.
- (f) Heads of all departments.

3.2 CLASSIFIED SERVICE

The classified service shall comprise all positions in all departments and offices not specifically included in the unclassified service.

3.3 STATUS AND RIGHTS OF OFFICERS AND EMPLOYEES

Employees who have secured regular status under previously existing personnel systems of the City of Leawood shall be considered to have attained the status of regular employees as provided by these rules; those who are serving probationary periods under previously existing systems shall continue in a probationary status until they have successfully completed such periods as defined under preceding systems at which time they shall attain the status of regular employees.

SECTION 4. CLASSIFICATION PLAN

4.1 THE CLASSIFICATION PLAN

A position classification plan, based upon and graded according to assigned work duties and responsibilities, shall be developed and maintained by the Personnel Director to provide standardization and the proper classification of all positions in the classified service of the city. With the approval of the City Administrator and as adopted by ordinance, new classes may be established, combined or abolished. The position classification plan shall include:

- (a) An outline of classes of positions in the classified service arranged in appropriate salary ranges.
- (b) Position descriptions in such form as prescribed by the Director and approved by the City Administrator.

4.2 PURPOSE OF THE CLASSIFICATION PLAN

- (a) To provide like pay for like work.
- (b) To establish standards for recruiting, testing, and other selection purposes.
- (c) To provide appointing authorities with the means of analyzing work distribution, areas of responsibility, lines of authority, and other relevant relationships between individuals and groups of positions.
- (d) To assist appointing authorities in determining personal service costs and projections for the annual budget requirements.
- (e) To provide a basis for developing standards of work performance.
- (f) To establish lines for promotional opportunity.
- (g) To indicate employee training needs and development potentials.
- (h) To provide the fundamental basis of the compensation program and the other aspects of the personnel program.

4.3 ADMINISTRATION OF THE CLASSIFICATION PLAN

The Director shall conduct position classification studies at such times as he deems it necessary or whenever the duties and responsibilities of existing positions have undergone significant change, or, when he is notified that new positions are to be established or upon request of an appointing authority, department head, or affected employee, if the classification of such position has not been reviewed within the last 12 months. If the Director finds that a substantial change in the organization, the creation or change of positions, or other pertinent conditions make necessary the amendment of an existing class, he may amend the classification plan subject to review by the City Administrator.

4.4 CLASSIFICATION OF POSITIONS

(a) Each position in the classified service shall be classified by the Personnel Committee at the direction of the Director to its appropriate class in accordance with the character, difficulty and responsibility of its designated duties. Positions shall be assigned to a specific class when: (1) the same descriptive title may be used to designate each position in the class; and (2) the same kinds and levels of work, education, experience, knowledge, ability, skill and other qualifications may be required of incumbents; and (3) similar tests of fitness may be used to apply equally under substantially the same general employment conditions.

(b) Compensation or the pay range shall not be a factor in determining the classification of any position or the standing of any incumbent.

(c) In allocating any position to a class, consideration shall be given to the general duties, specific tasks, responsibilities for such position and the relationship thereof to other classes.

(d) It shall be the duty of the Department Head to report to the Director any and all organization and program changes which will significantly alter or affect changes in existing positions or positions proposed to be established. When any Department Head requests establishment of new or additional positions, or a change in allocation of an existing position, he shall address his request to the Director, accompanied by a statement of the work duties and responsibilities of the position, and the current organization chart.

4.5 EFFECT OF CLASSIFICATION CHANGES ON INCUMBENT

(a) Whenever the title of a class is changed without a change in duties and responsibilities, the incumbent shall have the same status in the retitled class as he had in the former class.

(b) When a position is assigned to a class different from the one to which it was previously classified, the pay status of the employee affected will be changed in accordance with the applicable rules and regulations governing transfers, demotions, and promotions in the classified service.

4.6 POSITION DESCRIPTIONS

The City Clerk and the Personnel Director shall maintain a master set of all approved position descriptions. Said position descriptions, as approved by the Director and the City Administrator, shall constitute the official position descriptions of the position classification plan. The Director shall provide each Department Head and appointing authority with a set of the position descriptions for the position classification plan.

(a) NATURE OF DESCRIPTIONS. Position descriptions are descriptive only and not restrictive. They are intended to indicate the kinds of positions that are to be assigned to the respective classes as determined by their duties and responsibilities and shall not be held to exclude those duties and responsibilities which are not specifically mentioned, but are similar as to kind and level.

(b) IMPLIED QUALIFICATIONS. Qualifications commonly required of all incumbents of positions of different classes, such as acceptable physical condition, honesty, sobriety and industry, shall be deemed to be implied as qualification requirements for each class, even though they are not specifically mentioned in the position description.

(c) INTERPRETATION OF POSITION DESCRIPTIONS. The position descriptions are intended to indicate assigned duties, responsibilities, and specific tasks and are not to be construed as declaring what the duties or responsibilities of any position may be or as limiting or modifying the power of any Department Head to assign, direct, and control the work of employees under his supervision.

4.7 USE IN SELECTION PROCESS

The description for any position as interpreted herein, shall constitute the basis for the recruitment and for the test to be included in examination for the position and for the evaluation of qualifications of candidates.

4.8 USE OF POSITION TITLES

The position titles shall be the official title of every position assigned to the classification plan for the purpose of personnel actions and shall be used on all payrolls, budget estimates, and official records. Administrative titles or other working titles authorized by a Department Head may be used to designate any position for purposes of internal administration or in oral or written contacts with the public.

SECTION 5. THE COMPENSATION PLAN

5.1 AUTHORITY TO ESTABLISH SALARIES

The City Council shall have the power to establish salaries of the City Administrator and all other officers and employees under the jurisdiction of the City Administrator.

5.2 THE COMPENSATION PLAN

The compensation plan for the classified service shall include:

- (a) A schedule of standard salary ranges and rates of pay indicating the minimum and maximum rates of pay for each pay range.
- (b) A list of classes of positions by grade, with the minimum and maximum rates of pay shown for each.
- (c) Annual salary administration guidelines.
- (d) Supplements, amendments and/or revisions from time to time, as passed by the City Council.

5.3 STANDARDS FOR DETERMINATION OF PAY RANGES

Pay ranges shall be related directly to the position classification plan for the classified service and shall be determined with due consideration to ranges of pay for other grades, the relative difficulty and responsibility of work in the several grades, the recruiting experience of the city, the availability of employees in particular occupational categories, prevailing rates of pay for similar employment in private and other public jurisdictions in the area, employee turnover, cost-of-living factors, the financial policies and economic considerations of the city. The minimum and maximum rates of pay assigned to several grades shall be those which most nearly reflect these factors.

5.4 AMENDMENT OF THE COMPENSATION PLAN

Prior to preparation of each annual budget, as well as other times, the Director shall make comparative salary studies as he deems necessary concerning factors affecting the level of salaries in the municipal service. On the basis of the information derived from such a wage and salary study, the Director shall recommend to the City Administrator such changes in the pay plan pertinent to the fairness and adequacy of the overall compensation program.

In arriving at such salary recommendations, the Director shall take into consideration the advice and suggestion of Department Heads and appointing officers as to the duties, degree of responsibility and working conditions involved. Recommendations made by the Director for the amendment of the compensation plan for specific grades shall be submitted to the City Council by the City Administrator. When passed by the City Council, these amendments shall become part of the compensation plan and shall become the current official salary schedule applicable to the respective grades as enumerated therein and shall be used by all departments in connection with all payrolls, budget estimates, and official records and reports relating to salaries and wages of positions in the municipal service.

5.5 TOTAL REMUNERATION

(a) Any salary rate established for an employee shall be the total remuneration for the employee, not including reimbursement for official travel or other special allowances as provided herein. Except as otherwise provided in this article, no employee shall receive pay from the city in addition to the salary authorized under the schedules provided in the pay plan for services rendered by him either in the discharge of his ordinary duties or any additional duties which may be imposed upon him or which he may undertake or volunteer to perform.

(b) In any case in which part of the compensation for services in a city position exclusive of all overtime services, is paid by another department, division, or any outside agency such as the county, state, or the federal government, or from a different fund or account, any such payment shall be deducted from the compensation of the employee concerned, to the end that the total compensation paid to any employee from all sources combined for any period, shall not exceed the amount payable at the rate prescribed for the class of position to which the employee is assigned.

5.6 APPLICATION OF THE COMPENSATION PLAN

The compensation plan, containing standard salary ranges for respective grades of positions, shall be applied to all grades in accordance with the following:

(a) RATES. All rates prescribed in the ranges of pay represent the remuneration authorized for full-time employment. Where employment in a position is on a part-time basis, that is, where the week's work is less than the ordinary work week, or where the days worked totaled weekly on a continuing basis consist of less than the ordinary work week total, or where the days worked on a continuing basis consist of less than the ordinary number of working hours of an ordinary working day, such service shall be compensated on the basis of the equivalent hourly rate for full-time employment.

(b) MINIMUM AND MAXIMUM RATES. Under each salary schedule there is set forth a minimum and a maximum salary rate. Except as otherwise provided in these rules, appointment to any regular position shall be made at the minimum rate and advancement from one salary rate to the next higher rate and to the maximum rate for the grade shall be made on the basis of meritorious service and efficiency.

(c) TEMPORARY EMPLOYMENT. Temporary employees shall be compensated at the hourly rate established in the annual budget and shall be paid for only those hours which they actually work.

5.7 BEGINNING SALARY

The minimum rate of pay for a grade shall normally be paid to any person on his original appointment to a position in the municipal service. Original appointment above this rate may be made upon the approval of the Director of Personnel, subject to one or more of the following conditions:

(a) The applicant must clearly exceed the minimum requirements for the position as set out in the official position description.

(b) The requisitioning department must provide documented evidence that the position opening has been extensively advertised in local and regional publications and that there is a shortage of qualified persons.

(c) It must be demonstrated by the requisitioning department that there are no other applicants with equal qualifications.

(d) When an employee is reemployed, the Director of Personnel may authorize an appointment at a salary in the range for the grade corresponding to that which the employee had been receiving upon the termination of his previous service.

A full reference check must be made by the requisitioning department and fully documented. All documents are to be submitted to the Director of Personnel with the original request.

5.8 SALARY ADVANCEMENTS

Salary advancements will be granted only in accordance with the annual salary administration guidelines.

5.9 PAY RATE ADJUSTMENTS

The following personnel actions as initiated by the Department Head shall affect the pay status of an employee in the manner provided:

(a) TRANSFER. When an employee is transferred between departments and divisions of the municipal government or between positions within the same maximum salary rate, the salary rate of the employee will remain unchanged.

(b) PROMOTION. When an employee is promoted from a position in one grade to a position in another grade having a higher maximum salary rate, the salary rate of the promoted employee shall be increased to the new minimum or to 7% above his rate of pay prior to his promotion, whichever is greater. An employee promoted to a classification which is above the next highest grade shall receive an additional 3.5% for each grade beyond the next highest grade. A promoted employee shall not be eligible for a salary increase for a period of one year from the time of promotion.

(c) DEMOTION-INVOLUNTARY. When an employee is involuntarily demoted for disciplinary or other reasons, from a position in one grade to a position in a grade having a lower maximum salary rate, the salary of the employee shall be reduced a minimum of 7 percent, or more if necessary, to be within the pay range established for the class to which the employee is demoted and the employee shall not be eligible for promotion or a salary increase for a period of one year from the time of demotion.

(d) DEMOTION-VOLUNTARY. When an employee is voluntarily demoted from a position in one grade to a position in a grade having a lower pay range, the rate of pay for the employee shall be reduced a minimum of 7 percent.

(e) SALARY REDUCTION. A Department Head may reduce for cause the salary of a regular employee within the employee's assigned pay range. Such a reduction shall not exceed 7 percent of the employee's salary or reduction to the minimum pay for the range, whichever is less.

1. In the case of a regular employee, notice of intention to effect a reduction in pay and the reasons for such action shall be given to the employee and to the Director not less than 15 calendar days prior to the affected date of salary reduction. Within 5 calendar days of notice of reduction in salary, a permanent employee may appeal in writing to the Personnel Committee for a hearing.

2. In the case of a temporary employee, notice of intention to effect a reduction in pay and reasons for such action shall be given to the employee and to the Director not less than 5 calendar days prior to the effective date of salary reduction. A temporary employee does not have the right to appeal to the Personnel Committee.

5.10 PAY ANNIVERSARY DATES

The effective date of any salary increase or decrease, except for an across the board increase, shall constitute an employee's pay anniversary date.

5.11 TEMPORARY DESIGNATION TO AN ACTING POSITION

Any regular employee who is designated to work temporarily in a regular position in a grade with a higher maximum salary than his own for a minimum of a normal pay period shall be compensated at the minimum rate established for the higher grade when he is performing in the higher grade. In the event, the employee's salary equals or is greater than the minimum salary of the higher grade, a minimum of a 7 percent increase in salary shall be paid for temporary assignment to a higher level position.

The employee who is designated to serve in an acting position and actually serves in a higher level position must be fully qualified to perform and must actually perform the full range of duties of the higher level position in order to be eligible for additional compensation herein provided for.

No employee shall be assigned to a higher level position entitling him to out of grade pay without prior approval of the Personnel Director and the City Administrator.

All employees placed in a temporary, acting position for the purposes of training must be tested for promotion to said position he/she is temporarily filling within 90 days or be removed from the position.

5.12 OVERTIME/COMPENSATORY TIME

(a) Overtime or arrangements for overtime work, inasmuch as possible, shall be approved in advance by the Department Head. Employees shall be paid for overtime work in excess of his regular work shift at the rate of time and a half of the normal hourly rate for the assigned position classification.

(b) Ordinarily, Department Heads and supervisors, as designated by Department Heads shall not be compensated for overtime work.

(c) Whenever an employee qualified for overtime is held over because of an emergency he shall receive overtime payment at the rate of time and a half for all hours worked in excess of his regular work shift.

(d) An emergency means a sudden and unforeseen happening that in the opinion of the Department Head or authorized supervisor requires the unscheduled services of an employee to protect the health, welfare and safety of the community. Employees shall be required to work overtime when the same is necessary, and disciplinary action may be taken against employees who without good or sufficient reason:

1. Refuse to work overtime.
2. Fail to appear when scheduled to work overtime.
3. Having indicated he or she would work overtime, fail to appear.

(e) Employees who may have been granted compensatory time under previously existing personnel systems of the City of Leawood shall not be compensated for said benefits or be eligible for previously accrued compensatory time.

5.13 CALL BACK TIME

Whenever an employee qualified for overtime is called back on an emergency to work after his regular working hours and after he has left his last work site, the minimum overtime payment shall be two hours of work at the rate of time and a half.

5.14 TRAVEL ALLOWANCES

(a) The City Administrator will review and approve all requests for reimbursable travel for city employees to receive authorization to attend a meeting, seminar, or school that pertains to city business. The employee's Department Head will submit a request to the City Administrator in writing stating the purpose of and location of the meeting, seminar, or school. If the city employee is authorized to attend the meeting, seminar, or school that pertains to city business, expenses such as lodging, meals, parking fees, commercial transportation, telephone and telegraph charges, tips, and other justifiable expenses shall be reimbursed at actual cost and should be appropriated for the purpose of the trip and necessary for the conduct of city business.

(b) All travel expense reports including receipts shall be filed within 30 days of completion of the meeting, seminar, or school or within 30 days of the payment of the advance of the requested funds for the meeting, seminar, or school.

(c) A trip report in writing shall be transmitted to the Department Head within 2 weeks of the end of the meeting, seminar, or school.

(d) When authorized, mileage allowances for trips by personal vehicles will be reimbursed at the rate annually established by the secretary of administration for public officers as provided in K.S.A. 75-3203a.

(e) Employees who use their personal automobile in the performance of official duties, either as incidental to or a normal part of their regular work assignment, shall be reimbursed at the above rate, provided they are not paid a monthly expense allowance for the use of said automobile and provided prior authorization for such use was given by the Department Head.

5.15 PAYROLL CHECK SCHEDULE

Payroll checks are written biweekly and distributed every other Wednesday. If the normal payday falls on a holiday, payroll checks shall be distributed on the workday prior to the holiday.

SECTION 6. APPLICATIONS AND APPLICANTS

6.1 APPLICATION FORM

All applications shall be on forms prescribed by the Director and shall be filed with the appropriate department on or prior to the closing date specified in the announcement. Applications may require information concerning personal characteristics, education, experience, reference and other pertinent information. All applications shall be signed and the truth of the statements contained therein certified by such signature.

6.2 DISQUALIFICATION

The Director may disqualify an applicant or may consult with the appointing authority in taking steps to remove a person already appointed, if the person:

- (a) is physically or mentally unable to perform the duties of the class.
- (b) is addicted to use of narcotics or the habitual use of intoxicating liquors to excess.
- (c) has made false statement of material fact in his application.
- (d) has used or attempted to use political pressure or bribery to secure an advantage in the position.
- (e) has failed to submit his application correctly or within the prescribed time limits.

(f) has previously been dismissed from a position in service of the City of Leawood for cause.

(g) has otherwise violated the provision of these rules.

Whenever an application is rejected or an employee is removed from service for any of the above reasons, notification shall be given to the applicant or employee. Applications, when accepted, shall become a part of the personnel file and shall not be returned. Applications which are rejected shall remain on file for one (1) year.

SECTION 7. EXAMINATIONS

7.1 COMPETITIVE EXAMINATIONS

All appointments in the classified service shall be according to merit and fitness to be ascertained so far as practical by competitive examinations. Examination shall be practical and shall relate to the matters which shall test fairly the capacity and fitness of the candidate to discharge efficiently, the duties of the position for which examinations are held. The examinations may be assembled or unassembled and may include oral, physical, or performance tests or any combination of these. The Director may adopt or authorize the use of such other examination procedures as he determines to be appropriate in order to meet the needs of the service while assuring the selection of such employees on the basis of merit and fitness.

7.2 ELIGIBILITY FOR COMPETITIVE EXAMINATIONS

Competitive examinations shall be open to all personnel whose applications shall meet the standards or requirements of the position to be filled. No question in any test shall relate to race, sex, age, national origin, political or religious opinion, affiliation or service. Any applicant who takes an entrance examination for any position and fails to make a passing grade, is eligible to retake the examination again after 60 days.

7.3 RATING OF EXAMINATIONS

Sound measurement techniques and procedures shall be used in rating the results of examinations and determining the relative standings of the competitors. In all examinations, the minimum ratings by which eligibility may be achieved shall be set by the Director. The final examination grade may be based on all factors of the examination including education requirements, experience and other pertinent information. The final earned rating of each competitor shall be determined by computing the earned ratings on each part prior to the date of the examination. All competitors may be required to obtain at least a minimum rating on each or any part of the examination in order to receive a final passing grade or to be allowed to participate in the remaining parts of the examination.

7.4 MEDICAL EXAMINATIONS

The Director may determine by medical examinations whether applicants for any position or employees possess the prescribed standard of health.

The Director may require reexamination of eligibles or employees to determine whether they possess the required physical fitness for assigned duties. The expense of required medical examinations shall be paid by the city.

SECTION 8. ELIGIBLE LIST

8.1 REEMPLOYMENT LIST

A reemployment list composed of those persons having been released from the classified service without prejudice and not of their own volition, but because of a reduction in working force in a department shall be maintained. Those persons with the longest continuous employment in the classified positions shall be placed at the top of the list for consideration for first reemployment rights.

8.2 VACANCIES

Should a vacancy occur in the city service, the Director shall determine the most appropriate method for soliciting applicants for the position.

8.3 RESIDENCY REQUIREMENTS

Individuals shall be recruited from a geographic area as wide as necessary to assure obtaining well qualified candidates. Employment shall not be limited to residents of the city, except those instances where residency is required to conform with city ordinance.

8.4 EMPLOYMENT OF RELATIVES

Members of the family of current city employees, the Governing Body or Boards, Commissions or Committees will not be considered for full-time, part-time or temporary employment with the City. Family shall be defined as spouse, children, parents, brothers, sisters, grandparents, grandchildren, in-laws, (mother, father, brother, sister, daughter, son) aunts, uncles, nieces, nephews or cousins.

Effective January 1, 1984, if two employees become related to each other during the course of his/her employment, they may continue to be employed by the City provided the parties do not work in the same department. Affected employees will be given priority in the transfer from one department to another without loss of pay when a position of equal grade is available and the employee meets the qualifications of the position.

SECTION 9. APPOINTMENTS

9.1 VACANCIES

All vacancies in the classified service shall be filled by reemployment, promotion, original appointment, transfer or demotion as provided in these rules. When a vacancy in the classified service is to be filled, the Department Head shall submit a requisition for each vacancy to the Director. This requisition shall state the class title and other appropriate information. No appointment to the classified service shall be made without certification and prior authorization.

9.2 APPOINTMENTS

(a) EMERGENCY APPOINTMENTS. In the case of an emergency which could not have been foreseen, such as, but not limited to a flood, tornado, or blizzard, which requires immediate employment of one or more persons to prevent serious impairment of the public business, an appointing authority may appoint any qualified person during such emergency for a period not to exceed 30 days.

9.3 TRANSFER

A position may be filled by transferring an employee from a position of the same class or similar class with essentially the same basic minimum qualifications and having the same maximum salary rate. Interdepartmental transfers must be approved by the requisitioning department and the employee concerned. The relinquishing department may delay the transfer for up to 30 calendar days in order to obtain a replacement.

9.4 APPOINTMENT FORMS

No duly appointed employee may be placed on the payroll until all appointment and other forms have been properly completed and signed by the Director.

SECTION 10. PROBATIONARY PERIOD

10.1 PURPOSE

The probationary period is for employees new to the city service, reemployed by the city and employees affected by an interdepartmental transfer and shall be an integral part of the selection process. The probationary period shall be utilized by the Department Head as an opportunity to observe the new or transferred employee's work, to train and aid the new or transferred employee in adjustment to his position, and to reject any employee whose work performance fails to meet the required work standards.

10.2 DURATION

All original appointments shall be tentative and subject to a probationary period of twelve months of actual service. Any interruption of service during the probationary period shall not be counted as part of the probationary period.

10.3 TRANSFER DURING PROBATIONARY PERIOD

An employee who is transferred within a department to another position in the class prior to the completion of his probationary period shall complete that service period in the latter position by adding thereto his service in the former position. Verification of satisfactory employment in the new position by the Department Head will also constitute verification of satisfactory service in the original position.

10.4 RESIGNATION OR DISMISSAL DURING PROBATIONARY PERIOD

During the probationary period, any employee who resigns or is dismissed and who is subsequently reemployed shall commence a new probationary period. At any time during the probationary period, an employee whose performance does not meet the required standards may be dismissed by an appointing authority provided that he shall report the dismissal and reasons thereof in writing to the Director and the employee concerned.

10.5 NOTIFICATION OF END OF PROBATIONARY PERIOD

At least ten days to the expiration of any employee's probationary period and in such manner as the Director may prescribe, the Department Head shall notify the Director in writing whether the services of the employee have been satisfactory and whether the employee will be continued in his position. A copy of this notice shall be given to the employee by the Department Head. Upon receipt by the Director of a favorable report, the appointment of the employee shall be made regular at the expiration of the probationary period.

10.6 APPEAL RIGHTS OF PROBATIONARY EMPLOYEES

An employee who is rejected or dismissed during the probationary period does not have the right of appeal against such action.

SECTION 11. HOURS OF WORK, LEAVES OF ABSENCE AND OTHER BENEFITS

11.1 HOURS OF WORK

Regular working hours for all full-time employees shall be 40 hours each week, which shall be the standard work week, except as otherwise provided herein or except as otherwise provided by departmental regulations approved by the City Administrator.

11.2 HOLIDAYS

(a) All regular employees in the classified service and unclassified service of the City shall receive their regular compensation for the following holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving Day, Friday after Thanksgiving, Christmas, and any other day which shall, by resolution of the City Council, be declared to be a holiday.

(b) Employees scheduled to work on City designated and observed holidays shall be paid at double their normal rate of pay with the exception of the Police and Fire Departments. Police and Fire Department employees shall be paid double their normal rate of pay if scheduled to work on actual holidays, if such holiday differs from the City designated holiday. In no instance will any department pay for more than one day of observance with the exception of Thanksgiving.

11.3 ADDITIONAL HOLIDAY

Regular employees may take on additional holiday per fiscal year in addition to regularly scheduled holidays. This is to be a holiday scheduled with the approval of the Department Head and, as much as possible, to meet the requests of the employee to observe a special occasion of his choosing. This holiday may be used for a full work shift and shall not be taken in increments. If not taken in the fiscal year, this holiday is forfeited.

11.4 VACATION LEAVE

(a) AMOUNT. Each full-time or regular employee in the classified service and unclassified service (except for an employee of the Fire Department) shall receive vacation leave credit annually as follows:

1st year of service	Up to 10 working days per year
After 1 full year of service	10 working days per year
After 5 full years of service	15 working days per year
After 10 full years of service	20 working days per year

A regular employee appointed to the classified or unclassified service on or prior to the 15th day of the month shall receive vacation leave credit beginning on the first day of the month; such employee appointed to the municipal service subsequent to the 15th day of the month shall receive vacation leave credit beginning on the 1st day of the succeeding month.

(b) WHEN TAKEN. No annual leave may be taken by an employee until he has been in the service of the City continuously for a period of six (6) months. Vacation leave must be earned before it can be granted. Each Department Head shall schedule vacation leave with particular regard to the seniority of employees, in accordance with operating requirements and, insofar as possible, the requests of employees.

(c) ACCRUAL. Vacation leave shall accrue monthly prorated according to the number of years of service of the employee. If an employee has accumulated vacation leave in excess of twenty four (24) days at the end of the calendar year, all days in excess of twenty four will be deducted from the employee's record with no compensation being granted an employee.

(d) TERMINAL LEAVE. Any employee leaving the municipal service shall be compensated for vacation credited and unused through the last full calendar month prior to the date of his separation or resignation, provided he/she has been in the service of the City for at least six (6) full months. If a person is reemployed, his new employment date shall be the basis of computation of vacation leave.

(e) WAIVING VACATION PROHIBITED. As vacation leave is granted to employees for a period of recreation, no employee shall be permitted to waive such leave for the purpose of receiving double pay.

(f) HOLIDAYS OCCURRING DURING VACATION. Any official holiday as set forth in this article which shall occur during an employee's scheduled vacation period shall not be counted as a day of vacation.

11.5 SICK LEAVE

(a) AMOUNT. Each regular employee in the classified and unclassified service (except for employees of the Fire Department) shall accrue sick leave at the rate of one day per each calendar month of actual employment. A regular employee appointed on or prior to the 15th day of the month shall receive sick leave credit beginning on the 1st day of that month; a regular employee appointed subsequent to the 15th day of the month shall receive sick leave credit on the 1st day of the succeeding month.

(b) WHEN TAKEN. Sick leave with pay must be earned before it can be granted. Sick leave with pay will be granted for absence from duty because of actual personal illness, non-compensable bodily injury or disease, exposure to contagious disease, to keep a doctor's or dentist's appointment (if the appointment cannot be made before or after normal work hours) or to attend to a member of the employee's immediate family whose illness requires the employee's presence. Sick leave will not be granted for the purposes of tending to others who are not ill. No more than three (3) consecutive days or six (6) days annually may be used for family illness. (Fire Department - one (1) shift consecutively, three (3) shifts annually.)

When an employee finds it necessary to be absent for any of the reasons specified herein, he shall cause the facts to be reported to his Department Head or Division Head 60 minutes prior to the daily work time for reporting to work if a relief employee is required or if the employee is a member of a work crew. All other employees shall notify their Department Head or Division Head prior to ten o'clock of the first working day of absence. Sick leave shall not be granted unless such report has been made.

An employee must keep his Department Head informed daily of his condition if the absence extends beyond the first day of more than three (3) days duration. An employee may be required to submit a medical certificate for any absence. Failure to fulfill these requirements may result in a denial of sick leave. No refund of vacation time shall be allowed for illness incurred while on vacation leave, unless such illness is certified by a physician and approved by the Director.

(c) ACCRUAL. Sick leave accrual shall be unlimited.

(d) SICK LEAVE AT RETIREMENT. After January 1, 1984, accrued sick leave will not be added to an employee's total service for purposes of retirement. All employees who may have previously been granted accrual of sick leave for said purpose will have documented in his/her personnel record that number of days which has been accrued as of January 1, 1984. An employee may add his/her total length of service providing the number of days does not

exceed those recorded on January 1, 1984. The employee may depart service to the city on that date whereby his length of full-time service plus his accumulated sick leave totals the necessary length of service required for retirement under whatever retirement program the city might be operating under at the time of retirement. The city will maintain said employee on employment rolls as a full-time, full-paid employee during this period.

(e) RECORDING OF SICK LEAVE. All absences on sick leave must be recorded on the payroll time sheet by use of the symbols SL to indicate absence of a full day of shift, or SL followed by a figure to indicate the number of hours of absence on account of sickness. All absences on sick leave in the case of an illness in the employee's family must be recorded in a like manner using the symbols SLF.

11.6 INJURY LEAVE (JOB RELATED INJURY)

(a) ELIGIBILITY. Any employee injured on the job shall be eligible for injury leave with pay for a period of up to six months from the date of injury. Such leave will not be charged against an employee's sick leave or vacation leave.

(b) COMPENSATION. While on injury leave an employee will be paid at a rate equivalent to his regular salary, but in no case shall the total worker's compensation benefits and injury leave pay exceed the employee's normal salary.

(c) EXTENDED INJURY LEAVE. After using the six months of injury leave with pay, an employee shall use his sick leave accrual and, if more leave is required, his vacation leave accrual. Sick leave and vacation leave shall continue to accrue while an employee is on injury or extended injury leave.

(d) SUBSEQUENT TREATMENTS. After returning to work, if an employee must receive subsequent treatments due to his on-the-job injury, time off required for such treatment shall not be charged to the employee's accumulated sick leave or vacation leave. Such time off must be substantiated by a physician's statement as to the need and duration of said treatments.

(e) NOTIFICATION. To be eligible for injury leave with pay, the employee must notify his Department Head of the injury within twenty-four (24) hours of the time the injury is sustained. Weekend and holiday injury reports must be made on the next regular working day. Notification must be made to the Director with a written statement from a physician authenticating the extent of the injury and the estimated date of return to work.

Prior to returning to work, the employee shall provide his Department Head with a written statement for the attending physician certifying that the employee is able to return to the job. This certification shall be forwarded to the Director and made part of the employee's personnel records.

11.7 MILITARY LEAVE

(a) ELIGIBILITY. Regular employees in the classified and unclassified service who have been in the employ of the city for at least one (1) year immediately preceding leaving the service of the city to enter the

uniformed service of the United States, drafted into such service or employees subject to compulsory service who voluntarily enlist, shall be granted a military leave of absence without pay to extend for six (6) months beyond the date of termination of act of uniformed service.

(b) RESTORATION. An employee returning from military leave shall be entitled to restoration to his former position, provided he makes application within six (6) months after his release from duty and has not been dishonorably discharged and he is physically and mentally capable of performing the duties of the position involved. In the event that the position he vacated no longer exists at the time he qualified for return to work, such person shall be entitled to be reemployed in another existing position of the same class.

(c) SALARY. An employee returning from military leave shall be re-employed at the prevailing salary range for the position to which he has been restored. He may be eligible for a merit increase upon completion of one year of service which shall include his time between his last merit increase and the date military leave was granted to him.

(d) SENIORITY. Employees granted military leave of absence may count down such service as time spent on the job for computing seniority in the event of a layoff.

(e) DISPOSITION OF VACATION AND SICK LEAVE. A regular employee who leaves the municipal service directly for such military leave, may elect to be paid for any accrued vacation as he may be entitled to if he were actually separating from the city service. His decision shall be noted on the personnel action form affecting the leave. If the employee elects not to be paid for vacation leave, then accrued vacation and sick leave credits shall be reinstated upon return of the employee.

(f) All regular employees who are members of the National Guard or any reserve component of the Armed Forces shall be entitled to leave of absence from their respective duties without loss of time, pay, regular leave, impairment of efficiency rating, or any other right or benefit to which otherwise entitled on all days on which they are employed with or without pay under the orders or authorization of competent authority on active training duty, duty with troops, field exercises, or instruction for a period not to exceed a total of ten (10) working days in any calendar year.

11.8 JURY DUTY LEAVE

An employee may receive special leave with pay when he is required to serve on a jury and the hours of jury duty conflict with the hours of his city work.

11.9 FUNERAL LEAVE

In the event of a death in the immediate family of an employee, up to three (3) working days with pay shall be allowed for personal matters relating to the death. Immediate family includes: any spouse, children, mother, father, sister, brother, mother-in-law, father-in-law, blood relative residing on the premises of the employee. One day with pay will be allowed for other relatives.

11.10 LEAVE OF ABSENCE WITHOUT PAY

A Department Head, with the approval of the Director, may grant a regular employee leave of absence without pay for a period not to exceed one (1) year. Such leave shall be granted only when it is in the best interest of the city and when it will not cause undue or unnecessary imbalances. No such leave shall be granted primarily in the interest of the employee.

Upon expiration of leave without pay, the employee shall return to work in the position held at the time leave was granted or to any other vacant position of the same class. Failure without good cause of the employee on leave to report promptly when leave has expired shall be considered as a resignation.

11.11 ABSENCE WITHOUT LEAVE

Any unauthorized absence of an employee from duty shall be deemed to be in absence without pay and may be made grounds for disciplinary action by the Department Head. In absence of such disciplinary action, any employee who absents himself for three (3) or more days without authorized leave shall be deemed to have resigned. Such absence may be approved by the Department Head subsequently where extenuating circumstances are found to have existed.

11.12 MATERNITY

Maternity shall be treated as any other non-duty temporary disability covered under the rules pertaining to sick leave and leave of absence without pay. At any one time during pregnancy an employee is aware that her and/or her unborn child's health is endangered by her job, she shall immediately make this fact known in writing to her Department Head. By the end of the sixth month of pregnancy and at such other times deemed necessary by the Department Head, pregnant employees shall submit to their Department Head a doctor's statement indicating the employee's physical ability to perform her job. Employees returning to work after childbirth shall submit to their Department Head a doctor's statement indicating the employee's physical ability to return to the job.

11.13 HEALTH AND LIFE INSURANCE

Regular full-time employees in the classified and unclassified service will be enrolled, without cost, in the group life insurance program. Full-time employees and their dependents may enroll in the medical insurance program, the cost of which may be shared between the city and the employee. The effective date of coverage shall be 31 days subsequent to the date of employment. During any authorized leave of absence with pay, the coverage is continued. In the event an employee is authorized leave of absence of pay in excess of 30 calendar days, he must make his own arrangements to pay the insurance premiums during this period.

11.14 RETIREMENT PLAN

Regular full time employees in the municipal service who qualify for membership will be enrolled as a participating member of the KPERS Retirement Plan

as a condition of employment after one (1) full year of service or Kansas Police & Fire (KP&F) immediately upon employment.

11.15 EDUCATIONAL ASSISTANCE

All regular status employees are encouraged to take advantage of educational and vocational courses which help improve their performance in their current position and better prepare them for promotion to related and higher level positions in the municipal service. Application requests for educational assistance will be forwarded to the Director for approval after review by the Department Head. The proposed course(s) to be taken must show a direct relationship to the employee's work, i.e. to improve the work performance of the present or envisioned future work of the employee for the city. Upon the successful completion of any approved course with a minimum grade of "C" at the undergraduate level and of "B" at the graduate level, the city will reimburse an employee for 50% for degree related courses and 75% for job related courses. All other expenses incurred in connection with the course are to be borne by the employee and all courses must be scheduled on off-duty hours if reimbursement is to be received from the city. The granting of educational assistance is contingent upon the availability of funds in the department to which the employee is assigned. Consideration will be given to all other forms of tuition assistance the employee may be receiving. Any employee obtaining GI Educational Benefits or similar reimbursement will be ineligible for city reimbursement. Requests for educational assistance must be submitted by date which shall be determined by each Department Head.

SECTION 12. SEPARATION AND DISCIPLINARY ACTIONS

12.1 RESIGNATIONS

Any employee who is in good standing may resign from the service by presenting his resignation in writing to the Department Head within a reasonable time prior to the effective date. Such resignations shall be promptly forwarded to the Director. The Director may make such investigation as deemed warranted for the purpose of verifying reasons for each resignation. Such resignation may be withdrawn by the employee at any time prior to the effective date with the approval of the Director and the Department Head.

12.2 CAUSE FOR DISCIPLINARY ACTION

Circumstances which may constitute cause for disciplinary action are listed below, although charges may be based upon cause and complaints other than those listed. The determination of whether or not an employee's actions may be subject to disciplinary action may be based upon the impact of the employee's action on his ability to adequately perform the duties of his position.

(a) Habitual use of alcoholic beverages to excess or the illegal use of narcotics.

(b) Adjudication of guilt of a crime when the criminal act:

1. directly affects the employee's ability to perform the duties of his/her position

2. directly relates to the duties and responsibilities of the position.

(c) The use of intoxicating beverages or intoxication while on duty.

(d) Use of abusive or improper treatment to a person in custody, provided the act committed was not necessarily or lawfully done in self-defense or to protect the lives of others, or to prevent the escape of a person lawfully in custody.

(e) Offensive conduct or language towards the public or towards city officers or employees.

(f) Insubordination.

(g) Intentional damage or negligence in the care and handling of property.

(h) Violation of any lawful and reasonable official regulation made or given by his superior, where such violation or failure to obey amounted to an act of insubordination or a serious breach of proper discipline, or resulted, or might reasonably have expected to result, in loss or in injury to the city or to the public.

(i) Commission of acts or omissions unbecoming and incumbent of the particular office or position held, which render his reprimand, suspension, demotion, or discharge necessary or desirable for the economical or efficient conduct of the business of the city or for the best interest of the municipal government.

(j) Willful violation of any of the provisions of the city ordinances or any administrative regulation of his superior.

(k) Inducing or attempting to induce any officer or employee in the municipal service to commit an illegal act, to act in violation of any lawful and reasonable departmental or official regulation or order, or to participate therein.

(l) Solicitation or receipt from any person of, or participation in any fee, gift, or other valuable thing that is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons.

(m) Use or attempted use of political influence or bribery to secure an advantage in an examination or promotion.

(n) Absence from duty, without leave, contrary to these rules, or failure to report after leave of absence has been expired or after such leave of absence has been disapproved or revoked and cancelled by the proper authority.

(o) Engaging in activities which disrupt or which are intended to hinder or interfere with the regular work activities of a section, division or department, including concerted action with others to not report for duty or to not work at usual capabilities in performance of normal duties.

(p) Theft of city property.

12.3 REPRIMAND

A Department Head may reprimand any employee for cause. Such reprimand shall be in writing and addressed to the employee. A signed copy shall be delivered to the Personnel Department for inclusion in the employee's personnel file except for reprimands for violation of departmental regulations which shall remain within the department's files. Reprimands may not be appealed. However, the employee may file a letter of response to the reprimand which shall be attached to the reprimand in his personnel file. Reprimands shall be deemed inactive 24 months after issuance.

12.4 SUSPENSION

A Department Head may, for cause, suspend an employee without pay for a period or periods not exceeding 30 calendar days in any 12 months, however, no single suspension shall be for more than 15 calendar days. The suspension shall be effective immediately upon notification by a Department Head. Such notice shall include the reasons for and the duration of the suspension. Within 5 calendar days of notice of suspension, any regular employee who is suspended may appeal in writing to the Personnel Committee for a hearing.

The Department Head shall notify the Director of any regular employee who is arrested for a felony charge or a serious violation of law and is either imprisoned pending a trial or released on bail or bond pending a trial. The employee's case shall be reviewed by the Personnel Committee. The Personnel Committee, taking into consideration the duties and services of the employee, shall have the authority to reassign an employee to a less sensitive position or to suspend the employee until such time as a judgment is rendered by the court. If the employee is subsequently convicted, he may be removed from the municipal service. If the suspended employee is found not guilty and is released by court, he may be reinstated in his position.

12.5 DEMOTION

A Department Head may demote an employee for cause. A written statement of the reasons for any such action shall be furnished to the employee and a copy filed with the Director at least 15 calendar days prior to the effective date of the action. No demotion shall be made as a disciplinary action unless the employee to be demoted is eligible for employment in the lower class. Within 5 calendar days after receiving written notice of demotion, any regular employee may appeal, in writing, to the Personnel Committee for a hearing.

12.6 DISMISSAL

A Department Head may dismiss for cause any regular employee under his jurisdiction by delivering at least 15 calendar days before the effective date thereof, a written statement of reasons to the employee concerned and to the Director. If the Department Head, because of the reasons for the discharge, desires to make an immediate separation from the service, he may make a suspension without pay pending discharge. By so notifying the Director in writing, such action shall automatically result in permanent separation at the end of the period of suspension. Suspension pending discharge shall not be subject to the limitations provided in other sections of these rules. Within 5 calendar days of the receipt of notification of dismissal, any regular employee so dismissed shall have the right to appeal, in writing, to the Personnel Committee and shall be granted a hearing as provided for in these rules.

An employee shall have the right to appeal a termination decision of the Personnel Committee by advising the Director in writing within five (5) days of the date of the committee's decision. If written notice of appeal is received within five (5) days, the Governing Body of the City of Leawood shall, within thirty (30) days of receipt of the appeal, conduct a hearing in reference to the appeal. This hearing shall be in executive session, unless the employee requests a public hearing. At the appeal hearing, the employee shall have the right to appear, in person, to testify on his or her own behalf, to have counsel available, to have witnesses on his or her own behalf, and to examine witnesses who would testify on behalf of the City. At the conclusion of the appeal hearing, the Governing Body shall render a decision as to whether the termination of the employee shall be affirmed or whether and under what circumstances the employee shall be reinstated.

12.7 REDUCTION IN FORCE - LAYOFF

A Department Head may separate any employee without prejudice because of lack of funds or curtailment of work, after giving notice of at least ten (10) working days to such employee. However, no regular employee shall be separated from any department while there are provisional, probationary, part-time or temporary employees serving in the same class of positions in that department. Whenever a classified position is abolished or reduction in force becomes necessary, layoffs shall be accomplished in the following manner:

(a) The first employees to be laid off are those who received a rating of below average or unsatisfactory on their last employee's service rating.

(b) The remainder of employees shall be laid off in reverse order of their total service with the city.

(c) The names of all employees who have been laid off shall be assigned to a reemployment list. An appointing authority may, with the approval of the Director, appoint an employee who is to be laid off to any existing vacancy in a lower class for which he is qualified.

SECTION 13. APPEALS, GRIEVANCES AND INVESTIGATIONS

13.1 APPEALS

Any permanent employee who is suspended, removed, or reduced in pay shall have the right to appeal this action to the Personnel Committee. An appeal must be filed with the Director within five calendar days after the effective date of such disciplinary action. The appeal must be in writing and set forth the reasons why the disciplinary action is believed to be improper. The Personnel Committee will begin such hearings within five calendar days from receipt of the written request from an employee.

13.2 CLASSIFICATION APPEALS

All appeals pertaining to the classification of an employee shall be made in writing to the Director. The Director may refer such an appeal to the Personnel Committee. The decision of the Director or the Personnel Committee shall be final in all matters of classification and the employee shall have no further right of administrative appeal.

13.3 RETROACTIVE ADJUSTMENT

All adjustments of grievances and appeals processed under the procedures provided in these rules shall be retroactive to the time the grievance or appeal is first submitted in writing by the aggrieved employee to his immediate supervisor.

13.4 GRIEVANCE POLICY

It shall be the policy of the City of Leawood to give individual employees an opportunity to discuss their grievances with their supervisors in order to find mutually satisfactory solutions as rapidly as possible. In the presentation of grievances at any supervisory level, employees are assured of freedom from restraint, interference, discrimination or reprisal.

13.5 GRIEVANCE PROCEDURE

(a) ORAL REPORT. An employee who has a grievance shall first present his grievance to his immediate supervisor.

(b) WRITTEN REPORT. If the oral grievance presentation fails to resolve the grievance, the employee may within three working days submit a written grievance report to his immediate supervisor. Within three working days after receiving such grievance, the immediate supervisor shall furnish the employee with a written reply to the grievance.

(c) APPEAL TO DEPARTMENT HEAD. If the written reply to the grievance is not satisfactory to the employee, he may within ten working days after receiving a reply, submit an appeal in writing to his Department Head. The Department Head shall confer with the aggrieved employee before rendering a decision. Such decision shall be reduced in writing and shall be delivered to the aggrieved employee within ten working days of the date on which the appeal was received by the Department Head.

(d) APPEAL TO THE CITY ADMINISTRATOR. If appeal to the Department Head fails to resolve the grievance, the employee may within five days of receipt of decision on the appeal submit an appeal in writing to the City Administrator. Within ten working days of the receipt of such an appeal, the City Administrator or his representative shall hear matters pertinent to the grievance. The decision of the City Administrator shall be final and no further appeal of the grievance shall be provided to employees. The City Administrator shall forward one copy of the course of action he intends to follow to the employee concerned and to the Department Head.

13.6 CONDUCT OF INVESTIGATIONS

In connection with the review of a grievance, appeal, or for any other purpose necessary to determine the adherence to any provision of these rules, the Director may conduct such investigation involving the production of records or reports by a municipal department which shall be conducted in such manner as to cause the least possible disruption or inconvenience to such department in the conduct of its regular work.

SECTION 14. EMPLOYEE RELATIONS

14.1 HEALTH AND SAFETY

The Director shall make every effort to promote among employees and in the departments maximum standards of safety and good health. The Director may make investigations of working conditions and may make recommendations to the Department Heads concerning suggestions for the correction of harmful conditions which are believed to be preventable or which are not in compliance with established rules, regulations, and requirements. In making investigations and reports on such matters, the Director shall cooperate with and use the services of federal, state, and local agencies concerned with industrial health and safety.

14.2 PERFORMANCE STANDARDS

The Director shall assist Department Heads in developing standards of performance and systems for evaluating and recording work performance in relation to such standards. The standards of performance shall give consideration to the quality and quantity of work done, the manner in which the service is rendered, the conduct of employees, their faithfulness to their duties, and such other work characteristics as will measure fairly the work performance of employees. Such standards of performance and performance evaluations may be used in determining the suitability of probationary employees and the eligibility of salary adjustments, in discovering employees who should be transferred or promoted in rating suitability for promotion, and in developing necessary training activities. Performance evaluation shall be reported in such manner and such times as the Director may require.

14.3 GENERAL TRAINING ACTIVITIES

The Director shall in all ways possible encourage training activities for employees and supervisors to the end that service rendered to the city may be

made more effective and that employees may become at the same time qualified for promotion to higher level positions. If indicated or requested by a Department Head, the Director shall assist the Department Head on any training problem relating to the development of formal or informal training programs for employees.

SECTION 15. PERFORMANCE APPRAISALS

15.1 GENERAL

Performance appraisals shall be prepared for all employees in the classified service, and for all employees in the unclassified service as directed by the City Administrator.

15.2 FREQUENCY OF PERFORMANCE APPRAISALS

Employees shall be appraised regularly on an annual basis. Annual appraisals will coincide with the employee's pay anniversary date. Employees will also be appraised on the following special occasions:

(a) Two weeks prior to the conclusion of the probationary period for initial appointments.

(b) Anytime for unsatisfactory service.

15.3 RESPONSIBILITY FOR PERFORMANCE APPRAISALS

The Director shall have the responsibility for administering the performance appraisal system. Each employee shall be rated by his immediate supervisor, whose rating will then be reviewed by the next higher supervisor when applicable. Copies of the service rating will be transmitted to the Personnel Department with copies retained by the department and the employee affected.

15.4 MERIT INCREASES DEPENDENT UPON PERFORMANCE APPRAISALS

An employee must receive a performance appraisal of at least MORE THAN ADEQUATE (4) on his/her performance appraisal in order to be eligible for an annual merit increase and/or bonus (if authorized by the City Council). An employee receiving a rating of LESS THAN ADEQUATE (2) shall be reevaluated after a period of three (3) months. Any employee receiving a rating of UNSATISFACTORY (1) shall be dismissed by the appointing authority for unsatisfactory service.

SECTION 16. EMPLOYEES CONDUCT

16.1 DISCHARGE OF DUTIES

Employees in the classified service of the City, recognizing that the public interest is their primary concern, shall faithfully discharge their official duties regardless of personal considerations.

16.2 CODE OF CONDUCT

In the discharge of their duties, employees shall adhere to the following code of conduct:

(a) Employees in the service of the city shall give fair and equal treatment to every citizen.

(b) No employee in the service of the city shall grant a special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

(c) No employee in the service of the city shall engage in any business or transaction, or have a financial or other personal interest, direct or indirect which is incompatible with the proper discharge of his official duties in the public interest or would tend to impair his independence of judgment or action in the performance of his official duties.

(d) An employee in the service of the city who has a financial or other private interest in any proposed city legislation shall disclose the nature and the extent of such interest.

(e) No employee in the service of the city shall accept any valuable gift, whether in the form of service, loan promise, or any other form from any person which, to his knowledge, is interested, directly or indirectly, in any matter whatsoever, in business dealings with the city.

(f) No employee in the service of the city shall disclose information, the disclosure of which would be detrimental to the city, nor shall he use such information to advance the financial or other private interests of himself or others.

(g) No employee in the service of the city shall engage in or accept private employment or render services for private interest when such employment or service is incompatible with the proper discharge of his official duties.

(h) No employee in the service of the city shall sell or barter anything to the city, or to a contractor to be supplied to the city, or make any contract with the city, or purchase anything from the city other than those things which the city offers generally to the public and then only on the same terms as are offered to the public.

(i) No employee in the service of the city shall continue in such position after becoming a candidate for nomination or election to any city office.

(j) No employee in the service of the city shall solicit any monetary contribution to the campaign funds of any candidate for city office nor shall any employee of the service participate in the campaign of any candidate for city office.

(k) No employee in the service of the city shall, directly or indirectly, solicit, receive or be of any manner concerned in soliciting, obtaining, or receiving any monetary contribution or assistance, financial, or otherwise, for any political purpose whatsoever from any officer or employee of the city.

(l) No employee in the service of the city shall request or permit the use of city owned property for any purpose except the conduct of city business and no such employee shall, directly or indirectly, attempt to obtain any service or benefit from city personnel for the personal affairs of such employee.

16.3 RESPONSIBILITY OF EMPLOYEES

Each employee in the service of the city is responsible for the proper use and protection of city property entrusted to his use. Failure to exercise good judgment for the use and protection of equipment, tools, and vehicles so entrusted may be cause for disciplinary action.

16.4 SUPPLEMENTAL RULES

Each Department Head may supplement the employees code of conduct, as set out in this article, with provisions which would be uniquely particular or applicable only to that department, however, any such additional provisions shall be submitted to the to the Director for approval.

16.5 ENFORCEMENT

Any violation of the provisions of these rules may be cause for removal from the service of the city.

SECTION 17. RECORDS AND REPORTS

17.1 PERSONNEL RECORDS

The Personnel Department shall be the central depository for all such personnel files and records as the Director deems necessary.

17.2 SERVICE REGISTER

The Director shall establish and maintain a service register for all employees in the classified and unclassified service identifying for each the class title, department assignment, salary rate, dates of employment, employment history, and such other data as he deems pertinent.

17.3 REPORTS TO DIRECTOR

Every appointment, transfer, promotion, demotion, dismissal, sick leave, vacation leave, and other temporary or permanent changes in the status of employees in both the classified and unclassified service shall be reported to the Director in writing. The Director is authorized to prescribe the time, manner, form and method of making any written report as may be stipulated in any of these rules.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposits and says: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- ^{day} (weeks, days) the first publication thereof being made as aforesaid on the ^{6th} day of, January 19-⁸⁴, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

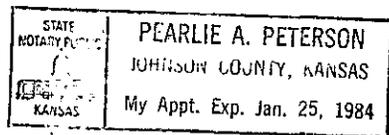
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this ^{6th} day of January 19-⁸⁴

Pearlie A. Peterson

NOTARY PUBLIC



My Commission expires: -----
Printer's Fee \$ 18.47
Additional copies \$ -----

First Published in The
Johnson County Sun Friday,
January 6, 1984.

ORDINANCE NO. 797
AN ORDINANCE
RELATING TO THE ADOPTION OF PERSONNEL
RULES AND REGULATIONS, AND REPEAL OF
SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 1-1001 and 1-1002 of Revised Ordinances, as adopted by Ordinance No. 716, are hereby repealed and the following enacted in lieu thereof:

1-1001. ADOPTION OF PERSONNEL RULES AND REGULATIONS. Section 2. The Governing Body of the City of Leawood, Kansas, does hereby adopt the document known as the "Personnel Rules and Regulations"; dated January 3, 1984, and as from time to time amended.

The City Administrator is hereby authorized to review the "Personnel Rules and Regulations" periodically and submit recommended changes to the Governing Body, which shall be ratified by resolution.

1-1002. INCORPORATION BY REFERENCE. Section 3. A copy of said document is attached to the original ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/19/83
Second Reading: 1/3/84
Passed by the Governing Body this 3rd day of January, 1984.

Approved by the Mayor this 3rd day of January, 1984.
(s) Kent E. Crippin,
Mayor

(S E A L)

Attest:
(s) J. Oberlander,
City Clerk

APPROVED FOR FORM AND CONTENT:
(s) R. S. Wetzler,
City Attorney

(3717 1F)

AN ORDINANCE GRANTING A RIGHT-OF-WAY FOR SANITARY SEWER PURPOSES.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,118. Section 1. The City of Leawood, Kansas, does hereby grant unto Johnson County Wastewater District, its successors and assigns, a Right-of-Way to lay, construct, maintain, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through the following premises in the County of Johnson, State of Kansas, to-wit:

25 foot wide sanitary sewer easements, the centerlines being described as follows: Beginning at the Northwest corner of Lot 27 of Berkshire Second Plat, a subdivision in the City of Leawood, Johnson County, Kansas; thence North $70^{\circ} 16' 10''$ West a distance of 20.00 feet to the end of said easement. AND Beginning at the most Easterly corner of Lot 19 of Berkshire Second Plat, a subdivision in the City of Leawood, Johnson County, Kansas; thence North $23^{\circ} 44' 33''$ West along the East line of Lot 21 of said Berkshire Second Plat a distance of 45.00 feet to the True Point of Beginning; thence North $73^{\circ} 24' 08''$ East a distance of 35.00 feet to the point of termination. AND Beginning at the most Northerly corner of Lot 38 of Berkshire First Plat, a subdivision in the City of Leawood, Johnson County, Kansas; thence North $14^{\circ} 00' 00''$ East along the Westerly line of Lot 31 of Berkshire Second Plat, a subdivision in the City of Leawood, Johnson County, Kansas, a distance of 12.00 feet to the True Point of Beginning; thence North $19^{\circ} 14' 47''$ West a distance of 18.00 feet to a point; thence North $19^{\circ} 23' 07''$ West a distance of 40.00 feet to the point of termination. AND Beginning at the Northeast corner of Lot 8 of Berkshire Second Plat, a subdivision in the City of Leawood, Johnson County, Kansas; thence South $87^{\circ} 39' 39''$ West along the North line of said Lot 8 a distance of 65.00 feet to the True Point of Beginning; thence North $21^{\circ} 40'$ East a distance of 55 feet to a point in the South line of Lot 1 of King's Forest, a subdivision in the City of Leawood, Johnson County, Kansas, said point being the point of termination. AND Beginning at the Northwest corner of Lot 37 of Berkshire First Plat, a subdivision in the City of Leawood, Johnson County, Kansas; thence North $46^{\circ} 52' 55''$ West a distance of 90.00 feet to the point of termination.

(at various locations across Tomahawk Greenway, south of 119th St., and adjacent to Berkshire subdivision)

19-6,119. INCORPORATION BY REFERENCE. Section 2. A copy of said Right-of-Way Grant is attached hereto and thereby incorporated by reference.

ORDINANCE NO. 796

re Granting a Right-of-Way for Sanitary Sewer
Purposes - to Jo. Co. Wastewater District

TAKE EFFECT. Section 3. This ordinance shall take effect and be in
force from and after its publication in the official City newspaper.

First Reading: 12/19/83 Second Reading: 1/3/84

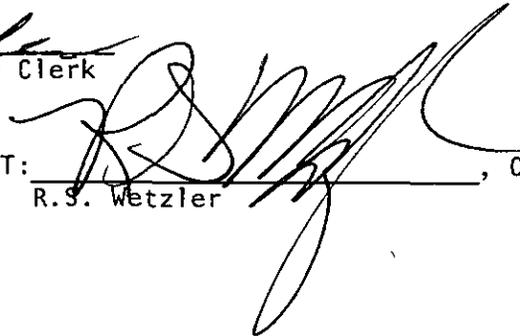
Passed by the Governing Body this 3rd day of January, 1984.

Approved by the Mayor this 3rd day of January, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzler, City Attorney

orig. ord.

1442509

RIGHT-OF-WAY GRANT

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

R-O-W # _____

KNOW ALL MEN BY THESE PRESENTS, That _____

1983 NOV 30 11:41 AM
STATE OF KANSAS
RECORDS & DEEDS

City of Leawood

of the Post Office of 9615 Lee Boulevard
in the State of Kansas, in consideration of ten and no
hundreds

Dollars (\$10.00) in hand paid and other
valuable consideration, receipt of which is hereby acknowledged,
hereby grants and conveys unto Johnson County
Wastewater District

THEREIN, its successors and assigns,
a Right-of-Way to lay, construct, maintain, alter, repair, replace and
operate one or more sewer lines and all appurtenances convenient for
the collection of sanitary sewage, together with the right of ingress
and egress, over and through the following premises in the County of
Johnson in the State of Kansas, to-wit: 25 foot wide sanitary sewer easements,
the centerlines being described as follows: Beginning at the Northwest corner of Lot
27 of Berkshire Second Plat, a subdivision in the City of Leawood, Johnson County,
Kansas; thence North 70°16'10" West a distance of 20.00 feet to the end of said ease-
ment. AND Beginning at the most Easterly corner of Lot 19 of Berkshire Second
Plat, a subdivision in the City of Leawood, Johnson County, Kansas; thence North 23°
44'33" West along the East line of Lot 21 of said Berkshire Second Plat a distance of
45.00 feet to the True Point of Beginning; thence North 73°24'03" East a distance of
35.00 feet to the point of termination. AND Beginning at the most Northerly corner
of Lot 38 of Berkshire First Plat, a subdivision in the City of Leawood, Johnson
County, Kansas; thence North 14°00'00" East along the Westerly line of Lot 31 of
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a distance of 12.00 feet to the True Point of Beginning; thence North 19°14'47" West
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Kansas; thence South 87°39'39" West along the North line of said Lot 8 a distance
of 65.00 feet to the True Point of Beginning; thence North 21°40' East a distance
of 55 feet to a point in the South line of Lot 1 of King's Forest, a subdivision in
the City of Leawood, Johnson County, Kansas, said point being the point of termina-
tion. AND Beginning at the Northwest corner of Lot 37 of Berkshire First Plat,
a subdivision in the City of Leawood, Johnson County, Kansas; thence North 46°52'55"
West a distance of 90.00 feet to the point of termination.

This grant is a permanent easement for the purpose aforesaid and
full consideration therefore is acknowledged; provided however, if
a temporary construction easement is granted herein, then the period
of said temporary easement shall be no longer than one year from the
date of acceptance of construction of sewers within said Sewer District.
All sod damaged by the installation of said line or by making future
repairs or in removing said property, shall be replaced by grantee.
Grantor _____ agrees that the planting of any trees
or placing of other improvements on said permanent right-of-way will
be done at the risk of subsequent damage thereto without compensation
therefore.

This agreement is binding upon the heirs, executors, administrators,
successors, and assigns of the parties hereto, and it is understood
that this agreement cannot be changed in any way except in writing,
signed by the grantor _____ and a duly authorized agent of the
grantee.

IN WITNESS WHEREOF the grantor _____ has hereunto set its
hand _____ and seal _____ on this, the 28th day of November
1983.

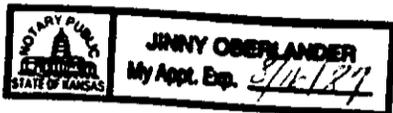
Kent E. Crippin
Kent E. Crippin, Mayor
City of Leawood, Kansas

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF KANSAS COUNTY OF JOHNSON

BE IT REMEMBERED, That on this 28th day of November, 1983, before me, the undersigned Notary Public, personally came Kent E. Crippin, Mayor, City of Leawood, Kansas who is personally known to me to be the same person who executed the foregoing instrument of writing and as such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Leawood, Kansas on the day and year last above written.



Jinny Oberlander
Notary Public Jinny Oberlander

My Commission expires: 11-18-77

VOL 1941 PAGE 844

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ COUNTY OF _____, ss:

BE IT REMEMBERED, That on this _____ day of _____, 19____, before me, the undersigned Notary Public in and for the County and State aforesaid, came _____ of _____ who is personally to me to be the _____ of said _____ and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said _____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Notary Public

My Commission Expires: _____

City of Leawood

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- day (weeks, days) the first publication thereof being made as aforesaid on the 6th day of January 19-84, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

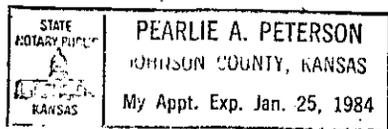
Barbara A. Ellis

Subscribe and sworn to before me this 6th day of January 19-84

Pearlie A. Peterson

NOTARY PUBLIC

My Commission expires: -----
Printer's Fee \$ 36.47
Additional copies \$ -----



First Published in The
Johnson County Sun Friday,
January 6, 1984.

**ORDINANCE NO. 796
AN ORDINANCE
GRANTING A RIGHT-OF-
WAY FOR SANITARY
SEWER PURPOSES.**

**Be it ordained by the Govern-
ing Body of the City of
Leawood, Kansas:**

19-6,118. Section 1. The City of
Leawood, Kansas, does here-
by grant unto Johnson County
Wastewater District, its suc-
cessors and assigns, a Right-
of-Way to lay, construct,
maintain, alter, repair,
replace and operate one or
more sewer lines and all ap-
purtenances convenient for
the collection of sanitary
sewage, together with the
right of ingress and egress,
over and through the follow-
ing premises in the County of
Johnson, State of Kansas, to-

25 foot wide sanitary sewer
easements, the centerlines
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Beginning at the Northwest
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North 70° 16' 10" West a dis-
tance of 20.00 feet to the end of
said easement. AND Beginn-
ing at the most Easterly cor-
ner of Lot 19 of Berkshire Se-
cond Plat, a subdivision in the
City of Leawood, Johnson
County, Kansas; thence
North 23° 44' 33" West along
the East line of Lot 21 of said
Berkshire Second Plat a dis-
tance of 45.00 feet to the True
Point of Beginning; thence
North 73° 24' 08" East a dis-
tance of 35.00 feet to the point
of termination. AND Beginn-
ing at the most Northerly cor-
ner of Lot 38 of Berkshire
First Plat, a subdivision in
the City of Leawood, Johnson
County, Kansas; thence
North 14° 00' 00" East along
the Westerly line of Lot 31 of
Berkshire Second Plat, a sub-
division in the City of
Leawood, Johnson County,
Kansas, a distance of 12.00
feet to the True Point of
Beginning; thence North 19°
14' 47" West a distance of
18.00 feet to a point; thence
North 19° 23' 07" West a dis-
tance of 40.00 feet to the point
of termination. AND Beginn-
ing at the Northeast corner of
Lot 8 of Berkshire Second
Plat, a subdivision in the City
of Leawood, Johnson County,
Kansas; thence South 87° 39'
39" West along the North line
of said Lot 8 a distance of
65.00 feet to the True Point of
Beginning; thence North 21°
40' East a distance of 55 feet
to a point in the South line of
Lot 1 of King's Forest, a sub-
division in the City of
Leawood, Johnson County,
Kansas, said point being the
point of termination. AND
Beginning at the Northwest
corner of Lot 37 of Berkshire
First Plat, a subdivision in
the City of Leawood, Johnson
County, Kansas; thence
North 46° 52' 55" West a dis-
tance of 90.00 feet to the point
of termination.

(at various locations across
Tomahawk Greenway, south
of 119th St., and adjacent to
Berkshire subdivision)

19-6,119. INCORPORATION
BY REFERENCE. Section 2.
A copy of said Right-of-Way
Grant is attached hereto and
thereby incorporated by
reference.

TAKE EFFECT. Section 3.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 12/19/83 Se-
cond Reading: 1/3/84
Passed by the Governing
Body this 3rd day of January,
1984.

Approved by the Mayor this
3rd day of January, 1984.

(s) Kent E. Crippin,

Mayor

(S E A L)

Attest:

(s) J. Oberlander,

City Clerk

APPROVED FOR FORM

AND CONTENT:

(s) R. S. Wetzieler,

City Attorney

(3715 1F)

AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR STORM DRAINAGE PURPOSES FROM COMMUNITY FEDERAL SAVINGS AND LOAN ASSOCIATION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6,116. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Utility Easement from Community Federal Savings and Loan Association, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors and assigns, an easement to lay, construct, maintain, alter, repair, replace and operate a storm sewer, together with the right of ingress and egress over and through the following premises in the County of Johnson, State of Kansas, to-wit:

Part of Lot 57 of Berkshire, a subdivision in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the S.E. corner of said Lot 57; thence Westerly and along the South line of said Lot 57 a distance of 35.00 feet to a point; thence Northeasterly to a point on the East line of said Lot 57, said point being 75.00 feet North of the S.E. corner of said Lot 57; thence Southerly and along the Easterly line of said Lot 57 a distance of 75.00 feet to the point of beginning.

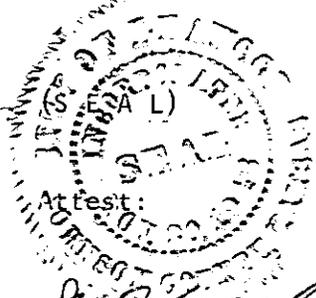
19-6,117. INCORPORATION BY REFERENCE. Section 2. A copy of said Utility Easement is attached to the original ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/19/83 Second Reading: 1/3/84

Passed by the Governing Body this 3rd day of January, 1984.

Approved by the Mayor this 3rd day of January, 1984.



Attest:

J. Oberlander
J. Oberlander City Clerk

Kent E. Crippin
Kent E. Crippin Mayor

APPROVED FOR FORM AND CONTENT: R.S. Wezler, City Attorney

Orig. ord.

1442499 ✓

UTILITY EASEMENT

1983

THIS AGREEMENT, made and entered into this 3rd day of November/ by and between COMMUNITY FEDERAL SAVINGS AND LOAN ASSOCIATION, a corporation of the United States of America, with its principal place of business in St. Louis, Missouri, party of the first part, and the CITY OF LEAWOOD, KANSAS party of the second part a municipal corporation.

WITNESSETH:

WHEREAS, the party of the first part owns and has title to that real estate and real property located in Johnson County, Kansas, described as follows:

Berkshire, a subdivision of the City of Leawood, Johnson County, Kansas

and

WHEREAS, the party of the second part desires an easement for utility;

NOW THEREFORE, in consideration of One and no/100 Dollars (\$1.00) in hand paid and other valuable consideration, receipt of which is hereby acknowledged, party of the first part does hereby grant and convey unto the party of the second part, its successors and assigns, an easement to lay, construct, maintain, alter, repair, replace and operate a storm sewer, together with the right of ingress and egress over and through the following premises in the County of Johnson and the State of Kansas, to-wit:

Part of Lot 57 of Berkshire, a subdivision in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the S.E. corner of said Lot 57; thence Westerly and along the South line of said Lot 57 a distance of 35.00 feet to a point; thence Northeasterly to a point on the East line of said Lot 57, said point being 75.00 feet North of the S.E. corner of said Lot 57; thence Southerly and along the Easterly line of said Lot 57 a distance of 75.00 feet to the point of beginning.

STATE OF KANSAS
COUNTY OF JOHNSON
FILED

600

1983 NOV 30 AM 11:23 8

REGISTER OF DEEDS

This grant is a Permanent Easement for the purpose aforesated and full consideration thereof is acknowledged.

~~ALL TEMPORARY CONSTRUCTION EASEMENTS BY THE CITY OF LEAWOOD IN CONNECTION WITH SAID EASEMENT OVER THE FOLLOWING PROPERTY TO-WIT:~~

600

This agreement is binding upon the heirs, executors, administrators, successors and assigns of the parties hereto, and it is understood that this agreement cannot be changed in any way except in writing, signed by the grantor and duly authorized agent of the grantee.

IN WITNESS WHEREOF, the grantor has hereunto set ^{its} ~~their~~ hands and seals on this 3rd day of November, 1983.

ATTEST:

Robert D. Lehmann

Robert D. Lehmann, Assistant Secretary
STATE OF KANSAS

COMMUNITY FEDERAL SAVINGS AND LOAN ASSOCIATION

By: *George W. Nagel*
George W. Nagel, Vice President

COUNTY OF JOHNSON, SS:

BE IT REMEMBERED, that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, who are personally known to me to be the same persons who executed the within instrument of writing, and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial seal, the day and year last above written.

Notary Public

My Commission expires: _____

KANSAS CORPORATION ACKNOWLEDGMENT

STATE OF MISSOURI)

) ss.

COUNTY OF JACKSON)

BE IT REMEMBERED, That on this 3rd day of November A.D. 1983, before me the undersigned, a Notary Public in and for the County and State aforesaid, came GEORGE W. NAGEL, Vice President of COMMUNITY FEDERAL SAVINGS AND LOAN ASSOCIATION, a corporation duly organized, incorporated and existing under the laws of the United States of America, and ROBERT D. LEHMANN, Assistant Secretary of said corporation, who are personally known to me to be such officers, and who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my and and affixed my official seal, the day and year last above written.

Betty J. Downing
Notary Public
Betty J. Downing

My commission expires _____

VOL 1941 PAGE 807

*Copy of transcript
of 17 Feb 1984
transmitted Nov 6 2006*

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- day (weeks, days) the first publication thereof being made as aforesaid on the 6th day of January 19 84, with subsequent publications being made on the following dates:

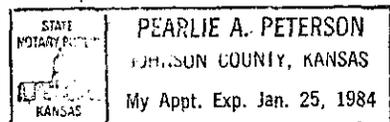
-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 6th day of January 19 84

Pearlie A. Peterson

NOTARY PUBLIC



My Commission expires: -----
Printer's Fee \$ 23.53
Additional copies \$ -----

First Published in The
Johnson County Sun Friday,
January 6, 1984.

ORDINANCE NO. 795
AN ORDINANCE
RELATING TO ACCEPTANCE OF AN EASEMENT FOR STORM DRAINAGE PURPOSES FROM COMMUNITY FEDERAL SAVINGS AND LOAN ASSOCIATION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-6, 116. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Utility Easement from Community Federal Savings and Loan Association, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors and assigns, an easement to lay, construct, maintain, alter, repair, replace and operate a storm sewer, together with the right of ingress and egress over and through the following premises in the County of Johnson, State of Kansas, to-wit:

Part of Lot 57 of Berkshire, a subdivision in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the S.E. corner of said Lot 57; thence Westerly and along the South line of said Lot 57 a distance of 35.00 feet to a point; thence North-easterly to a point on the East line of said Lot 57, said point being 75.00 feet North of the S.E. corner of said Lot 57; thence Southerly and along the Easterly line of said Lot 57 a distance of 75.00 feet to the point of beginning.

19-6,117. **INCORPORATION BY REFERENCE.** Section 2. A copy of said Utility Easement is attached to the original ordinance and thereby incorporated by reference. **TAKE EFFECT.** Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/19/83
Second Reading: 1/3/84
Passed by the Governing Body this 3rd day of January, 1984.

Approved by the Mayor this 3rd day of January, 1984.

(s) Kent E. Crippin,
Mayor
(S E A L)

Attest:
(s) J. Oberlander,
City Clerk

APPROVED FOR FORM

AND CONTENT:
(s) R. S. Wetzler,
City Attorney

(3714 1F)

ORDINANCE NO. 794

Repealed by Ord. #839
CODE OF 1984
Effective 12/21/84

AN ORDINANCE DESIGNATING 143RD STREET BETWEEN STATE LINE ROAD AND NALL AVENUE AS A MAIN TRAFFICWAY.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

13-605. Section 1. That 143rd Street between State Line Road and Nail Avenue within the City of Leawood, Johnson County, Kansas, is hereby designated and established as a main trafficway pursuant to K.S.A. 12-685 and all acts amendatory thereto.

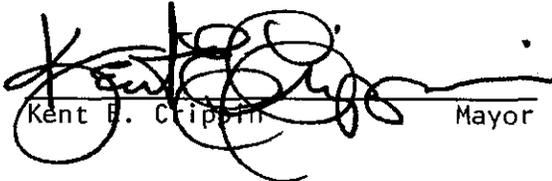
TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/5/83 Second Reading: 12/19/83

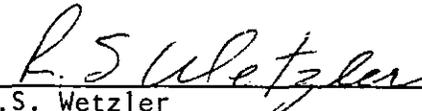
Passed by the Governing Body this 19th day of December, 1983.

Approved by the Mayor this 20th day of December, 1983.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:  City Attorney
R.S. Wetzler

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- 1 ----- consecutive ----- day ----- (weeks, days) the first publication thereof being made as aforesaid on the 28th day of, December 19 83, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 28th day of December 19 83

Marguerite E. Baker

NOTARY PUBLIC



My Commission expires: 3-15-84
Printer's Fee \$ 15.00
Additional copies \$ -----

First Published in The
Johnson County Sun Wednes-
day, December 28, 1983.

ORDINANCE NO. 794

AN ORDINANCE
DESIGNATING 143RD
STREET BETWEEN STATE
LINE ROAD AND NALL
AVENUE AS A MAIN TRAF-
FICWAY.

Be it ordained by the Govern-
ing Body of the City of
Leawood, Kansas:

13-605. Section 1. That 143rd
Street between State Line
Road and Nall Avenue within
the City of Leawood, Johnson
County, Kansas, is hereby
designated and established as
a main trafficway pursuant to
K.S.A. 12-685 and all acts
amendatory thereto.

TAKE EFFECT. Section 2.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 12/5/83 Se-
cond Reading: 12/19/83

Passed by the Governing
Body this 19th day of
December, 1983.

Approved by the Mayor this
20th day of December, 1983.

(s) Kent E. Crippin, Mayor

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM

AND CONTENT: (s) R. S.
Wetzler, City Attorney

(2590 1W)

ORDINANCE NO. 793

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~18-801~~ Sec. no. changed by '84 Code

~~16-801~~. Section 1. The following described real property is hereby designated as being zoned MP-1, Planned Industrial District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of Fractional Section 35, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the East line of said Section 35 lying 193 feet North of the Southeast corner of said Section 35; thence South $87^{\circ} 52' 01''$ West, a distance of 400 feet; thence North $2^{\circ} 19' 56''$ West, a distance of 670 feet; thence North $87^{\circ} 52' 01''$ East, a distance of 400 feet, to a point on said East line of Section 35; thence South $2^{\circ} 19' 56''$ East, along said East line, a distance of 670 feet, to the Point of Beginning, containing 6.15 acres, more or less.

(143rd & Kenneth Rd.)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/5/83 Second Reading: 12/19/83

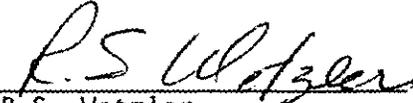
Passed by the Governing Body this 19th day of December, 1983.

Approved by the Mayor this 20th day of December, 1983.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:  City Attorney
R.S. Wetzler

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- *day* ----- (weeks, days) the first publication thereof being made as aforesaid on the ----- *28th* ----- day of, *December* ----- 19-*83*-----, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this ----- *28th* ----- day of ----- *December* ----- 19-*83*-----

Marguerite E. Baker

NOTARY PUBLIC



My Commission expires: ----- *3-15-84* -----
Printer's Fee \$ ----- *18.19* -----
Additional copies \$ ----- -----

First Published in The
Johnson County Sun Wednes-
day, December 28, 1983.

ORDINANCE NO. 793

AN ORDINANCE
RELATING TO ZONING OF
CERTAIN PROPERTY IN
THE CITY OF LEAWOOD,
KANSAS.

Be it ordained by the Govern-
ing Body of the City of
Leawood, Kansas:

16-801. Section 1. The follow-
ing described real property is
hereby designated as being
zoned MP-1, Planned In-
dustrial District, in accor-
dance with the terms of the
Zoning Ordinance as adopted
April 17, 1978, this property
having been previously zoned
A, Agricultural:

All that part of Fractional
Section 35, Township 13,
Range 25, Johnson County,
Kansas, more particularly
described as follows: Beginn-
ing at a point on the East line
of said Section 35 lying 193
feet North of the Southeast
corner of said Section 35;
thence South 87° 52' 01" West,
a distance of 400 feet; thence
North 2° 19' 56" West, a dis-
tance of 670 feet; thence
North 87° 52' 01" East, a dis-
tance of 400 feet, to a point on
said East line of Section 35;
thence South 2° 19' 56" East,
along said East line, a dis-
tance of 670 feet, to the Point
of Beginning, containing 6.15
acres, more or less.

(143rd & Kenneth Rd.)

TAKE EFFECT. Section 2.

This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 12/5/83

Second Reading: 12/19/83

Passed by the Governing
Body this 19th day of
December, 1983.

Approved by the Mayor this
20th day of December, 1983.

(s) Kent E. Crippin, Mayor

SEAL

ATTEST:

(s) J. Oberlander, City Clerk
APPROVED FOR FORM
AND CONTENT: (s) R. S.
Wetzler, City Attorney

(2589 1W)

ORDINANCE NO. 792 *Superseded by 1985 assessmt.*

AN ORDINANCE ESTABLISHING THE 1984 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

12-102.10. 1984 ANNUAL ASSESSMENT. Section 1. Pursuant to the terms of Section 12-102.3 of Ordinance No. 753, the following shall be the formula to establish the 1984 annual assessment for all users of the Leawood Sewer System:

User Charge = Volume Charge, plus Customer Service Charge, plus Replacement Cost Charge;

Volume Charge = \$.743 per 1,000 gallons of water used. The minimum volume for residential users shall be 33,000 gallons per year; the minimum volume for commercial users shall be 12,000 gallons per year;

Customer Service Charge = \$47.74 per user per unit;

Replacement Cost = 0 (for 1984).

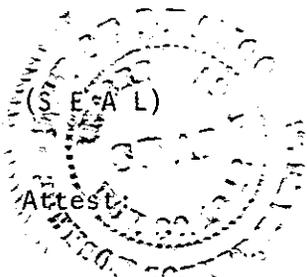
12-102.11. PUBLICATION. Section 2. This ordinance shall be published once each week for two consecutive weeks in the official newspaper of the City.

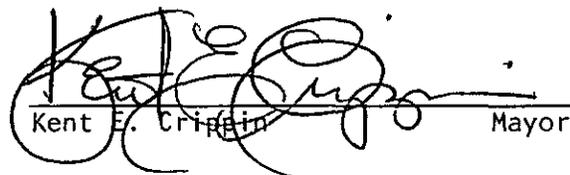
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 11/21/83 Second Reading: 12/5/83

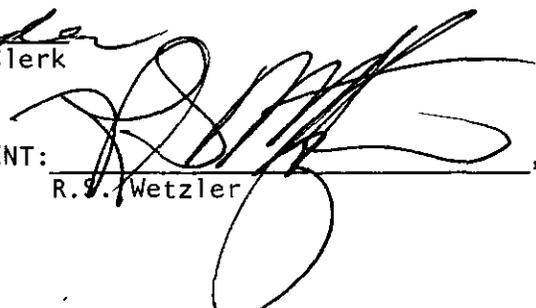
Passed by the Governing Body this 5th day of December, 1983.

Approved by the Mayor this 5th day of December, 1983.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney
R. Wetzler

First Published in The Johnson County Sun Friday, December 9, 1983.
 ORDINANCE NO. 792
 AN ORDINANCE ESTABLISHING THE 1984 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.
 Be it ordained by the Governing Body of the City of Leawood, Kansas:
 12-102.10. 1984 ANNUAL ASSESSMENT. Section 1. Pursuant to the terms of Section 12-102.3 of Ordinance No. 753, the following shall be the formula to establish the 1984 annual assessment for all users of the Leawood Sewer System:

User Charge = Volume Charge, plus Customer Service Charge, plus Replacement Cost Charge;

Volume Charge = \$.743 per 1,000 gallons of water used. The minimum volume for residential users shall be 33,000 gallons per year; the minimum volume for commercial users shall be 12,000 gallons per year;

Customer Service Charge = \$47.74 per user per unit;

Replacement Cost = 0 (for 1984).

12-102.11. PUBLICATION. Section 2. This ordinance shall be published once each week for two consecutive weeks in the official newspaper of the City.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 11/21/83
 Second Reading: 12/5/83

Passed by the Governing Body this 5th day of December, 1983.

Approved by the Mayor this 5th day of December, 1983.

(s) Kent E. Crippin,
 Mayor

(S E A L)

Attest:

(s) J. Oberlander,
 City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R. S. Wetzler,
 City Attorney

(6064 2F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 2 consecutive weeks (weeks, days) the first publication thereof being made as aforesaid on the 9th day of December 1983, with subsequent publications being made on the following dates:

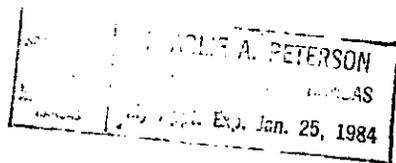
December 16th, 1983 _____, 19____
 _____, 19____ _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 16th day of December 1983

Paul A. Peterson

NOTARY PUBLIC



My Commission expires: _____
 Printer's Fee \$ 37.31
 Additional copies \$ _____

ORDINANCE NO. 791

repealed by Ord. 898, 1/20/86

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~16-1701~~ 18-1701 Sec. no. changed by '84 Code

Section 1. The following described real property is hereby designated as being zoned RP-3, Planned Garden Apartment District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the NW1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows:
Commencing at the Northwest corner of the NW1/4 of said Section 16; thence S 1° 41' 29" E, along the West line of the NW1/4 of said Section 16, a distance of 1453.09 feet, to the true point of beginning of subject tract; thence continuing S 1° 41' 29" E, along the West line of the NW1/4 of said Section 16, a distance of 1200 feet, to the Southwest corner thereof; thence N 87° 46' E, along the South line of the NW1/4 of said Section 16, a distance of 540 feet; thence N 2° 14' W, along a line perpendicular to the South line of the NW1/4 of said Section 16, a distance of 71.38 feet; thence N 17° 57' 50" E, a distance of 403.43 feet; thence N 1° 41' 29" W, a distance of 352.73 feet; thence Northwesterly, along a curve to the right, having a radius of 400 feet, a central angle of 31° 20' 02", and whose initial tangent bearing is N 79° 25' 21" W, a distance of 218.75 feet, to a point of tangency; thence N 48° 05' 19" W, a distance of 300 feet, to a point of curvature; thence Northwesterly and Westerly, along a curve to the left, having a radius of 300 feet, and a central angle of 43° 36' 10", a distance of 228.30 feet, to a point of tangency; thence S 88° 18' 31" W, a distance of 60 feet, to the true point of beginning of subject tract.

(between Roe Ave. & Nall Ave. south of the existing development at Leawood Country Manor; 15.142 acres, more or less)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 11/21/83 Second Reading: 12/5/83

Passed by the Governing Body this 5th day of December, 1983.

Approved by the Mayor this 5th day of December, 1983.



[Handwritten Signature]

Kent E. Crippin Mayor

Page 2
ORDINANCE NO. 791
re Zoning -

Attest: -


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzler, City Attorney

First Published in The Johnson County Sun Friday, December 9, 1983.

ORDINANCE NO. 791
AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

16-1701. Section 1. The following described real property is hereby designated as being zoned RP-3, Planned Garden Apartment District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978. This property having been previously zoned

A, Agricultural:

All that part of the NW 1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the NW 1/4 of said Section 16; thence S 1° 41' 29" E, along the West line of the NW 1/4 of said Section 16, a distance of 1453.09 feet, to the true point of beginning of subject tract; thence continuing S 1° 41' 29" E, along the West line of the NW 1/4 of said Section 16, a distance of 1200 feet, to the Southwest corner thereof; thence N 87° 46' E, along the South line of the NW 1/4 of said Section 16, a distance of 540 feet; thence N 2° 14' W, along a line perpendicular to the South line of the NW 1/4 of said Section 16, a distance of 71.38 feet; thence N 17° 57' 50" E, a distance of 403.43 feet; thence N 1° 41' 29" W, a distance of 352.73 feet; thence Northwesterly, along a curve to the right, having a radius of 400 feet, a central angle of 31° 20' 02", and whose initial tangent bearing is N 79° 25' 21" W, a distance of 218.75 feet, to a point of tangency; thence N 48° 05' 19" W, a distance of 300 feet, to a point of curvature; thence Northwesterly and Westerly, along a curve to the left, having a radius of 300 feet, and a central angle of 43° 36' 10", a distance of 228.30 feet, to a point of tangency; thence S 88° 18' 31" W, a distance of 60 feet, to the true point of beginning of subject tract.

(between Roe Ave. & Nell Ave. south of the existing development at Leawood Country Manor; 15.142 acres, more or less)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 11/21/83
Second Reading: 12/5/83

Passed by the Governing Body this 5th day of December, 1983.

Approved by the Mayor this 5th day of December, 1983.

(S E A L)

Kent E. Crippin,
Mayor

Attest:
J. Oberlander,
City Clerk

APPROVED FOR FORM
AND CONTENT:

(s) R. S. Wetzler,
City Attorney

(6062 1F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- ^{day} (weeks, days) the first publication thereof being made as aforesaid on the ^{9th} day of, December 19-83, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 9th day of December 19-83

Paula Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
JOHNSON COUNTY, KANSAS
My Appt. Exp. Jan. 25, 1984

My Commission expires: -----

Printer's Fee \$ 28.03

Additional copies \$ -----

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~18-1302~~ Sec. no. changed by '84 Code

~~16-1302~~. Section 1. The following described real property is hereby designated as being zoned RP-2, Planned Two-Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the NW1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows:
Commencing at the Northwest corner of the NW1/4 of said Section 16; thence S 1° 41' 29" E, along the West line of the NW1/4 of said Section 16, a distance of 895.98 feet, to a point on the Westerly extension of the South right-of-way line of 112th Street, as now established, said point also being the true point of beginning of subject tract; thence N 88° 18' 31" E, along the Southerly right-of-way line and its extension of said 112th Street, a distance of 55 feet, to a point of curvature; thence Easterly and Southeasterly, along the Southerly right-of-way line of said 112th Street, said line being on a curve to the right, having a radius of 1200 feet and a central angle of 8° 51', a distance of 185.36 feet, to a point of tangency; thence S 82° 50' 29" E, along the Southerly right-of-way line of said 112th Street, a distance of 172 feet, to a point of curvature; thence Southeasterly, Easterly and Northeasterly, along the Southerly right-of-way line of said 112th Street, said line being on a curve to the left, having a radius of 350 feet and a central angle of 26° 06' 06", a distance of 159.45 feet, to a point 30 feet Southwesterly of the Northwesterly corner of Lot 19, Block 5, LEAWOOD COUNTRY MANOR, THIRD PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, as measured along the Southerly right-of-way line of said 112th Street; thence S 36° 42' 30" E, a distance of 134.68 feet, to the Southwesterly corner of said Lot 19, said point also being on the Westerly line of Lot 13, Block 5, LEAWOOD COUNTRY MANOR, SECOND PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence S 4° 20' W, along the Westerly line of said Block 5, a distance of 98 feet; thence S 3° 23' E, along the Westerly line of said Block 5, a distance of 254.34 feet, to the Northwesterly corner of Lot 16 of said Block 5; thence S 82° 52' 12" W, a distance of 69.91 feet; thence S 6° 40' 16" E, a distance of 161.84 feet, to a point on the Westerly extension of the South line of Lot 17 of said Block 5; thence S 78° 07' E, along the Westerly extension of the South line of said Lot 17, a distance of 67.82 feet, to the Southwesterly corner thereof; thence S 8° 02' W, along the

Westerly line of Lot 18 of said Block 5, a distance of 113.38 feet, to the Southwesterly corner thereof; thence S 27° 16' 08" W, a distance of 137.61 feet; thence Northwesterly, along a curve to the right, having a radius of 400 feet, a central angle of 14° 38' 33", and whose initial tangent bearing is N 62° 43' 52" W, a distance of 102.22 feet, to a point of tangency; thence N 48° 05' 19" W, a distance of 300 feet, to a point of curvature; thence Northwesterly and Westerly, along a curve to the left, having a radius of 300 feet and a central angle of 43° 36' 10", a distance of 228.30 feet, to a point of tangency; thence S 88° 18' 31" W, a distance of 60 feet, to a point on the West line of the NW1/4 of said Section 16; thence N 1° 41' 29" W, along the West line of the NW1/4 of said Section 16, a distance of 557.11 feet, to the true point of beginning of subject tract.

(between Roe Ave. & Nall Ave. south of the existing development at Leawood Country Manor; 9.670 acres, more or less)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 11/21/83 Second Reading: 12/5/83

Passed by the Governing Body this 5th day of December, 1983.

Approved by the Mayor this 5th day of December, 1983.



J. Oberlander
J. Oberlander
City Clerk

Kent E. Crippin
Kent E. Crippin
Mayor

APPROVED FOR FORM AND CONTENT: R.S. Wetzler, City Attorney
R.S. Wetzler

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- ^{day} (weeks, days) the first publication thereof being made as aforesaid on the ^{9th} day of, ^{December} 19-⁸³, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribed and sworn to before me this ^{9th} day of ^{December} 19-⁸³

Pearlie A. Peterson

NOTARY PUBLIC

My Commission expires: -----
Printer's Fee \$ ^{46.88} -----
Additional copies \$ -----

ST. NOTARY PUBLIC
PEARLIE A. PETERSON
JOHNSON COUNTY, KANSAS
My Appt. Exp. Jan. 25, 1984

First Published in The Johnson County Sun Friday, December 9, 1983.

ORDINANCE NO. 790
AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

16-1302. Section 1. The following described real property is hereby designated as being zoned RP-2, Planned Two-Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the NW ¼ of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the NW ¼ of said Section 16; thence S 1° 41' 29" E, along the West line of the NW ¼ of said Section 16, a distance of 895.98 feet, to a point on the Westerly extension of the South right-of-way line of 112th Street, as now established, said point also being the true point of beginning of subject tract; thence N 88° 18' 31" E, along the Southerly right-of-way line and its extension of said 112th Street, a distance of 55 feet, to a point of curvature; thence Easterly and Southeasterly, along the Southerly right-of-way line of said 112th Street, said line being on a curve to the right, having a radius of 1200 feet and a central angle of 8° 51', a distance of 185.36 feet, to a point of tangency; thence S 82° 50' 29" E, along the Southerly right-of-way line of said 112th Street, a distance of 172 feet, to a point of curvature; thence Southeasterly, Easterly and Northeasterly, along the Southerly right-of-way line of said 112th Street, said line being on a curve to the left, having a radius of 350 feet and a central angle of 26° 06' 06", a distance of 159.45 feet, to a point 30 feet Southwesterly of the Northwesterly corner of Lot 19, Block 5, LEAWOOD COUNTRY MANOR, THIRD PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, as measured along the Southerly right-of-way line of said 112th Street; thence S 36° 42' 30" E, a distance of 134.68 feet, to the Southwesterly corner of said Lot 19, said point also being on the Westerly line of Lot 13, Block 5, LEAWOOD COUNTRY MANOR, SECOND PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence S 4° 20' W, along the Westerly line of said Block 5, a distance of 98 feet; thence S 3° 23' E, along the Westerly line of said Block 5, a distance of 254.34 feet, to the Northwesterly corner of Lot 16 of said Block 5; thence S 82° 52' 12" W, a distance of 69.91 feet; thence S 6° 40' 16" E, a distance of 161.84 feet, to a point on the Westerly extension of the South line of Lot 17 of said Block 5; thence S 78° 07' E, along the Westerly extension of the South line of said Lot 17, a distance of 67.82 feet, to the Southwesterly corner thereof; thence S 3° 02' W, along the Westerly line of Lot 18 of said Block 5, a distance of 113.38 feet, to the Southwesterly corner thereof; thence S 27° 16' 08" W, a distance of 137.61 feet; thence Northwesterly, along a curve to the right, having a radius of 400 feet, a central angle of 14° 28' 33" and whose initial tangent bearing is N 62° 43' 52" W, a distance of 102.22 feet, to a point of tangency; thence N 48° 05' 19" W, a distance of 300 feet, to a point of curvature; thence Northwesterly and Westerly, along a curve to the left, having a radius of 300 feet and a central angle of 43° 36' 10", a distance of 228.30 feet, to a point of tangency; thence S 88° 18' 31" W, a distance of 60 feet, to a point on the West line of the NW ¼ of said Section 16; thence N 1° 41' 29" W, along the West line of the NW ¼ of said Section 16, a distance of 557.11 feet, to the true point of beginning of subject tract.

(between Roe Ave. & Nell Ave. south of the existing development at Leawood Country Manor; 9.670 acres, more or less)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 11/21/83
Second Reading: 12/5/83

Passed by the Governing Body this 5th day of December, 1983.

Approved by the Mayor this 5th day of December, 1983.

(s) Kent E. Crippin,
Mayor

(s) J. Oberlander,
City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R. S. Wetzler,
City Attorney

(6061 1F)

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~18-110~~ ~~16-110~~ **Sec. no. changed by '84 Code**

Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the NW1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows:
Commencing at the Northwest corner of the NW1/4 of said Section 16; thence S 1° 41' 29" E, along the West line of the NW1/4 of said Section 16, a distance of 2653.09 feet, to the Southwest corner thereof; thence N 87° 46' E, along the South line of the NW1/4 of said Section 16, a distance of 540 feet, to the true point of beginning of subject tract; thence N 2° 14' W, along a line perpendicular to the South line of the NW1/4 of said Section 16, a distance of 71.38 feet; thence N 17° 57' 50" E, a distance of 403.43 feet; thence N 1° 41' 29" W, a distance of 352.73 feet; thence Northwesterly, along a curve to the right, having a radius of 400 feet, a central angle of 16° 41' 29", and whose initial tangent bearing is N 79° 25' 21" W, a distance of 116.53 feet; thence N 27° 16' 08" E, a distance of 137.61 feet, to the Southwest corner of Lot 18, Block 5, LEAWOOD COUNTRY MANOR, SECOND PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence S 86° 38' 19" E, along the Southerly line of said Lot 18, a distance of 125.04 feet, to the Southeast corner thereof; thence Southerly, along the Westerly right-of-way line of Rosewood, as now established, said line being on a curve to the left, having a radius of 300 feet, a central angle of 2° 10' 38", and whose initial tangent bearing is S 3° 21' 41" W, a distance of 11.40 feet, to a point on the Westerly extension of the South line of Lot 3, Block 6 of said LEAWOOD COUNTRY MANOR, SECOND PLAT; thence S 88° 48' 57" E, along the South line and its extension of said Lot 3, a distance of 175 feet, to the Southeasterly corner thereof; thence N 17° 37' E, along the Southeasterly line of said Lot 3, a distance of 70.51 feet, to the Northeasterly corner thereof; thence N 55° E, along the Southeasterly line of Lot 2 of said Block 6, a distance of 69.07 feet, to the Southeasterly corner thereof; thence N 67° 54' E, along the Southerly line of Lot 1 of said Block 6, a distance of 116.77 feet, to the Southeasterly corner thereof; thence Southeasterly, along the Westerly right-of-way line of Juniper Drive, as now

established, said line being on a curve to the left, having a radius of 750 feet, a central angle of 19° , and whose initial tangent bearing is $S 22^{\circ} 06' E$, a distance of 248.71 feet, to a point of tangency; thence $S 41^{\circ} 06' E$, along the Westerly right-of-way line of said Juniper Drive, a distance of 50 feet, to its intersection with the Southeasterly right-of-way line of 112th Terrace, as now established; thence $N 48^{\circ} 54' E$, along the Southeasterly right-of-way line of said 112th Terrace, a distance of 175 feet; thence $N 41^{\circ} 06' W$, a distance of 50 feet, to the most Easterly corner of Lot 21, Block 1 of said LEAWOOD COUNTRY MANOR, SECOND PLAT; thence $N 38^{\circ} 08' W$, along the Northeasterly line of said Lot 21, a distance of 111.32 feet, to the most Northerly corner thereof; thence $N 20^{\circ} 48' W$, along the Easterly line of Lots 20 and 19 of said Block 1, a distance of 186.44 feet, to the Northeasterly corner of said Lot 19; thence $N 3^{\circ} 52' W$, along the Easterly line of Lot 18 of said Block 1, a distance of 93.26 feet, to the Northeasterly corner thereof; thence $N 87^{\circ} 41' 54'' E$, along the Southerly line of Lot 17, Block 1 of said LEAWOOD COUNTRY MANOR, SECOND PLAT, and along the South line and its extension of Lots 14 through 4 inclusive, Block 1, LEAWOOD COUNTRY MANOR, a subdivision of land now in the City of Overland Park, Johnson County, Kansas, and along the North line of the $S1/2$ of the $NW1/4$ of said Section 16, a distance of 1398.35 feet, to the Northeast corner of the $S1/2$ of the $NW1/4$ of said Section 16; thence $S 1^{\circ} 27' 52'' E$, along the East line of the $NW1/4$ of said Section 16, a distance of 1329.76 feet, to the Southeast corner thereof; thence $S 87^{\circ} 46' W$, along the South line of the $NW1/4$ of said Section 16, a distance of 2103.06 feet, to the true point of beginning of subject tract.

(between Roe Ave. & Nall Ave. south of the existing development at Leawood Country Manor; 55.794 acres, more or less)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

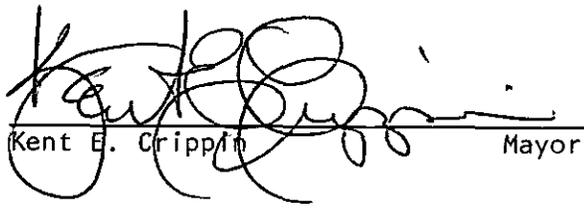
First Reading: 11/21/83 Second Reading: 12/5/83

Passed by the Governing Body this 5th day of December, 1983.

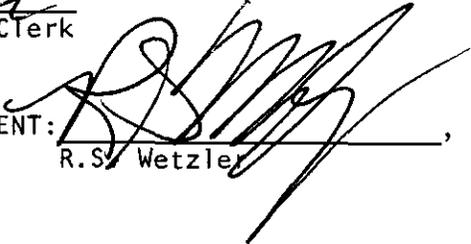
Approved by the Mayor this 5th day of December, 1983.

Page 3
ORDINANCE NO. 789
re zoning -




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT:  , City Attorney
R.S. Wetzel

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposits and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- ^{day} (weeks, days) the first publication thereof being made as aforesaid on the ^{9th} day of, December 19 83, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 9th day of December 19 83

Pearlie A. Peterson

NOTARY PUBLIC

My Commission expires: -----
Printer's Fee \$ 55.04
Additional copies \$ -----

STATE OF KANSAS NOTARY PUBLIC	PEARLIE A. PETERSON JOHNSON COUNTY, KANSAS My Appt. Exp. Jan. 25, 1984
----------------------------------	--

First Published in The
Johnson County Sun Friday,
December 9, 1983.
ORDINANCE NO. 789
AN
ORDINANCE
RELATING TO ZONING OF
CERTAIN PROPERTY IN
THE CITY OF LEAWOOD,
KANSAS.

Be it ordained by the Govern-
ing Body of the City of
Leawood, Kansas:

16-110. Section 1. The follow-
ing described real property is
hereby designated as being
zoned R-1, Single Family
Residential District, in accord-
ance with the terms of the
Zoning Ordinance as adopted
April 17, 1978, this property
having been previously zoned
A, Agricultural:

All that part of the NW ¼ of
Section 16, Township 13,
Range 25, now in the City of
Leawood, Johnson County,
Kansas, more particularly
described as follows: Commenc-
ing at the Northwest
corner of the NW ¼ of said
Section 16; thence S 1° 41' 29"
E, along the West line of the
NW ¼ of said Section 16, a dis-
tance of 2653.09 feet, to the
Southwest corner thereof;
thence N 87° 46' E, along the
South line of the NW ¼ of said
Section 16, a distance of 540
feet, to the true point of begin-
ning of subject tract; thence
N 2° 14' W, along a line
perpendicular to the South
line of the NW ¼ of said Sec-
tion 16, a distance of 71.38
feet; thence N 17° 57' 50" E, a
distance of 405.7 feet; thence
N 1° 41' 29" W, a distance of
352.73 feet; thence North-
westerly, along a curve to the
right, having a radius of 400
feet, a central angle of 16° 41'
29", and whose initial tangent
bearing is N 79° 25' 21" W, a
distance of 116.53 feet; thence
N 27° 16' 08" E, a distance of
137.61 feet, to the Southwest
corner of Lot 18, Block 5,
LEAWOOD COUNTRY
MANOR, SECOND PLAT, a
subdivision of land now in the
City of Leawood, Johnson
County, Kansas; thence S 86°
38' 19" E, along the Southerly
line of said Lot 18, a distance
of 125.04 feet, to the Southeast
corner thereof; thence
Southerly, along the Westerly
right-of-way line of
Rosewood, as now es-
tablished, said line being on a
curve to the left, having a
radius of 300 feet, a central
angle of 2° 10' 38", and whose
initial tangent bearing is
S 27° 41' W, a distance of 11.40
feet, to a point on the Westerly
extension of the South line
of Lot 3, Block 6 of said
LEAWOOD COUNTRY
MANOR, SECOND PLAT;
thence S 88° 48' 57" E, along
the South line and its exten-
sion of said Lot 3, a distance
of 175 feet, to the South-
easterly corner thereof;
thence N 17° 37' E, along the
Southeasterly line of said Lot
3, a distance of 70.51 feet to
the Northeasterly corner
thereof; thence N 55° E, a
the Southeasterly line of
of said Block 6, a distan-
ce of 69.07 feet, to the S
easterly corner thereof;
thence N 67° 54' E, along the
Southerly line of Lot 1 of said
Block 6, a distance of 116.77
feet, to the Southeasterly cor-
ner thereof; thence
Southeasterly, along the
Westerly right-of-way line of
Juniper Drive, as now es-
tablished, said line being on a
curve to the left, having a
radius of 750 feet, a central
angle of 19°, and whose initial

tangent bearing is S 22° 06' E,
a distance of 248.71 feet, to a
point of tangency; thence S
41° 06' E, along the Westerly
right-of-way line of said
Juniper Drive, a distance of
50 feet, to its intersection with
the Southeasterly right-of-
way line of 112th Terrace, as
now established; thence N 48°
54' E, along the South-
easterly right-of-way line of
said 112th Terrace, a distance
of 175 feet; thence N 41° 06' W,
a distance of 50 feet, to the
most Easterly corner of Lot
21, Block 1 of said LEAWOOD
COUNTRY MANOR, SE-
COND PLAT; thence N 38° 08'
W, along the Northeasterly
line of said Lot 21, a distance
of 111.32 feet, to the most
Northerly corner thereof;
thence N 20° 48' W, along the
Easterly line of Lots 20 and 19
of said Block 1, a distance of
186.44 feet, to the North-
easterly corner of said Lot 19;
thence N 3° 52' W, along the
Easterly line of Lot 18 of said
Block 1, a distance of 93.26
feet, to the Northeasterly cor-
ner thereof; thence N 87° 41'
54" E, along the Southerly
line of Lot 17, Block 1 of said
LEAWOOD COUNTRY
MANOR, SECOND PLAT,
and along the South line and
its extension of Lots 14
through 4 inclusive, Block 1,
LEAWOOD COUNTRY
MANOR, a subdivision of
land now in the City of
Overland Park, Johnson
County, Kansas, and along
the North line of the S ½ of the
NW ¼ of said Section 16, a dis-
tance of 1398.35 feet, to the
Northeast corner of the S ½ of
the NW ¼ of said Section 16;
thence S 1° 27' 52" E, along
the East line of the NW ¼ of
said Section 16; a distance of
1329.76 feet, to the Southeast
corner thereof; thence S 87°
46' W, along the South line of
the NW ¼ of said Section 16, a
distance of 2103.06 feet, to the
true point of beginning of sub-
ject tract.

(between Roe Ave. & Nell
Ave. south of the existing
development at Leawood
Country Manor; 55.794 acres,
more or less)

TAKE EFFECT. Section 2.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 11/21/83 Se-
cond Reading: 12/5/83

Passed by the Governing
Body this 5th day of

December, 1983.

Approved by the Mayor this
5th day of December, 1983.

(S E A L)
(s) Kent E. Crippin,
Mayor

Attest:
(s) J. Oberlander,
City Clerk

APPROVED FOR FORM
AND CONTENT:

(s) R. S. Wetzler,
City Attorney

(6060 1F)

Repealed by Ord. #839
CODE OF 1984
Effective 12/21/84

ORDINANCE NO. 788

AN ORDINANCE RELATING TO THE ADOPTION OF "JOHNSON COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM CODE".

Be it ordained by the Governing Body of the City of Leawood, Kansas:

12-601. JOHNSON COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM CODE; INCORPORATION BY REFERENCE. Section 1. There is hereby incorporated by reference, for the purpose of prescribing rules and regulations for controlling practices to minimize health and safety hazards, that certain code known as the "Johnson County Private Sewage Disposal System Code", 1982 Edition, prepared and published by the Johnson County Health Department, and as from time to time amended.

Not less than three (3) copies of such "Johnson County Private Sewage Disposal System Code", marked or stamped "Official Copy as Adopted by Ordinance No. 788", shall be filed with the City Clerk to be open for inspection and available to the public during regular office hours.

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/6/83 Second Reading: 9/19/83

Passed by the Governing Body this 19th day of September, 1983.

Approved by the Mayor this 19th day of September, 1983.



Kent E. Crippin
Kent E. Crippin Mayor

J. Oberlander
J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: *R.S. Wetzler*, City Attorney
R.S. Wetzler

First Published in The Johnson County Sun, Friday, September 23, 1983.

ORDINANCE NO. 788
AN ORDINANCE RELATING TO THE ADOPTION OF "JOHNSON COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM CODE".

Be it ordained by the Governing Body of the City of Leawood, Kansas:

12-601. JOHNSON COUNTY PRIVATE SEWAGE DISPOSAL SYSTEM CODE; INCORPORATION BY REFERENCE. Section 1.

There is hereby incorporated by reference, for the purpose of prescribing rules and regulations for controlling practices to minimize health and safety hazards, that certain code known as the "Johnson County Private Sewage Disposal System Code", 1982 Edition, prepared and published by the Johnson County Health Department, and as from time to time amended.

Not less than three (3) copies of such "Johnson County Private Sewage Disposal System Code", marked or stamped "Official Copy as Adopted by Ordinance No. 788", shall be filed with the City Clerk to be open for inspection and available to the public during regular office hours.

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/6/83

Second Reading: 9/19/83

Passed by the Governing Body this 19th day of September, 1983.

Approved by the Mayor this 19th day of September, 1983.

(s) Kent E. Crippin, Mayor

(SEAL)

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM AND CONTENT:

(s) R.S. Wetzler, City Attorney

(1399 1F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for _____ consecutive _____ day (weeks, days) the first publication thereof being made as aforesaid on the 23rd day of September 1983, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____

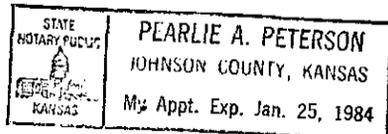
_____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 23rd day of September 1983

Pearlie A. Peterson

NOTARY PUBLIC



My Commission expires: _____
Printer's Fee \$ 18.47
Additional copies \$ _____

ORDINANCE NO. 787

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

~~18-109~~ ~~16-109~~ Sec. no. changed by '84 Code

Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned A, Agricultural:

The West 1/2 of the Northeast 1/4 of Section 28, Township 13, Range 25.

(Southeast corner of Roe Ave. and 127th Street; approximately 80 acres; The Woodlands)

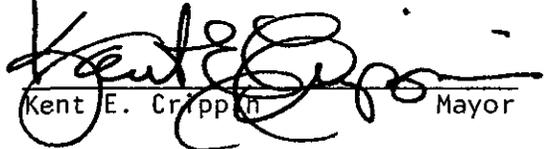
TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/1/83 Second Reading: 8/15/83

Passed by the Governing Body this 15th day of August, 1983.

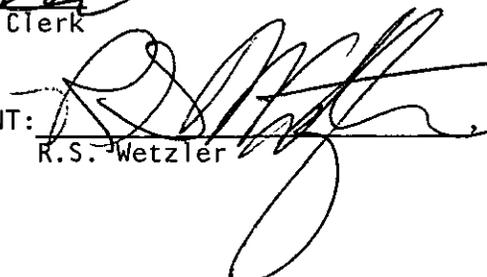
Approved by the Mayor this 15th day of August, 1983.

(S E A L)


Kent E. Crippin Mayor

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

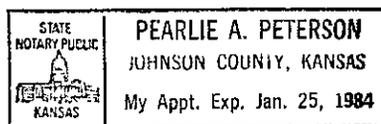
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- ^{day} (weeks, days) the first publication thereof being made as aforesaid on the 19th day of, August 1983, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 19th day of August 1983

Pearlie A. Peterson
NOTARY PUBLIC



My Commission expires: -----
Printer's Fee \$ 14.81
Additional copies \$ -----

First Published in The
Johnson County Sun, Friday,
August 19, 1983.

ORDINANCE NO. 787
AN ORDINANCE
RELATING TO ZONING OF
CERTAIN PROPERTY IN
THE CITY OF LEAWOOD,
KANSAS.

Be it ordained by the Govern-
ing Body of the City of
Leawood, Kansas:

16-109. Section 1. The follow-
ing described real property is
hereby designated as being
zoned R-1, Single Family
Residential District, in accor-
dance with the terms of the
Zoning Ordinance as adopted
April 17, 1978, this property
having been previously zoned
A, Agricultural:

The West 1/2 of the Northeast
1/4 of Section 28, Township 13,
Range 25.

(Southeast corner of Roe
Ave. and 127th Street; ap-
proximately 80 acres; The
Woodlands)

TAKE EFFECT. Section 2.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 8/1/83 Second
Reading: 8/15/83

Passed by the Governing
Body this 15th day of August,
1983.

Approved by the Mayor this
15th day of August, 1983.

(s) Kent E. Crippin

Mayor

(SEAL)

Attest:

(s) J. Oberlander

City Clerk

APPROVED FOR FORM

AND CONTENT:

(s) R.S. Wetzler,

City Attorney

(7574 1F)

ORDINANCE NO. 786

AN ORDINANCE AUTHORIZING ISSUANCE OF TEMPORARY NOTES IN THE SUM OF FOUR HUNDRED TWENTY THOUSAND DOLLARS (\$420,000.00) OF THE CITY OF LEAWOOD, KANSAS, TO PROVIDE TEMPORARY FINANCING FOR THE CONSTRUCTION AND IMPROVEMENT OF 127TH STREET FROM THE CENTER LINE OF ROE AVENUE TO THE CENTER LINE OF MISSION ROAD CONSISTING OF A THIRTY-SIX FOOT (36') ROADWAY IN WIDTH BACK-TO-BACK WITH CURB, ALL IMPROVEMENTS TO BE INCLUSIVE OF STORM DRAINAGE FACILITIES, STREET LIGHTING AND OTHER APPURTENANCES, THE COST OF WHICH IMPROVEMENT WILL BE PAID BY THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood adopted Resolution No. 617 making findings of advisability and authorizing construction of 127th Street between Roe Avenue and Mission Road in the City of Leawood, Kansas, pursuant to proceedings under K.S.A. 12-6(a)01 et. seq.; and

WHEREAS, it has been determined that the estimated cost of the construction and improvement of the aforementioned street will be in the sum of Four Hundred Twenty Thousand Dollars (\$420,000.00), for which it will be necessary to issue temporary notes to finance the cost of construction of said improvements; and

WHEREAS, all legal requirements pertaining to the authorization of said improvements have been complied with and that issuance of temporary notes is and will be required to finance engineering and construction costs authorized by K.S.A. 12-6(a)01 et. seq., and K.S.A. 10-123 and all acts amendatory thereto;

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

20-197. AUTHORIZATION, INTEREST AND MATURITY. Section 1. That for the purpose of paying the cost of making the improvements described and referred to in the title and preamble of this ordinance, including the payment of necessary engineering, incidental and legal costs thereto, there should be issued temporary notes from the City of Leawood, Kansas, in the total amount of Four Hundred Twenty Thousand Dollars (\$420,000.00), which amount does not exceed the total estimated costs of said improvements. Said note shall be numbered L.I.D. 83-1, and shall bear interest at a rate not to exceed nine percent per annum, payable at maturity, and shall mature one (1) year from August 1, 1983, and shall be callable in advance of maturity and shall be redeemed and cancelled before or at the time bonds are issued in lieu thereof. Said note so authorized by K.S.A. 12-6(a)01 et. seq. and K.S.A. 10-123 and all acts amendatory and supplementary thereto.

20-198. EXECUTION AND PAYMENT. Section 2. Said note shall be in the form and executed as provided by law, both principal and interest shall be paid at the office of the City Clerk of Leawood, Kansas.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

First Reading: 7/18/83 Second Reading: 8/1/83

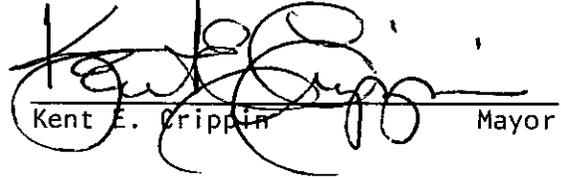
Approved by City Clerk
8/1/83

Page 2
ORDINANCE NO. 786
re Temporary Notes - 127th St. between Roe & Mission

Passed by the Governing Body this 1st day of August, 1983.

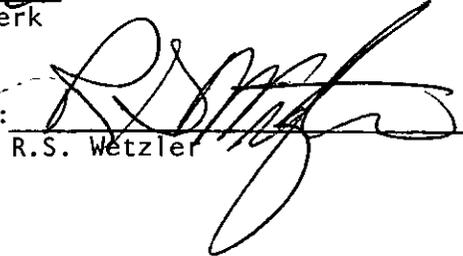
Approved by the Mayor this 1st day of August, 1983.

(S E A L)


Kent E. Grippin Mayor

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney
R.S. Wetzler

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- ^{day} (weeks, days) the first publication thereof being made as aforesaid on the 3rd day of, August 1983, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this 3rd day of August 1983

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: 3-15-84
Printer's Fee \$ 42.66
Additional copies \$ -----

First Published in The
Johnson County Sun, Wednes-
day, August 3, 1983.

ORDINANCE NO. 786

AN ORDINANCE AUTH-
ORIZING ISSUANCE OF
TEMPORARY NOTES IN
THE SUM OF FOUR HUND-
RED TWENTY THOUSAND
DOLLARS (\$420,000.00) OF
THE CITY OF LEAWOOD,
KANSAS, TO PROVIDE
TEMPORARY FINANCING
FOR THE CONSTRUCTION
AND IMPROVEMENT OF
127TH STREET FROM THE
CENTER LINE OF ROE
AVENUE TO THE CENTER
LINE OF MISSION ROAD
CONSISTING OF A THIRTY-
SIX FOOT (36') ROADWAY
IN WIDTH BACK-TO-BACK
WITH CURB, ALL
IMPROVEMENTS TO BE
INCLUSIVE OF STORM-
DRAINAGE FACILITIES,
STREET LIGHTING AND
OTHER APPROPRIATE
MAINTENANCES, THE COST
OF WHICH IMPROVEMENT
WILL BE PAID BY THE IS-
SUANCE OF GENERAL
OBLIGATION BONDS FOR
THE CITY OF LEAWOOD,
KANSAS.

WHEREAS, the Governing
Body of the City of Leawood
adopted Resolution No. 617
making findings of ad-
visability and authorizing con-
struction of 127th Street
between Roe Avenue and Mis-
sion Road in the City of
Leawood, Kansas, pursuant to
proceedings under K.S.A. 12-
6(a)01 et. seq.; and

WHEREAS, it has been deter-
mined that the estimated cost
of the construction and im-
provement of the aforemen-
tioned street will be in the sum
of Four Hundred Twenty
Thousand Dollars
(\$420,000.00), for which it will
be necessary to issue tem-
porary notes to finance the
cost of construction of said im-
provements; and

WHEREAS, all legal require-
ments pertaining to the
authorization of said improve-
ments have been complied
with and that issuance of tem-
porary notes is and will be re-
quired to finance engineering
and construction costs
authorized by K.S.A. 12-6(a)01
et. seq., and K.S.A. 10-123 and
all acts amendatory thereto;

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

**20-197. AUTHORIZATION,
INTEREST AND
MATURITY.** Section 1. That
for the purpose of paying the
cost of making the improve-
ments described and referred
to in the title and preamble of
this ordinance, including the
payment of necessary
engineering, incidental and
legal costs thereto, there
should be issued temporary
notes from the City of
Leawood, Kansas, in the total
amount of Four Hundred
Twenty Thousand Dollars
(\$420,000.00), which amount
does not exceed the total es-
timated costs of said improve-
ments. Said note shall be
numbered L.I.D. 83-1, and
shall bear interest at a rate
not to exceed nine percent per
annum, payable at maturity,
and shall mature one (1) year
from August 1, 1983, and shall
be callable in advance of
maturity and shall be
redeemed and cancelled
before or at the time bonds are
issued in lieu thereof. Said
note so authorized by K.S.A.
12-6(a)01 et. seq. and K.S.A.
10-123 and all acts amendatory
and supplementary thereto.

**20-198. EXECUTION AND
PAYMENT.** Section 2. Said
note shall be in the form and
executed as provided by law,
both principal and interest
shall be paid at the office of
the City Clerk of Leawood,
Kansas.

TAKE EFFECT. Section 3.
This ordinance shall take ef-
fect and be in force from and
after its passage and publica-
tion in the official City new-
spaper.

First Reading: 7/18/83 Second
Reading: 8/1/83

Passed by the Governing Body
this 1st day of August, 1983.

Approved by the Mayor this
1st day of August, 1983.

(s) Kent E. Crippin

Mayor

(SEAL)

Attest:

(s) J. Oberlander

City Clerk

APPROVED FOR FORM

AND CONTENT: (s) R. S.

Wetzler, City Attorney

(7035 1W)

Subscribe and learn

ORDINANCE NO. 785

Repealed by Ord. #839
CODE OF 1984
Effective 12/21/84

AN ORDINANCE RELATING TO THE DUTIES OF THE CITY TREASURER, AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 1-409 of the Revised Ordinances, as adopted by Ordinance No. 696, is hereby repealed and the following enacted in lieu thereof:

1-409. DUTIES OF THE CITY TREASURER. Section 2. The City Treasurer shall be responsible for the receipt of all monies belonging to said City. He/she shall maintain ledger accounts and keep therein a record of all monies received and paid out. He/she shall cause all public monies to be deposited in a responsible bank or banks within the County after depository has given bond or security as provided by law. Such deposit shall be made in the name of the Treasurer as such officer. He/she shall perform such other duties as may be required of him/her by law or ordinance.

The City Treasurer, before entering upon the duties of his/her office, shall file with the City a bond in the amount of Fifty Thousand Dollars (\$50,000). Such bond shall name the City of Leawood, Kansas, as the obligee, thereunder, and shall be conditioned upon the faithful discharge of the duties of City Treasurer and the accurate and faithful accounting for all money coming into the possession of the City Treasurer as such. The cost of such bond shall be paid by the City of Leawood; however, should the City Treasurer be covered by a blanket bond to the same extent, such individual bond shall not be required.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 7/5/83 Second Reading: 7/18/83

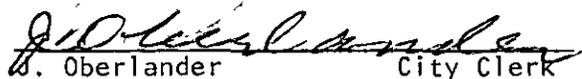
Passed by the Governing Body this 18th day of July, 1983.

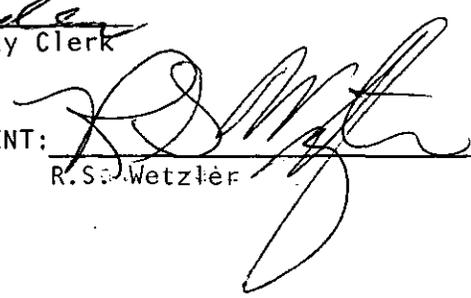
Approved by the Mayor this 18th day of July, 1983.

(S E A L)


Kent E. Crippin Mayor

Attest:


G. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R. So. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- *day* (weeks, days) the first publication thereof being made as aforesaid on the *22nd* day of, *July* 19-*83*, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

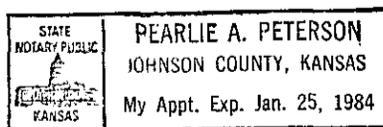
Barbara A. Ellis

Subscribe and sworn to before me this *22nd* day of *July* 19-*83*

Pearlie A. Peterson

NOTARY PUBLIC

My Commission expires: -----
Printer's Fee \$ *27.09* -----
Additional copies \$ -----



First Published in The
Leawood County Sun, Friday,
July 15, 1983.

**ORDINANCE NO. 785
RELATING TO THE DUTIES OF THE CITY TREASURER, AND REPEAL OF SECTION 1-409.**

Enacted by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1-409 of the Revised Ordinances, as amended by Ordinance No. 785, is hereby repealed and the following enacted in lieu thereof:

1-409. DUTIES OF THE CITY TREASURER. Section 2. The City Treasurer shall be responsible for the receipt, disbursement, and keeping of accounts and keep

received and paid out. He/she shall cause all public monies to be deposited in a responsible bank or banks within the County after depository has given bond or security as provided by law. Such deposit shall be made in the name of the Treasurer as such officer.

He/she shall perform such other duties as may be required of him/her by law or ordinance.

The City Treasurer, before entering upon the duties of his/her office, shall file with the City a bond in the amount of Fifty Thousand Dollars (\$50,000). Such bond shall name the City of Leawood, Kansas, as the obligee, thereunder, and shall be conditioned upon the faithful discharge of the duties of City Treasurer and the accurate and faithful accounting for all money coming into the possession of the City Treasurer as such. The cost of such bond shall be paid by the City of Leawood; however, should the City Treasurer be covered by a blanket bond to the same extent, such individual bond shall not be required.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 7/5/83 Second Reading: 7/18/83

Passed by the Governing Body this 18th day of July, 1983.

Approved by the Mayor this 18th day of July, 1983.

(s) Kent E. Crippin
Mayor

(SEAL)
Clerk

APPROVED FOR FORM AND CONTENT: (s) [Signature]
Weitzel, City Attorney
(4288 1F)

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A TEMPORARY NOTE IN THE SUM OF THREE HUNDRED SIXTY THOUSAND DOLLARS OF THE CITY OF LEAWOOD, KANSAS, TO PROVIDE TEMPORARY FINANCING OF CERTAIN STORM WATER DRAINAGE FACILITIES, BRIDGES AND CULVERTS, THE COST OF WHICH IMPROVEMENTS WILL BE PAID BY THE ISSUANCE OF GENERAL IMPROVEMENT BONDS OF THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood, Kansas, adopted Ordinance No. 783 providing for the improvement of certain storm water drainage facilities including culverts and bridges within the City of Leawood pursuant to K.S.A. 12-631r and K.S.A. 12-631s; and

WHEREAS, it has been determined that the estimated cost of the improvement of said storm water drainage facilities will be in the sum of Three Hundred Sixty Thousand Dollars, for which it will be necessary to issue temporary notes to finance the cost of construction of said improvements; and

WHEREAS, all legal requirements pertaining to the authorization of said improvements have been complied with and that engineering work has been completed and bids will be issued necessitating the issuance of temporary notes of the City as the same are authorized by K.S.A. 10-123 as amended;

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

25-110 Sec. no. changed by '84 Code

30-110. AUTHORIZATION, INTEREST AND MATURITY. Section 1. That for the purpose of paying the cost of making the following improvements to-wit:

1. That the storm water channel at 86th and Cherokee be modified and that the bridge at such location be replaced so as to allow for the proper flow of storm water.
2. That the storm water drainage facilities at 97th Place between Ensley Lane and Cherokee be modified and that the culvert at that location be replaced so as to allow for the proper flow of storm water through the facility.
3. That the storm water drainage facilities at Ensley Lane at 98th Street be modified and that the culvert at that location be replaced so as to allow for the proper flow of storm water through the facility.
4. That the storm water drainage facilities at Belinder Road at 98th Street be modified and that the culvert at that location be replaced so as to allow for the proper flow of storm water through the facility.

Including the payment of necessary engineering, incidental and legal costs thereto, there shall be issued temporary notes of the City of Leawood in a total sum not to exceed Three Hundred Sixty Thousand Dollars. Said notes

ORDINANCE NO. 784

re Issuance of \$360,000 Temporary Note for Storm
Drainage Improvements

shall be numbered as Series SD-83-1 and shall bear interest at a rate not to ex-
ceed nine percent per annum, payable semi-annually and shall mature by one
year from August 1, 1983, and shall be callable in advance of maturity and
shall be redeemed and cancelled before or at the time bonds are issued in
lieu thereof. Said notes are authorized by K.S.A. 10-123 and all acts
amendatory thereto, and K.S.A. 12-631r and K.S.A. 12-631s and any amend-
ments thereto.

~~25-111~~ ~~30-111~~ **Sec. no. changed by '84 Code**

EXECUTION AND PAYMENT. Section 2. Said notes shall be in the
form and executed as provided by law, both principal and interest shall be
paid at the office of the City Clerk of Leawood, Kansas.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force
from and after its passage and publication in the official City newspaper.

First Reading: 7/5/83 Second Reading: 7/18/83

Passed by the Governing Body this 18th day of July, 1983.

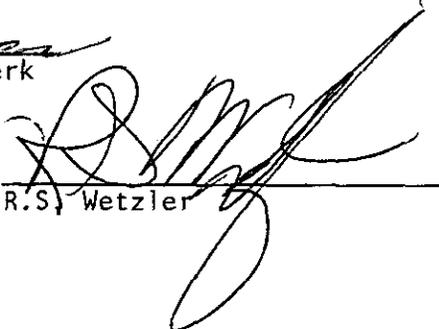
Approved by the Mayor this 18th day of July, 1983.

(S E A L)


Kent E. Crippin Mayor

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
R.S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- day ----- (weeks, days) the first publication thereof being made as aforesaid on the ----- 3rd ----- day of, ----- August ----- 19----- 83, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this *3rd* day of *August* 19-*83*

Marguerite E. Baker
NOTARY PUBLIC



My Commission expires: *3-15-84*
Printer's Fee \$ *45.57*
Additional copies \$ -----

AN ORDINANCE PROVIDING FOR STORM SEWER, CULVERT AND BRIDGE IMPROVEMENTS WITHIN THE CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, TO-WIT: 86TH AND CHEROKEE LANE; 97TH PLACE BETWEEN ENSLEY LANE AND CHEROKEE; ENSLEY LANE AT 98TH STREET; BELINDER ROAD AT 98TH STREET.

WHEREAS, the Governing Body of the City of Leawood has previously authorized an engineering study of certain storm, sewer and drain facilities in the City of Leawood that have been the source of flooding, storm water backup and resultant private and public property damage; and

WHEREAS, said engineering reports indicate that the culvert and storm drainage modifications and replacements indicated in the engineering study will substantially alleviate storm water backup and flooding in the areas indicated; and

WHEREAS, it is necessary and advisable to make such repairs, replacements and modifications; and

WHEREAS, said public improvements are specifically authorized by K.S.A. 12-631r and K.S.A. 12-631s;

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

~~25-101~~ **Sec. no. changed by '84 Code**

~~30-101.~~ IMPROVEMENT. Section 1. That the storm water channel at 86th and Cherokee be modified and that the bridge at such location be replaced so as to allow for the proper flow of storm water.

~~25-102~~ **Sec. no. changed by '84 Code**

~~30-102.~~ IMPROVEMENT. Section 2. That the storm water drainage facilities at 97th Place between Ensley Lane and Cherokee be modified and that the culvert at that location be replaced so as to allow for the proper flow of storm water through the facility.

~~25-103~~ **Sec. no. changed by '84 Code**

~~30-103.~~ IMPROVEMENT. Section 3. That the storm water drainage facilities at Ensley Lane at 98th Street be modified and that the culvert at that location be replaced so as to allow for the proper flow of storm water through the facility.

~~25-104~~ **Sec. no. changed by '84 Code**

~~30-104.~~ IMPROVEMENT. Section 4. That the storm water drainage facilities at Belinder Road at 98th Street be modified and that the culvert at that location be replaced so as to allow for the proper flow of storm water through the facility.

~~25-105~~ **Sec. no. changed by '84 Code**

~~30-105.~~ NECESSITY AND ADVISABILITY. Section 5. That the above-described storm drain and storm sewer improvements are necessary and advisable and in the best interests of the City of Leawood. Said improvements are specifically authorized by K.S.A. 12-631r and K.S.A. 12-631s.

STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1983 AUG 5 AM 10 53.0

RUBIE M. SCOTT
REGISTER OF DEEDS
BY _____ DEP.

700
700

25-106 Sec. no. changed by '84 Code

~~30-106.~~ FUNDING. Section 6. That the City's cost of constructing said storm sewer and culvert and bridge modifications and replacements shall be by the issuance of general obligation bonds of the City of Leawood, Kansas, as provided by law, and specifically by the authority of K.S.A. 10-101 et seq, and all amendments made to the general bond laws of the State of Kansas by Senate Bill No. 265, enacted by the 1983 Session of the Kansas Legislature. That the cost of said improvements be temporarily financed, if necessary, through the issuance of temporary notes as provided by law.

25-107 Sec. no. changed by '84 Code

~~30-107.~~ ENGINEERING ESTIMATE. Section 7. That the City's consulting engineers, Larkin & Associates, shall file detailed plans and specifications for the construction of said storm water improvements, and shall submit to the Governing Body for their approval, and shall file, according to law, their engineer's estimate of the cost and expense of constructing said improvements and shall submit the same to the Governing Body of the City of Leawood, Kansas.

25-108 Sec. no. changed by '84 Code

~~30-108.~~ ADVERTISEMENT FOR BOND. Section 8. That the City Clerk, or her representative, shall advertise for bids for furnishing of the material and labor to be used in the construction of said improvements, and shall fix the time within which bids shall be received and said advertisement shall notify the bidders that the City shall reserve the right to reject any and all bids.

25-109 Sec. no. changed by '84 Code

~~30-109.~~ CONTRACT. Section 9. The Governing Body, or its representative, shall, after the bids have been received and filed, open and consider the same and may let the contract for the construction of said improvements or any part thereof, to the lowest responsible bidder and may reject any and all bids. That upon acceptance of any bid, the bidder or contractor to whom the contract shall be awarded, shall enter into a written agreement with the City, or its representative, for construction of said storm water improvements, or any part thereof, and shall execute bonds with satisfactory surety thereon, conditioned for the faithful performance of said contract, and a bond indemnifying and saving the City harmless because of any injury to person or property caused by the negligence of the contractor, his agents or servants, and all of the work shall be done under the supervision of the City's consulting engineer for this project, Larkin & Associates, and subject to the firm's approval before final acceptance.

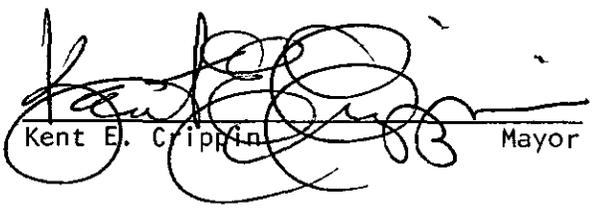
TAKE EFFECT. Section 10. This ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

First Reading: 6/20/83 Second Reading: 7/5/83

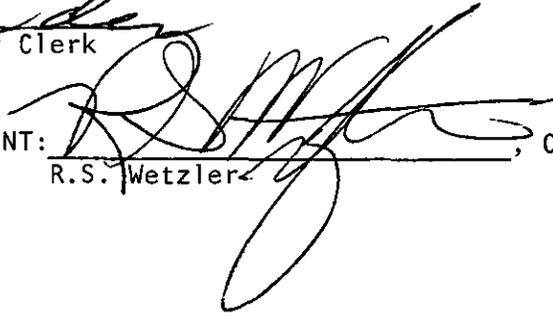
Passed by the Governing Body this 5th day of July, 1983.

Approved by the Mayor this 5th day of July, 1983.




Kent E. Crippin Mayor


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney
R.S. Wetzler

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duly sworn, Deposits and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

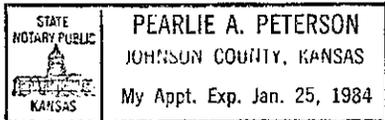
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- consecutive ----- *day* ----- (weeks, days) the first publication thereof being made as aforesaid on the ----- *8th* ----- day of, ----- *July* ----- 19-*83*-----, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Barbara A. Ellis

Subscribe and sworn to before me this *8th* day of *July* 19-*83*

Pearlie A. Peterson
NOTARY PUBLIC



My Commission expires: -----
Printer's Fee \$ *63.29* -----
Additional copies \$ -----

First Published in The Johnson County Sun, Friday, July 8, 1983.

ORDINANCE NO. 783
AN ORDINANCE PROVIDING FOR STORM SEWER, CULVERT AND BRIDGE IMPROVEMENTS WITHIN THE CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, TO-WIT: 86TH AND CHEROKEE LANE; 97TH PLACE BETWEEN ENSLEY LANE AND CHEROKEE; ENSLEY LANE AT 98TH STREET; BELINDER ROAD AT 98TH STREET.

WHEREAS, the Governing Body of the City of Leawood has previously authorized an engineering study of certain storm, sewer and drain facilities in the City of Leawood that have been the source of flooding, storm water backup and resultant private and public property damage; and

WHEREAS, said engineering reports indicate that the culvert and storm drainage modifications and replacements indicated in the engineering study will substantially alleviate storm water backup and flooding in the areas indicated; and

WHEREAS, it is necessary and advisable to make such repairs, replacements and modifications; and

WHEREAS, said public improvements are specifically authorized by K.S.A. 12-631r and K.S.A. 12-631s;

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

20-301. IMPROVEMENT. Section 1. That the storm water channel at 86th and Cherokee be modified and that the bridge at such location be replaced so as to allow for the proper flow of storm water.

20-302. IMPROVEMENT. Section 2. That the storm water drainage facilities at 97th Place between Ensley Lane and Cherokee be modified and that the culvert at that location be replaced so as to allow for the proper flow of storm water through the facility.

20-303. IMPROVEMENT. Section 3. That the storm water drainage facilities at Ensley Lane at 98th Street be modified and that the culvert at that location be replaced so as to allow for the proper flow of storm water through the facility.

20-304. IMPROVEMENT. Section 4. That the storm water drainage facilities at Belinder Road at 98th Street be modified and that the culvert at that location be replaced so as to allow for the proper flow of storm water through the facility.

20-305. NECESSITY AND ADVISABILITY. Section 5. That the above-described storm drain and storm sewer improvements are necessary and advisable and in the best interests of the City of Leawood. Said improvements are specifically authorized by K.S.A. 12-631r and K.S.A. 12-631s.

20-306. FUNDING. Section 6. That the City's cost of constructing said storm sewer and culvert and bridge modifications and replacements shall be by the issuance of general obligations bonds of the City of Leawood, Kansas, as provided by law, and specifically by the authority of K.S.A. 10-101 et seq. and all amendments made to the general bond laws of the State of Kansas by Senate Bill No. 265, enacted by the 1983 Session of the Kansas Legislature. That the cost of said improvements be temporarily financed, if necessary, through the issuance of temporary notes as provided by law.

20-307. ENGINEERING ESTIMATE. Section 7. That the City's consulting engineers, Larkin & Associates, shall file detailed plans and specifications for the construction of said storm water improvements, and shall submit to the Governing Body for their approval, and shall file, according to law, their engineer's estimate of the cost and expense of constructing said improvements and shall submit the same to the Governing Body of the City of Leawood, Kansas.

20-308. ADVERTISEMENT FOR BOND. Section 8. That the City Clerk, or her representative, shall advertise for bids for furnishing of the material and labor to be used in the construction of said improvements, and shall fix the time within which bids shall be received and said advertisement shall notify the bidders that the City shall reserve the right to reject any and all bids.

20-309. CONTRACT. Section 9. The Governing Body, or its representative, shall, after the bids have been received and filed, open and consider the same and may let the contract for the construction of said improvements or any part thereof, to the lowest responsible bidder and may reject any and all bids. That upon acceptance of any bid, the bidder or contractor to whom the contract shall be awarded, shall enter into a written agreement with the City, or its representative, for construction of said storm water improvements, or any part thereof, and shall execute bonds with satisfactory surety thereon, conditioned for the faithful performance of said contract, and a bond indemnifying and saving the City harmless because of any injury to person or property caused by the negligence of the contractor, his agents or servants, and all of the work shall be done under the supervision of the City's consulting engineer for this project, Larkin & Associates, and subject to the firm's approval before final acceptance.

TAKE EFFECT. Section 10. This ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

First Reading: 6/20/83
Second Reading: 7/5/83
Passed by the Governing Body this 5th day of July, 1983.

Approved by the Mayor this 5th day of July, 1983.

(SEAL)

(s) Kent E. Crippin

Mayor

Attest:

(s) J. Oberlander

City Clerk

APPROVED FOR FORM

AND CONTENT: (s) R.

Wetzler, City Attorney

(7496)

... and storm to a

Repealed by Ord. #839

CODE OF 1984

ORDINANCE NO. 782 Effective 12/21/84

now established by Resolution

AN ORDINANCE ESTABLISHING PERMIT FEES FOR OIL AND GAS DRILLING AND PRODUCTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

5-903. Section 1. To offset administration and inspection costs relating to oil and gas drilling and production in the City of Leawood, Kansas, the following fees are hereby established:

Special Use Permit	\$200.00
Permit for one well	50.00
Blanket permit where there is more than one well	150.00

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 5/2/83 Second Reading: 5/16/83

Passed by the Governing Body this 16th day of May, 1983.

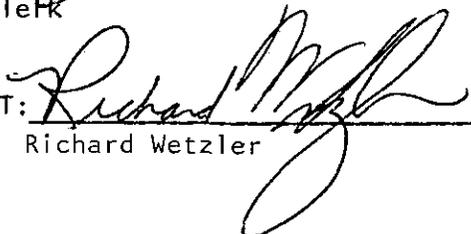
Approved by the Mayor this 18th day of May, 1983.

(S E A L)


Kent E. Crippin Mayor

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: 
Richard Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 25th day of May 1983, with subsequent publications being made on the following dates:

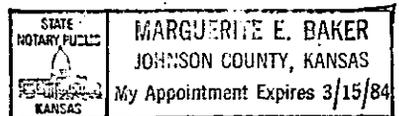
_____, 19____, _____, 19____
_____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 25th day of May 1983

Marguerite E. Baker
NOTARY PUBLIC

My commission expires: 3-15-84
Printer's Fee \$ 11.51
Additional copies \$ _____



First Published in The
Johnson County Sun, Wednes-
day, May 25, 1983.

ORDINANCE NO. 782
AN ORDINANCE
ESTABLISHING PERMIT
FEES FOR OIL AND GAS
DRILLING AND PRODUC-
TION.

Be it ordained by the Govern-
ing Body of the City of
Leawood, Kansas:

5-903. Section 1. To offset ad-
ministration and inspection
costs relating to oil and gas
drilling and production in the
City of Leawood, Kansas, the
following fees are hereby es-
tablished:

Special Use Permit \$200.00
Permit for one well 50.00
Blanket permit where
there is more

than one well 150.00

TAKE EFFECT. Section 2.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 5/2/83 Second
Reading 5/16/83

Passed by the Governing
Body this 16th day of May,
1983.

Approved by the Mayor this
18th day of May, 1983.

(s) Kent E. Crippin, Mayor
(S E A L)

Attest:
(s) J. Oberlander, City Clerk
APPROVED FOR FORM
AND CONTENT: (s) Richard
Wetzler, City Attorney
(0397 1W)

AN ORDINANCE RELATING TO THE ADOPTION OF ADMINISTRATIVE REGULATIONS FOR OIL AND GAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

5-701. FINDINGS. Section 1. The City of Leawood, Kansas hereby finds and declares as a matter of public policy that uncontrolled drilling and production of oil and gas resources would be detrimental to the public health, safety, comfort, convenience, prosperity and general welfare.

5-702. PURPOSE. Section 2. The purpose of this ordinance is to establish uniform and reasonable limitations, safeguards, and controls of oil and gas operations based upon the following criteria:

- A. Aiding those owners of land in the economic utilization of the mineral rights until growth and development progresses into the area.
- B. Protecting existing residential and commercial areas from incompatible land use activities.
- C. Providing for the orderly growth and development of lands consistent with the Master Development Plan.
- D. Minimizing any risks to the public health, safety, comfort, convenience, prosperity, and general welfare.
- E. Avoiding undue liability for the City, its residents and businesses.
- F. Maintaining the City's character and economic vitality.

5-703. DEFINITIONS. Section 3. The following terms as used in this Article shall, unless the context clearly indicates otherwise, have the respective meanings herein set forth. These definitions shall also apply to Section 15-1903, Leawood Zoning Regulations, special uses for oil and gas exploration and production. To the extent that these definitions may conflict with those contained in said Section 15-1903, these definitions shall control. Additional definitions as established by "General Rules and Regulations for the Conservation of Crude Oil and Natural Gas" of the State Corporation Commission of the State of Kansas shall apply to the City ordinance and regulations.

1. Abandonment: Shall mean the plugging of a well, removal of equipment and the restoration of the site in compliance with this Article.
2. Applicant: Shall mean the person who represents the owner(s) or operator(s) and seeks, on their behalf, a permit pursuant to the provisions of this Article.
3. Berm: See Dike.

re Adoption of Administrative Regulations for
Oil and Gas.

4. Blowout: Shall mean the uncontrolled discharge of gas, solid, or liquids, or combination thereof from a well.
5. Blowout Preventor: Shall mean a mechanical, hydraulic or pneumatic, or other device, or combination of devices secured to the top of a well casing including valves, fittings, and control mechanism connected therewith which can be closed around the drill pipe, or which completely closes the top of the casing and is designed for and capable of preventing blowouts.
6. Circulating Mud Pit: The working pit from which the drilling muds are continuously recirculated during the drilling process into and from the drilling hole for the purpose of flushing out the drill bit cuttings.
7. Code: See City Ordinances and Regulations.
8. Code Administrator: Shall mean the executive official of the Planning and Development ^{Department} who is charged with the responsibility of administering and/or enforcing the building, electrical, fire, plumbing, and health and zoning ordinances of the City, and is synonymous with the term Fire Official or Enforcement Officer.
9. Code Board of Appeals: Shall mean the Board of Appeals as set forth in the Property Maintenance BOCA Code as amended and adopted by the City of Leawood.
10. Corporation Commission: Kansas Corporation Commission (K.C.C.).
11. Dike: An embankment of earth designed to contain oil within a defined area..
12. Drilling: Boring a hole into the earth for the purpose of extracting hydrocarbons from the earth.
13. Drilling Area: Shall mean the operating location for oil and gas drilling and production equipment, tanks and vehicles.
14. Exploratory Drilling: The initial sequence of examining certain locations for oil and/or gas.

15. Lease: Shall mean the physical area to which mineral rights are held.
16. Lessee: Shall mean the possessor of the right to exploit the premises for minerals.
17. Lessor: Shall mean the mineral rights owner.
18. Maintenance: Shall mean the repair and replacement of the parts of a structure to retain the designed safety and effectiveness of the structure including those activities which are both routine and non-routine, that when performed will minimize the risk of any health, safety, or environmental hazards or nuisances being created.
19. Mud: The drilling fluid used and recirculated through the drilling hole as a lubricant.
20. NFPA: National Fire Protection Association, which publishes the National Fire Code.
21. Owner: Shall mean the person who owns a legal or equitable title in land.
22. Permittee: Shall mean the person who represents the owner or operator and receives on their behalf a permit pursuant to the provision of this Article.
23. Plugging: Shall mean putting cement into the well in compliance with this Article and KSA Chapter 55-128.
24. Production Drilling: Shall mean any activity or drilling which is related to commencing production and shall also include any drilling that is done to facilitate extraction from another well by injection of fluids or gases, and shall^{also}/include drilling of disposal wells.
25. Production Equipment: Shall mean all structures necessary and incidental to the production of oil or gas or disposal of brines and mineral water, including but not limited to pipes, tank batteries, and pumps.
26. Redrilling: Shall mean the deepening of an existing well and shall also mean the re-opening of a well that has been abandoned.

ORDINANCE NO. 781

re Adoption of Administrative Regulations for
Oil and Gas.

27. Reserve Pit: Any excavation, pit, or receptacle designed or actually used to receive, store, or hold rocks, drill bit cuttings, shale, sand, fresh water, or drilling mud which contains no salt water oil, oil derivatives, caustics, acids, or other deleterious substances harmful to soil, vegetation, or injurious to animal or human life.
28. Spill: Shall mean the unauthorized leaking, pumping, pouring or emptying of oil.
29. Structure: That which is built, constructed, or erected.
30. Sump or Slush Pit: An excavation, pit, or water tight container, designed or actually used to receive, store or hold waste oil, oil derivatives, sand, salt water, or other waste products or deleterious substances produced or used in the drilling, swabbing, cleaning, or re-working of any oil, gas, or disposal wells.
31. Tract: Shall mean the physically described area for which oil and gas operations are permitted by the City.
32. Tract Line: Shall mean the surface boundaries or legal description of the special use permit.
33. Well or Wellhead: See drilling.

5-704. GENERAL PROVISIONS. Section 4.

- A. Procedure. Upon approval of a special use permit by the City Council, an application shall be submitted to drill for and/or produce oil or gas in the City of Leawood. If the application is in compliance with this ordinance and all state rules and regulations, the code administrator shall issue a permit.
- B. Valid Permit. It is unlawful for any person or persons to commence the operation of any oil or gas drilling or production without possessing a valid permit issued by the code administrator. Permits are not transferable. The permit card shall be posted on the premises.
 1. Blanket Permits. In any cases where more than one oil or gas well are to be drilled on any

tract of land, the permit granted shall apply to all wells on that tract of land.

2. Violation and Penalties. The violation of any provision of this ordinance is a public offense, and any person, firm association, partnership or corporation convicted thereof shall be punished by a fine not to exceed five hundred (\$500.00) dollars, and the City shall further have authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of this ordinance.
3. Fees. The fees for any permit or inspection shall be established by City Council ordinance *
A copy of the current ordinance shall be available for inspection in the Code Administrator's office.
4. The Code Administrator shall be responsible for the administration and enforcement of this ordinance.

5-705. APPLICATION. Section 5.

- A. Any person or persons desiring to drill, own, operate or maintain an oil or gas well shall make written application on forms provided by the City.
- B. An application for a permit shall be accompanied with the following information:
 1. A statement on forms provided by the City that applicant shall comply with all Federal and State regulations.
 2. Copy of approved Kansas Corporation Commission "intent to drill" application.
 3. Statement that the property owner or lessee will hold and save the City harmless from any and all claims, damages, expenses, and losses arising from the drilling and production of oil and gas.
 4. Statement of insurance.

* treat as typo per Bob Sanders 6/1/83

5. Permit fee.
6. Fire prevention and spill prevention plans.
7. List of additional requirements imposed by special use permit.

5-706. REQUIREMENTS. Section 6.

- A. Inspections. The Code Administrator shall be responsible for performing inspections as necessary to determine conformance with approved plans, conditions, and requirements of this ordinance and the special use permit. Inspections may be performed during exploratory drilling operations, after a well is in production, after a well is abandoned, or in response to complaints.
- B. Authorization to Enter. The Code Administrator is authorized and directed to enter lands on which a permit for oil and gas exploration and/or production has been granted for the purpose of carrying out inspections and to perform any work required by this ordinance or the special use permit.
- C. Fire Prevention and Protection Plan Guidelines.
 1. The guidelines in this section establish the process and the minimum standards in the preparation, review, and implementation of a Fire Prevention and Protection Plan, and are in addition to any existing local law, policies and procedures. Such Plan guidelines pertain to health, safety and environmental protection in addition to fire protection and prevention, and shall minimize the potential hazards associated with the drilling for oil and gas and the storage of oil, and to control and eliminate any fire or risk of fire as promptly as possible.
 2. Plan Required. Any and all owners or operators who have received a special use permit to drill for oil and gas shall prepare a Fire Prevention and Protection Plan or amendment in accordance with this section as part of the application for the permit.

3. Plan Amendment. Amendments to the Plan shall be made as necessary to retain a comparable level of safety for any change, addition or intensification of drilling or production activities, whether in design location, construction, installation, operation or maintenance.
4. Plan Evaluation and Revision. An applicant shall review and evaluate the Plan at least once every five (5) years and make such revisions as are necessary to include more effective prevention and control technology if such technology will significantly reduce the likelihood of a fire or fire hazard, and has been field proven at the time of review.
5. The Fire Prevention and Protection Plan shall include the following:
 - a. Waste Control and Combustible Materials
 - (1) No person shall allow or cause to be allowed the discharge of any liquid containing crude petroleum or its products into or upon any street, public highway, drainage channel or ditch, storm drain or flood control channel.
 - (2) No person shall allow or cause to be allowed any oil, waste oil, refuse, or waste material to be on the surface of the ground whether under, around, or near any well, pump, boiler, oil storage tank or building.
 - (3) All land within twenty-five (25) feet of any oil well, flammable liquid tank or other appurtenance to any such well, shall at all times remain free and clear of dry grass, rubbish or other combustible debris.
 - b. Sources of Ignition
 - (1) In locations where flammable vapors may be present, precautions shall be taken to

prevent ignition by eliminating or controlling sources of ignition. Sources of ignition may include open flame, internal combustion engines, smoking, cutting and welding, hot surfaces, frictional heat, spark (static, electrical and mechanical) spontaneous ignition, chemical and physical-chemical reaction and radiant heat. Such precautions shall include but are not limited to the following:

- (a) Smoking: None shall be permitted within fifty (50) feet of any well, tank, or area contaminated by oil or waste gas.
- (b) Soundproofing Material: Soundproofing material shall be noncombustible.
- (c) Drilling Equipment: All engines used during drilling operations shall use accepted methods to prevent the escape of flames, sparks, ignited carbon and soot.
- (d) Production Pumps: All pumps used for the production of oil shall be electrically powered, which power shall not be generated on the lease.
- (e) Test Production Pumps: All pumps used for Test Production shall either be electrically powered (not be generated on the lease) gasoline or L.P. gas internal combustion powered engines using the accepted methods to prevent the escape of flames, sparks, ignited carbon and soot.

c. Contingency Plan

- (1) All drilling permit applicants shall submit an emergency procedures plan. Such plan shall be designed to minimize the risk to persons, property and the community welfare from a fire or fire hazard by having available, or having

re Adoption of Administrative Regulations for
Oil and Gas.

procedures and access to, persons and equipment capable of controlling and eliminating the fire or fire hazard. Such procedure shall be posted at the drilling or production site.

- (2) During emergencies when public services manpower, which includes Fire, Police or Public Works, and their equipment are required to be at a location for a period of more than four (4) hours, the owner and/or the leasee shall be responsible for reimbursing the City for extended costs at a predetermined hourly rate.

6. Plan Standards. The standards for design, location, construction, installation, maintenance and operation of all plumbing, electrical equipment, storage tanks or other equipment shall be in accordance with the adopted Plumbing Code, National Electrical Code, NFPA 30 and sound engineering practices.

- D. Spill Prevention Control. In order to prevent discharged oil from dispersing to the surrounding area, earth dikes or berms shall be provided around all storage tank batteries adequate to hold 75% of the tank's capacity.

1. Guidelines. This section establishes the process for preparation, review, and implementation of a spill prevention control program.

2. Plan Required. Any and all owners or operators who have received a special use permit to drill for oil and/or gas shall prepare and submit a plan. The plan shall be updated to reflect changes in operations from drill to production and filed as an amendment to the initial plan. The plan shall be filed before commencing operations.

3. Contingency Plan. To provide for contingencies, the owner or operator shall provide names, addresses, and telephone numbers of individuals capable of controlling, eliminating and cleaning up oil discharge. The individual's name and telephone number shall be posted at the site.

E. Safety and Security

1. Fencing or other safety precautions adequate to protect livestock and people shall be provided. Fencing can be either around the property as a whole or around each separate well. The adequacy of fencing shall be determined by the Code Administrator.
2. All storage tank openings shall be secured to prevent children from entering.

F. Insurance

1. Prior to receiving a permit for any oil or gas operation, the owner or operator shall file with the City a copy of a certificate of insurance stating the following minimum amounts:
 - a. Worker's Compensation payable within statutory limits.
 - b. General liability and property damage with limits not less than \$1,000,000 for each occurrence and \$1,000,000 aggregate.
2. The certificate shall also state that the policy shall not be cancelled nor amended or changed without giving the City 30 days written notice. The insurance shall be continued until such operation has ceased and all activities insured by such policy and/wells properly plugged in accordance with State regulations.

5-707. ABANDONMENT/COMPLETION. Section 7.

- A. All drilling equipment not necessary to production shall be removed from the site within 30 days after termination of drilling activity. All production related equipment shall be removed from a site within 60 days after production of a well has ceased.
- B. All land disturbed during drilling or production shall be restored wherever practical to original grade and stabilized if necessary.
- C. A copy of the approved State Completion Report and/or the Notice of Abandonment shall be filed for each well.

re Adoption of Administrative Regulations for Oil and Gas.

D. Within 90 days of well completion or abandonment, the owner or leasee shall submit an approved copy of the State Affidavit of Completion and plugging reports.

5-708. EXISTING WELLS. Section 8. Any lawful non-conforming well within the City as of the date of passage of this ordinance may continue as a non-conforming use. Such use shall comply with the intent of this ordinance wherever practical.

5-709. REVOCATION. Section 9. In addition to other remedies provided, the Code Administrator is authorized to revoke any permit or other approval, in whole or in part, issued under the provisions of this Article where there is a case of false misrepresentation or statement of fact in the application or amendments on which the permit was based or where there are violations of the provisions or conditions of the special use permit.

5-710. VALIDITY OF ORDINANCE. Section 10. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

TAKE EFFECT. Section 11. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 5/2/83 Second Reading: 5/16/83

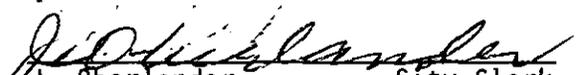
Passed by the Governing Body this 16th day of May, 1983.

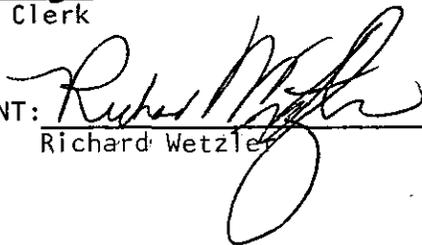
Approved by the Mayor this 18th day of May, 1983.

(S E A L)


Kent E. Crispin Mayor

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney
Richard Wetzler

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year, has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 25th day of May 19 83, with subsequent publications being made on the following dates:

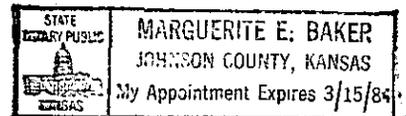
_____, 19____, _____, 19____
_____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 25th day of May 19 83

Marguerite E. Baker
NOTARY PUBLIC

My commission expires: 3-15-84
Printer's Fee \$ 179.30
Additional copies \$ _____



First Published in Johnson County Sun, Wednesday, May 25, 1983.

ORDINANCE NO. 781
AN ORDINANCE RELATING TO THE ADOPTION OF ADMINISTRATIVE REGULATIONS FOR OIL AND GAS. Be it ordained by the Governing Body of the City of Leawood, Kansas:

5-701. FINDINGS. Section 1. The City of Leawood, Kansas hereby finds and declares as a matter of public policy that uncontrolled drilling and production of oil and gas resources would be detrimental to the public health, safety, comfort, convenience, prosperity and general welfare.

5-702. PURPOSE. Section 2. The purpose of this ordinance is to establish uniform and reasonable limitations, safeguards, and controls of oil and gas operations based upon the following criteria:

A. Aiding those owners of land in the economic utilization of the mineral rights until growth and development progresses into the area.

B. Protecting existing residential and commercial areas from incompatible land use activities.

C. Providing for the orderly growth and development of lands consistent with the Master Development Plan.

D. Minimizing any risks to the public health, safety, comfort, convenience, prosperity, and general welfare.

E. Avoiding undue liability for the City, its residents and businesses.

F. Maintaining the City's character and economic vitality.

5-703. DEFINITIONS. Section 3. The following terms as used in this Article shall, unless the context clearly indicates otherwise, have the respective meanings herein set forth. These definitions shall also apply to Section 15-1903, Leawood Zoning Regulations, special uses for oil and gas exploration and production. To the extent that these definitions may conflict with those contained in said Section 15-1903, these definitions shall control. Additional definitions as established by "General Rules and Regulations for the Conservation of Crude Oil and Natural Gas" of the State Corporation Commission of the State of Kansas shall apply to the City ordinance and regulations.

1. Abandonment: Shall mean the plugging of a well, removal of equipment and the restoration of the site in compliance with this Article.

2. Applicant: Shall mean the person who represents the owner(s) or operator(s) and seeks, on their behalf, a permit pursuant to the provisions of this Article.

3. Berm: See Dike.

4. Blowout: Shall mean the uncontrolled discharge of gas, solid, or liquids, or combination thereof from a well.

5. Blowout Preventer: Shall mean a mechanical, hydraulic or pneumatic, or other device, or combination of devices secured to the top of a well casing including valves, fittings, and control mechanisms connected therewith which can be closed around the drill pipe, or which completely closes the top of the casing and is designed for and capable of preventing blowouts.

6. Circulating Mud Pit: The working pit from which the drilling muds are continuously recirculated during the drilling process into and from the drilling hole for the purpose of flushing out the drill bit cuttings.

7. Code: See City Ordinances and Regulations.

8. Code Administrator: Shall mean the executive official of the Planning and Development Department who is charged with the responsibility of administering and/or enforcing the building, electrical, fire, plumbing, and health and zoning ordinances of the City, and is synonymous with the term Fire Official or Enforcement Officer.

9. Code Board of Appeals: Shall mean the Board of Appeals as set forth in the Property Maintenance BOCA Code as amended and adopted by the City of Leawood.

10. Corporation Commission: Kansas Corporation Commission (K.C.C.).

11. Dike: An embankment of earth designed to contain oil within a defined area.

12. Drilling: Boring a hole into the earth for the purpose of extracting hydrocarbons from the earth.

13. Drilling Area: Shall mean the operating location for oil and gas drilling and production equipment, tanks and vehicles.

14. Exploratory Drilling: The initial sequence of examining certain locations for oil and/or gas.

15. Lease: Shall mean the physical area to which mineral rights are held.

16. Lessee: Shall mean the possessor of the right to exploit the premises for minerals.

17. Lessor: Shall mean the mineral rights owner.

18. Maintenance: Shall mean the repair and replacement of the parts of a structure to retain the designed safety and effectiveness of the structure including those activities which are both routine and non-routine, that when performed will minimize the risk of any health, safety, or environmental hazards or nuisances being created.

19. Mud: The drilling fluid used and recirculated through the drilling hole as a lubricant.

20. NFPA: National Fire Protection Association, which publishes the National Fire Code.

21. Owner: Shall mean the person who owns a legal or equitable title in land.

22. Permittee: Shall mean the person who represents the owner or operator and receives on their behalf a permit pursuant to the provision of this Article.

23. Plugging: Shall mean putting cement into the well in compliance with this Article and KSA Chapter 55-128.

24. Production Drilling: Shall mean any activity or drilling which is related to commencing production and shall also include any drilling that is done to facilitate extraction from another well by injection of fluids or gases, and shall also include drilling of disposal wells.

25. Production Equipment: Shall mean all structures necessary and incidental to the production of oil or gas or disposal of brines and mineral water, including but not limited to pipes, tank batteries, and pumps.

26. Redrilling: Shall mean the deepening of an existing well and shall also mean the re-opening of a well that has been abandoned.

27. Reserve Pit: Any excavation, pit, or receptacle designed or actually used to receive, store, or hold rocks, drill bit cuttings, shale, sand, fresh water, or drilling mud which contains no salt water, oil, oil derivatives, caustics, acids, or other deleterious substances harmful to soil, vegetation, or injurious to animal or human life.

28. Spill: Shall mean the unauthorized leaking, pumping, pouring or emptying of oil.

29. Structure: That which is built, constructed, or erected.

30. Sump or Slush Pit: An excavation, pit, or water tight container, designed or actually used to receive, store or hold waste oil, oil derivatives, sand, salt water, or other waste products or deleterious substances produced or used in the drilling, swabbing, cleaning, or reworking of any oil, gas, or disposal wells.

31. Tract: Shall mean the physically described area for which oil and gas operations are permitted by the City.

32. Tract Line: Shall mean the surface boundaries or legal description of the special use permit.

33. Well or Wellhead: See drilling.

5-704. GENERAL PROVISIONS. Section 4.

A. Procedure. Upon approval of a special use permit by the City Council, an application shall be submitted to drill for and/or produce oil or gas in the City of Leawood if the application is in compliance with this ordinance and all state rules and regulations, the code administrator shall issue a permit.

B. Valid Permit. It is unlawful for any person or persons to commence the operation of any oil or gas drilling or production without possessing a valid permit issued by the code administrator. Permits are not transferable. The permit card shall be posted on the premises.

1. Blanket Permits. In any cases where more than one oil or gas well are to be drilled on any tract of land, the permit granted shall apply to all wells on that tract of land.

2. Violation and Penalties. The violation of any provision of this ordinance is a public offense, and any person, firm, association, partnership or corporation convicted thereof shall be punished as provided in Section 5-705.01.

3. Fees. The fees for any permit or inspection shall be established by City Council resolution. A copy of the current resolution shall be available for inspection in the Code Administrator's office.

4. The Code Administrator shall be responsible for the administration and enforcement of this ordinance.

5-705 APPLICATION. Section 5.

A. Any person or persons desiring to drill, own, operate or maintain an oil or gas well shall make written application on forms provided by the City.

B. An application for a permit shall be accompanied by the following:

1. A statement on forms provided by the City that applicant shall comply with all Federal and State regulations.

2. Copy of approved Kansas Corporation Commission "intent to drill" application.

3. Statement that the property owner or lessor is holding and save himself harmless from all claims, damages, expenses, and losses, arising from the drilling and production of oil and gas.

4. State certificate of insurance.

5. Permit fee.

6. Fire prevention and spill prevention plans.

7. List of additional requirements imposed on special use permit.

5-706. REQUIREMENTS. Section 6.

A. Inspection. The Code Administrator shall be responsible for performing inspections necessary to determine conformance with approved plans, conditions, and requirements of this ordinance and the special use permit. Inspections may be performed during exploratory drilling operations, after a well is plugged, or in response to complaints.

B. Authorization to Enter. The Code Administrator is authorized and directed to enter lands on which a permit for oil and gas operations has been granted for the purpose of carrying out inspections and to perform any work required by this ordinance or the special use permit.

C. Fire Prevention and Protection Plan Guidelines.

1. The guidelines in this section establish the process and the minimum standards in the preparation, review, and implementation of a Fire Prevention and Protection Plan, and are in addition to any existing local law, policies and procedures. Such Plan guidelines pertain to health, safety and environmental protection in addition to fire prevention and prevention, and shall minimize the potential hazards associated with the drilling for oil and gas and the storage of oil, and to control and eliminate any fire or risk of fire as promptly as possible.

2. Plan Required: Any and all owners or operators who have received a special use permit to drill for oil and gas shall prepare a Fire Prevention and Protection Plan or amendment thereto with this section.

3. Plan Amendment. Amendments to the Plan shall be made as necessary to retain a comparable level of safety for any change, addition or in the drilling or production.

4. Plan Evaluation and Revision. An applicant shall review and evaluate the Plan at least once every five (5) years and make such revisions as are necessary to include more effective prevention and control technology if such technology will significantly reduce the likelihood of a fire or fire hazard, and has been field proven at the time of review.

5. The Fire Prevention and Protection Plan shall include the following:

a. Waste Control and Combustible Materials

(1) No person shall allow or cause to be allowed the discharge of any liquid containing crude petroleum or its products into or upon any street, highway, drainage channel or ditch, storm drain or flood control channel.

(2) No person shall allow or cause to be allowed any waste oil, refuse, or waste material to be on the surface of the ground whether underground, or near any well, pump, boiler, oil storage tank or building.

(3) All tanks within twenty-five (25) feet of any oil well, flammable liquid tank or other appurtenance to any such well, shall at all times remain free and clear of dry grass, rubbish or other combustible debris.

b. Sources of Ignition

(1) In locations where flammable vapors may be present, precautions shall be taken to prevent ignition by eliminating or controlling sources of ignition. Sources of ignition may include open flame, internal combustion engines, smoking, cutting and welding, hot surfaces, frictional heat, spark (static, electrical and mechanical), spontaneous ignition, chemical and physical reaction and radiant heat. Such precautions shall include but are not limited to the following:

(a) Smoking: None shall be permitted within fifty (50) feet of any well, tank, or area contaminated by oil or waste material shall be noncombustible.

(c) Drilling Equipment: All engines used during drilling operations shall use accepted methods to prevent the escape of flames, sparks, ignited carbon and soot.

(d) Production Pumps: All pumps used for the production of oil shall be electrically powered, which power shall not be generated on the lease.

(e) Test Production Pumps: All pumps used for Test Production shall either be electrically powered and be generated on the lease, or gasoline or L.P. gas internal combustion powered engines using the accepted methods to prevent the escape of flames, sparks, ignited carbon and soot.

c. Contingency Plan

(1) All drilling permit applicants shall submit an emergency procedures plan. Such plan shall be designed to minimize the risk to persons, property and the community welfare from a fire or fire hazard by having available to persons and the community access to persons and property capable of extinguishing or eliminating a fire or fire hazard. Such procedure shall be posted at the drilling or production site.

(2) During emergencies when public services manpower, which includes Fire, Police or Public Works, and their equipment are required to be at a location for a period of more than four (4) hours, the owner and/or the lessee shall be responsible for reimbursing the City for extended costs at a predetermined hourly rate.

6. Plan Standards. The standards for design, location, construction, installation, maintenance and operation of all plumbing, electrical equipment, storage tanks or other equipment shall be in accordance with the adopted Plumbing Code, National Electrical Code, NFPA 30 and sound engineering practices.

D. Spill Prevention Control. In order to prevent discharged oil from dispersing to the surrounding area, earth dikes or berms shall be provided around all storage tank batteries adequate to hold 75% of the tank capacity.

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3. Contingency Plan. To provide for contingencies, the owner or operator shall provide names, addresses, and telephone numbers of individuals capable of controlling, eliminating and cleaning up oil discharge. The individual's name and telephone number shall be posted at the site.

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ORDINANCE.NO. 780

AN ORDINANCE ADDING PROVISIONS FOR SPECIAL USE PERMITS FOR OIL AND GAS DRILLING AND PRODUCTION TO THE EXISTING ZONING REGULATIONS, ARTICLE 19, "SPECIAL USES", LEAWOOD ZONING CODE, EFFECTIVE APRIL 17, 1978.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

15-1902. OIL AND GAS DRILLING AND PRODUCTION. Section 1. Oil and gas drilling and production may be located in described districts by special use permit, in specific areas, for designated periods of time, with requirements set by the City Council, following notification of adjacent and abutting property owners, public hearing, and recommendation by the Plan Commission.

15-1903. DEFINITIONS. Section 2. Any and all terms shall have the meanings as set out by Leawood City Ordinances.

15-1904. LOCATION AND MAP REQUIREMENTS. Section 3.

A. An application for a special use permit shall be submitted and accompanied with the following items:

1. Legal description of the property for which the special use permit is being requested.
2. Legal proof of ownership or written authorization to represent all owners within the tract.
3. A location map at a scale of not less than 1" = 1000' in size, showing the lease and its relationship to existing subdivisions, community facilities, streets, flood plains, creeks or waterways.
4. Topographic map of property to be covered under the special use permit, and adjacent property within four hundred feet (400') at a scale of not less than one inch (1") equals four hundred feet (400').
5. Items required on topographical map:
 - a. Existing contours at 5' intervals.
 - b. All existing and proposed wells either in production or abandoned.
 - c. Location of residential structures, other buildings and fences.

- d. Location, use, and width of all easements for the lease.
- B. Tract size: The minimum tract size on which the special use permit may be granted for oil production shall be ten (10) acres.
 - C. The Plan Commission and City Council shall, in the recommending and approving process, establish distances of oil and gas drilling areas from the established lease or tract line and adjacent tracts and buildings. Consideration shall be given to:
 1. Location of drilling/production area in relation to adjacent developed areas and/or platted land within the City.
 2. Location of the drilling/production area in respect to the lease/tract line.
 3. Location of the drilling/production area to existing residences, other structures, and public rights of way.
 4. Operating and potential hazardous characteristics of oil wells and gas wells.

15-1905. ADDITIONAL REQUIREMENTS. Section 4. Additional information or conditions may be required, as deemed necessary and proper to protect and promote the public health, safety, welfare, and which requirements are consistent with the intent and purpose of this subsection, including but not limited to the following:

- A. Enclosure or burial of the wellhead and/or appurtenances.
- B. Type of materials and height of any fencing.
- C. Noise suppression devices or procedures.
- D. Hours of operation for drilling, production, removal of equipment, and perforating or fracturing.
- E. Routes used by drilling or production related vehicles.
- F. Capacity, number, and color of storage or separator tanks.

G. Environmental impact statement addressing those areas about which the Plan Commission or City Council require additional information and which may have the greatest potential for deleterious effects on the health, safety and welfare of the community such as:

1. Noise impacts
2. Water impacts
3. Safety and nuisance potential
4. Geological impacts
5. Fiscal impacts on the neighborhood or government
6. Wildlife impacts

and, the Environmental Impact Statement, if required, shall include baseline data against which actual impacts may be evaluated and shall also include the reasonable and preferred procedure and/or equipment for mitigating or abating any and all significant impacts. These shall be prepared by a qualified expert in the recognition, evaluation, and control of the designated subject(s).

15-1906. CRITERIA. Section 5. In reviewing the application for a special use permit for oil and gas, the Plan Commission and the City Council shall consider the following:

- A. The development of oil and gas resources as it relates to the local, regional or national economy.
- B. The economic conditions as they affect other types of development.
- C. The effect on existing and future land uses and/or physical development potential by the granting of special use permit.
- D. The cumulative effect of other oil and gas special use permits on existing and future development or development potential by the granting of the special use permit.
- E. The expenses, costs, revenues, or benefits to the neighborhood and the City.
- F. The past history of the operator with regard to compliance with local or state laws, to spills, and to overall safety.

ORDINANCE NO. 780

re Special Use Permits for Oil and Gas
Drilling and Production

15-1907. LIMITATIONS. Section 6. Any permit which is granted shall be subject to the following:

- A. Time Period. An initial special use permit for oil and gas drilling and production on a tract may be granted for a maximum of ten years. Any renewals may be granted for a maximum of ten years.
- B. Location. The special use permit may be granted in A (Agricultural) or R (Recreation) zoning districts only. Recreational does not include private country club properties.
- C. Only those storage tanks required for production allowed by the special use permit shall be permitted.

15-1908. REVOCATION. Section 7. The special use permit may be revoked by the City Council upon notification to the permittee and after a public hearing when:

- A. The applicant has made material misrepresentations or false statements of fact in the application.
- B. The permittee has persistently violated the provisions or conditions of the special use permit.

15-1909. VALIDITY OF ORDINANCE. Section 8. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

TAKE EFFECT. Section 9. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 5/2/83 Second Reading: 5/16/83

Passed by the Governing Body this 16th day of May, 1983.

Approved by the Mayor this 18th day of May, 1983.

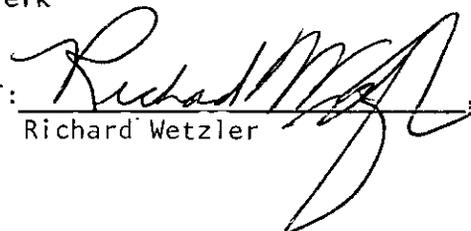
(S E A L)


Kent E. Crappin Mayor

Page 5
ORDINANCE NO. 780
re Special Use Permits for Oil and Gas
Drilling and Production

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney
Richard Wetzler

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 25th day of May 19 83, with subsequent publications being made on the following dates:

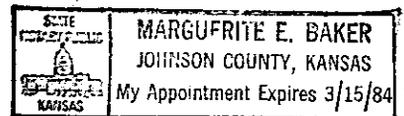
_____, 19____, _____, 19____
_____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 25th day of May 19 83

Marguerite E. Baker
NOTARY PUBLIC

My commission expires: 3-15-84
Printer's Fee \$ 66-30
Additional copies \$ _____



Published in The
Cherokee County Sun, Wednes-
day, May 25, 1983.

ORDINANCE NO. 780
AN ORDINANCE ADDING
PROVISIONS FOR SPECIAL
USE PERMITS FOR OIL
AND GAS DRILLING AND
PRODUCTION TO THE EX-
ISTING ZONING REGULA-
TIONS, ARTICLE 19,
"SPECIAL USES",
LEAWOOD ZONING CODE,
EFFECTIVE APRIL 17, 1978.
Be it ordained by the Govern-
ing Body of the City of
Leawood, Kansas:

15-1902. OIL AND GAS
DRILLING AND PRODUC-
TION. Section 1. Oil and gas
drilling and production may
be located in described dis-
tricts by special use permit,
in specific areas, for
designated periods of time,
with requirements set by the
City Council, following
notification of adjacent and
abutting property owners,
public hearing, and recom-
mendation by the Plan Com-
mission.

15-1903. DEFINITIONS. Sec-
tion 2. Any and all terms shall
have the meanings as set out
by Leawood City Ordinances.
15-1904. LOCATION AND
MAP REQUIREMENTS.
Section 3.

A. An application for a
special use permit shall be
submitted and accompanied
with the following items:

1. Legal description of the
property for which the special
use permit is being requested.

2. Legal proof of ownership
or written authorization to
represent all owners within
the tract.

3. A location map at a scale
of not less than 1" = 1000'
in size, showing the lease and its
relationship to existing sub-
divisions, community
facilities, streets, flood
plains, creeks or waterways.

4. Topographic map of
property to be covered under
the special use permit, and
adjacent property within four
hundred feet (400') at a scale
of not less than one inch (1")
equals four hundred feet
(400').

5. Items required on
topographical map:

a. Existing contours at 5'
intervals.

b. ~~Existing~~ and
proposed wells either in
production or abandoned.

c. Location of residential
structures, other buildings
and fences.

d. Location, use, and width
of all easements for the lease.

B. Tract size: The
minimum tract size on which
the special use permit may be
granted for oil production
shall be ten (10) acres.

C. The Plan Commission
and City Council shall, in the
recommending and approv-
ing process, establish dis-
tances of oil and gas drilling
areas from the established
lease or tract line and adja-
cent tracts and buildings.
Consideration shall be given
to:

1. Location of
drilling/production area in
relation to adjacent
developed areas and/or plat-
ted land within the City.

2. Location of the
drilling/production area in
respect to the lease/tract line.

3. Location of the
drilling/production area to
existing residences, other
structures, and public rights
of way.

4. Operating and potential
hazardous characteristics of
oil wells and gas wells.

15-1905. ADDITIONAL RE-
QUIREMENTS. Section 4.
Additional information or
conditions may be required,
as deemed necessary and
proper to protect and promote
the public health, safety,
welfare, and which require-
ments are consistent with the
intent and purpose of this sub-

section, including but not
limited to the following:

A. Enclosure or burial of
the wellhead and/or ap-
purtenances.

B. Type of materials and
height of any fencing.

C. Noise suppression
devices or procedures.

D. Hours of operation for
drilling, production, removal
of equipment, and perforating
or fracturing.

E. Routes used by drilling
or production related vehi-
cles.

F. Capacity, number, and
color of storage or separator
tanks.

G. Environmental impact
statement addressing those
areas about which the Plan
Commission or City Council
require additional informa-
tion and which may have the
greatest potential for
detrimentous effects on the
health, safety and welfare of
the community such as:

1. Noise impacts
2. Water impacts
3. Safety and nuisance
potential

4. Geological impacts
5. Fiscal impacts on the
neighborhood or government
6. Wildlife impacts

and, the Environmental Im-
pact Statement, if required,
shall include baseline data
against which actual impacts
may be evaluated and shall
also include the reasonable
and preferred procedure
and/or equipment for
mitigating or abating any and
all significant impacts. These
shall be prepared by a
qualified expert in the
recognition, evaluation, and
control of the designated sub-
ject(s).

15-1906. CRITERIA. Section 5.
In reviewing the application
for a special use permit for oil
and gas, the Plan Commis-
sion and the City Council shall
consider the following:

A. The development of oil
and gas resources as it
relates to the local, regional
or national economy.

B. The economic conditions
as they affect other types of
development.

C. The effect on existing
and future land uses and/or
physical development poten-
tial by the granting of special
use permit.

D. The cumulative effect of
other oil and gas special use
permits on existing and
future development or
development potential by the
granting of the special use
permit.

E. The expenses, costs,
revenues, or benefits to the
neighborhood and the City.

F. The past history of the
operator with regard to com-
pliance with local or state
laws, to spills, and to overall
safety.

15-1907. LIMITATIONS. Sec-
tion 6. Any permit which is
granted shall be subject to the
following:

A. Time Period. An initial
special use permit for oil and
gas drilling and production on
a tract may be granted for a
maximum of ten years. Any
renewals may be granted for
a maximum of ten years.

B. Location. The special
use permit may be granted in
A (Agricultural) or R
(Recreation) zoning districts
only. Recreational does not
include private country club
properties.

C. Only those storage tanks
required for production
allowed by the special use
permit shall be permitted.

15-1908. REVOCATION. Sec-
tion 7. The special use permit
may be revoked by the City
Council upon notification to
the permittee and after a
public hearing when:

A. The applicant has made
material misrepresentations
or false statements of fact in
the application.

B. The permittee has per-
sistently violated the provi-
sions or conditions of the
special use permit.

15-1909. VALIDITY OF OR-
DINANCE. Section 8. Should
any section, paragraph,
sentence, clause or phrase of
this ordinance be declared un-
constitutional or invalid for
any reason, the remainder of
this ordinance shall not be
thereby affected.

TAKE EFFECT. Section 9.
This ordinance shall take ef-
fect and be in force from and
after its publication in the of-
ficial City newspaper.

First Reading: 5/2/83 Second
Reading: 5/16/83

Passed by the Governing
Body this 16th day of May,
1983.

Approved by the Mayor this
18th day of May, 1983.

(s) Kent E. Crippin, Mayor
(S E A L)

Attest:

(s) J. Oberlander, City Clerk
APPROVED FOR FORM
AND CONTENT: (s) Richard
Wetzler, City Attorney

(0395 1W)

AN ORDINANCE RELATING TO THE LEVYING OF A CITY RETAILERS' SALES TAX IN THE AMOUNT OF ONE PERCENT (1%) WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the proposition of levying one-half of one percent (0.5%) City Retailers' Sales Tax was submitted to the electors of the City of Leawood, Kansas on April 4, 1978, was carried by majority vote, and was implemented commencing January 1, 1979; and

WHEREAS, the proposition of levying one-half of one percent (0.5%) City Retailers' Sales Tax in addition to the one-half of one percent (0.5%) currently levied by the City was submitted to the electors of the City on April 5, 1983, and was carried by majority vote; and

WHEREAS, a City Retailers' Sales Tax in the amount of one percent (1%) should therefore be implemented commencing January 1, 1984;

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

REPEAL OF SECTION. Section 1. Ordinance No. 600, as adopted August 7, 1978, is hereby repealed effective 12:00 midnight, December 31, 1983, and the following enacted in lieu thereof:

26-301. Section 2. Commencing January 1, 1984, there is hereby levied a City Retailers' Sales Tax in the amount of one percent (1%).

26-302. Section 3. Such tax shall be identical in its applications and exemptions therefrom to the Kansas Retailers' Sales Tax Act and all laws and administrative rules and regulations of the Kansas Department of Revenue relating to the State's Retailers' Sales Tax shall apply to such City Retailers' Sales Tax insofar as such laws and regulations may be made applicable. The services of the Department shall be utilized to administer, enforce and collect such tax.

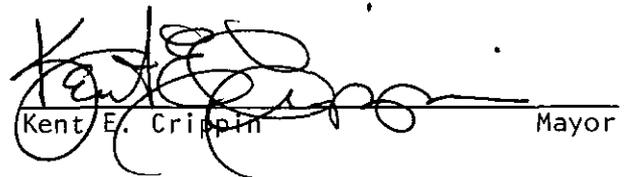
TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after the first day of January, 1984.

First Reading: 5/2/83 Second Reading: 5/16/83

Passed by the Governing Body this 16th day of May, 1983.

Approved by the Mayor this 18th day of May, 1983.

(S E A L)


Kent E. Crippin Mayor

Attest:


J. Oberlander City Clerk

First Published in The Johnson County Sun, Wednesday, May 25, 1983.
 ORDINANCE NO. 779
 AN ORDINANCE RELATING TO THE LEVYING OF A CITY RETAILERS' SALES TAX IN THE AMOUNT OF ONE PERCENT (1%) WITHIN THE CITY OF LEAWOOD, KANSAS.
 WHEREAS, the proposition of levying one-half of one percent (0.5%) City Retailers' Sales Tax was submitted to the electors of the City of Leawood, Kansas on April 4, 1978, was carried by majority vote, and was implemented commencing January 1, 1979; and
 WHEREAS, the proposition of levying one-half of one percent (0.5%) City Retailers' Sales Tax in addition to the one-half of one percent (0.5%) currently levied by the City was submitted to the electors of the City on April 5, 1983, and was carried by majority vote; and
 WHEREAS, a City Retailers' Sales Tax in the amount of one percent (1%) should therefore be implemented commencing January 1, 1984.
NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:
 REPEAL OF SECTION. Section 1. Ordinance No. 600, as adopted August 7, 1978, is hereby repealed effective 12:00 midnight, December 31, 1983, and the following enacted in lieu thereof:
 26-301. Section 2. Commencing January 1, 1984, there is hereby levied a City Retailers' Sales Tax in the amount of one percent (1%).
 26-302. Section 3. Such tax shall be identical in its applications and exemptions therefrom to the Kansas Retailers' Sales Tax Act and all laws and administrative rules and regulations of the Kansas Department of Revenue relating to the State's Retailers' Sales Tax shall apply to such City Retailers' Sales Tax insofar as such laws and regulations may be made applicable. The services of Department shall be utilized to administer, enforce and collect such tax.
TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after the first day of January, 1984.
 First Reading: 5/2/83 Second Reading: 5/16/83
 Passed by the Governing Body this 16th day of May, 1983.
 Approved by the Mayor this 18th day of May, 1983.
 (s) Kent E. Crippin, Mayor
 (S E A L)
 Attest:
 (s) J. Oberlander, City Clerk
APPROVED FOR FORM AND CONTENT: (s) Richard Wetzler, City Attorney
 (0394 1W)

AFFIDAVIT OF PUBLICATION

KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty
does and say: That she is legal publications manager of THE JOHNSON
SUN, a semi-weekly newspaper printed in the State of Kansas, and
in and of general circulation in JOHNSON County, Kansas, with a general
ation on a yearly basis in JOHNSON County, Kansas, and that said
is not a trade, religious or fraternal publication.

newspaper is a semi-weekly published at least weekly 50 times a year; has
ublished continuously and uninterruptedly in said county and state for a
more than five years prior to the first publication of said notice; and has
itted at the post office of SHAWNEE MISSION, KANSAS in said County as
class matter.

attached notice is a true copy thereof and was published in the regular
issue of said newspaper for 1 consecutive
day (weeks, days) the first publication thereof being made as
on the 25th day of May 19 83, with subsequent
ns being made on the following dates:

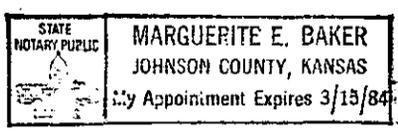
_____ 19 _____, 19 _____
 _____ 19 _____, 19 _____

Barbara A. Ellis

Subscribe and sworn to before me this 25th day of May 19 83

Marguerite E. Baker
 NOTARY PUBLIC

My commission expires: 3-15-84
 Printer's Fee \$ 21.78
 Additional copies \$ _____



ORDINANCE NO. 778

AN ORDINANCE AMENDING AND SUPPLEMENTING THE SUBDIVISION REGULATIONS OF THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. This ordinance rescinds City Council Resolution No. 449 dated February 21, 1978, and City Council Resolution No. 512 dated November 5, 1979. Sections 17-401, 17-402, 17-403 of Revised Ordinances, as adopted by the Subdivision Regulations, Final Revised Edition, January 16, 1978; and Section 17-404 of Revised Ordinances, as adopted by Ordinance No. 689, are hereby repealed and the following enacted in lieu thereof:

17-401. MAJOR STREET PLAN AND STREET CLASSIFICATIONS. Section 2. The Major Street Plan of the City establishes a street classification which is intended to tailor the design of each street to its function. These classifications are set out by the Major Street Plan Map dated April 18, 1983, and are described as:

1. A primary arterial street shall be designed to carry through traffic and shall require a right-of-way width of 120 feet. There are two pavement widths of 25 feet each back-to-back of curb.
2. A secondary arterial street is designed to serve as part of the principal network for through traffic, carrying fewer vehicles than the primary arterial street. The required right-of-way width is 100 feet. The pavement width is 48 feet back-to-back of curb.
3. An urban residential collector street shall provide the traffic movement and access needs of urban residential neighborhood traffic. The right-of-way width is 60 feet and the pavement width is 36 feet back-to-back of curb.
4. An urban residential street shall serve residential neighborhoods. The right-of-way width is 50 feet and the pavement width is 26 feet back-to-back of curb.
5. A primary collector street shall have a right-of-way width of 80 feet. The pavement width is 36 feet back-to-back of curb.
6. A rural collector street provides general access needs to the rural land areas south of 135th Street. The right-of-way width is 80 feet and the pavement width is 32 feet with ditch sections.
7. A rural residential street provides access to rural residential neighborhoods. The right-of-way width is 60 feet and the pavement width is 22 feet with ditch sections.

17-402. GENERAL PROVISIONS. Section 3. It is the intent of the City Council of the City of Leawood that all subdivisions shall hereafter contain all the improvements required for the highest practical level of safety and welfare of the inhabitants of the subdivisions. Since the City at large will assume responsibility for maintaining and sustaining the public works elements in perpetuity it is the intent of the City Council that those elements be of high quality, designed for the longest practical life and be capable of low cost maintenance throughout the life of the project. It shall therefore be the responsibility of the subdivider to install, at his initiative and cost, all public works elements in the subdivision, or arrange for their installation through irrevocable agreements such as formation of benefit districts, surety bond, cash escrow, etc. except those which are deemed to basically serve the City at large.

17-403. REQUIRED IMPROVEMENTS. Section 4. The following shall be the minimum required improvements in a subdivision.

- A. Street pavement, curbs and sidewalks for all local and collector streets shall be constructed to the design standards included in the "Public Improvement Construction Standards" of the City of Leawood, Kansas. Where a local or collector street abuts a subdivision, the subdivider shall make satisfactory arrangements to pay fifty (50) percent of the cost to develop said street to the standards described herein and shall dedicate one-half of the required right-of-way. Where a designated arterial street abuts the property owner's land, the property owner shall make satisfactory arrangements to pay fifty (50) percent of the cost to develop said street to the standards prescribed for a primary collector and shall dedicate one-half of the right-of-way needed for an arterial street. When a designated arterial street runs completely through the property owner's land, the owner shall be required to pay one hundred (100) percent of the cost to develop said street to the standards prescribed herein for a primary collector street and dedicate the required right-of-way for the arterial facility. In cases, however, where unusual ownership patterns, abnormal street or road conditions, location of the subdivision on unimproved roadways and other circumstances make this procedure unworkable, inequitable or contrary to the public interest, the Plan Commission may, subject to approval by the City Council, negotiate alternative methods of achieving acceptable improvements.
- B. Storm water handling facilities shall be designed and installed throughout the subdivision by the subdivider. Design shall comply with DESIGN CRITERIA FOR STORM SEWERS AND APPURTENANCES

published by the Kansas City Metropolitan Chapter of the American Public Works Association, and amendments thereto, except as indicated in the City of Leawood's "Public Improvement Construction Standards." All storm water facilities shall be designed by a professional engineer registered in the State of Kansas and the preliminary plans shall be approved by the Director of Public Works so certified to the Plan Commission prior to approval of the final plat.

- C. Sidewalks and/or bikeways shall be included in all subdivisions. A sidewalk shall be constructed along one side of all local streets and both sides of all major streets and streets in multi-family and commercial areas. Paved bikeways may be substituted for or provided in addition to sidewalks where such a facility would benefit the public or comply with the parks and recreation plan of the City. Sidewalks, and bikeways, if practical, shall be shown on the preliminary plat.
- D. Water lines shall be installed by the subdivider in keeping with policies and specifications of the water district serving the subdivision. Fire hydrants shall be installed as part of the water main construction.
- E. Sanitary sewers shall be installed by the subdivider in keeping with local and state standards. Where no system of mains or treatment is available the Plan Commission may deny the subdivision or require special engineering documentation supporting an alternative sewage disposal system.
- F. Street lighting standards and fixtures shall be provided in accordance with the City's Street Lighting Standards and Specifications.
- G. Standard City of Leawood street name markers shall be prepared and installed on all street intersections by the City of Leawood Public Works Department. The subdivision developer will be issued a statement of cost by the Leawood Public Works Department for all materials and labor required for the preparation and installation of the street name markers. Payment must be received prior to any building permits being issued within the subdivision.
- H. Monuments in the form of iron pins not less than one-half inch in diameter and 24 inches in length shall be driven to one inch below the final grade at each block corner. Corners of the subdivision shall be marked with steel pin not less than three-fourths inch in diameter and three feet in length, driven to one inch below final grade. The Director of Public Works may require additional monuments where the public interest will be served.

AFFIDAVIT OF PUBLICATION

~~STATE OF KANSAS, JOHNSON COUNTY,~~ ss: ~~Barbara A. Ellis,~~ being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 11th day of May 19 83, with subsequent publications being made on the following dates:

_____, 19____, _____, 19____
_____, 19____, _____, 19____

Barbara A. Ellis

Subscribe and sworn to before me this 11th day of May 19 83

Marguerite E. Baker
NOTARY PUBLIC

My commission expires: 3-15-84
Printer's Fee \$ 106.92
Additional copies \$ _____



First Published in The Johnson County Sun, Wednesday, May 11, 1983.

**ORDINANCE NO. 77J
AN ORDINANCE
AMENDING AND SUPPLEMENTING THE SUBDIVISION REGULATIONS OF THE CITY OF LEAWOOD, KANSAS.**

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. This ordinance repeals City Council Resolution No. 449 dated February 21, 1978, and City Council Resolution No. 512 dated November 5, 1979. Sections 17-401, 17-402, 17-403 of Revised Ordinances, as adopted by the Subdivision Regulations, Final Revised Edition, January 16, 1978; and Section 17-404 of Revised Ordinances, as adopted by Ordinance No. 689, are hereby repealed and the following enacted in lieu thereof:

17-401. MAJOR STREET PLAN AND STREET CLASSIFICATIONS. Section 2. The Major Street Plan of the City establishes a street classification which is intended to tailor the design of each street to its function. These classifications are set out by the Major Street Plan Map dated April 18, 1983, and are described as:

1. A primary arterial street shall be designed to carry through traffic and shall require a right-of-way width of 120 feet. There are two pavement widths of 25 feet each back-to-back of curb.
2. A secondary arterial street is designed to serve as part of the principal network for through traffic, carrying fewer vehicles than the primary arterial street. The required right-of-way width is 100 feet. The pavement width is 48 feet back-to-back of curb.
3. An urban residential collector street shall provide the traffic movement and access needs of urban residential neighborhood traffic. The right-of-way width is 60 feet and the pavement width is 36 feet back-to-back of curb.
4. An urban residential street shall serve residential neighborhoods. The right-of-way width is 50 feet and the pavement width is 26 feet back-to-back of curb.
5. A primary collector street shall have a right-of-way width of 80 feet. The pavement width is 36 feet back-to-back of curb.
6. A rural collector street provides general access needs to the rural land areas south of 135th Street. The right-of-way width is 80 feet and the pavement width is 32 feet with ditch sections.
7. A rural residential street provides access to rural residential neighborhoods. The right-of-way width is 60 feet and the pavement width is 22 feet with ditch sections.

17-402. GENERAL PROVISIONS. Section 3. It is the intent of the City Council of the City of Leawood that all subdivisions shall hereafter contain all the improvements required for the highest practical level of safety and welfare of the inhabitants of the subdivisions. Since the City at large will assume responsibility for maintaining and sustaining the public works elements in perpetuity it is the intent of the City Council that those elements be of high quality, designed for the longest practical life and be capable of low cost maintenance throughout the life of the project. It shall therefore be the responsibility of the subdivider to install, at his initiative and cost, all public works elements in the subdivision, or arrange for their installation through irrevocable agreements such as formation of benefit districts, surety bond, cash escrow, etc. except those which are deemed to basically serve the City at large.

17-403. REQUIRED IMPROVEMENTS. Section 4.

The following shall be the minimum required improvements in a subdivision.
A. Street pavement, curbs and sidewalks for all local and collector streets shall be constructed to the design standards included in the "Public Improvement Construction Standards" of the City of Leawood, Kansas. Where a local or collector street in a subdivision, the subdivider shall make satisfactory arrangements to pay fifty (50) percent of the cost to develop said street to the standards described herein and shall dedicate one-half of the required right-of-way. Where a designated arterial street, the property owner and the property owner shall make satisfactory arrangements to pay fifty (50) percent of the cost to develop said street to the standards prescribed for a primary collector street and shall dedicate one-half of the right-of-way needed for an arterial street. When a designated arterial street runs completely through the property owner's land, the owner shall be required to pay one hundred (100) percent of the cost to develop said street to the standards prescribed herein for a primary collector street and dedicate the required right-of-way for the arterial facility. In cases, however, where unusual ownership patterns, abnormal street or road conditions, location of the subdivision on unimproved roadways and other circumstances make this procedure unworkable, inequitable or contrary to the public interest, the Plan Commission may, subject to approval by the City Council, negotiate alternative methods of achieving acceptable improvements.

B. Storm water handling facilities shall be designed and installed throughout the subdivision by the subdivider. Design shall comply with

DESIGN CRITERIA FOR STORM SEWERS AND APPURTENANCES published by the Kansas City Metropolitan Chapter of the American Public Works Association, and amendments thereto, except as indicated in the City of Leawood's "Public Improvement Construction Standards". All storm water facilities shall be designed by a professional engineer registered in the State of Kansas and the preliminary plans shall be approved by the Director of Public Works so certified to the Plan Commission prior to approval of the final plat.

C. Sidewalks and/or bikeways shall be included in all subdivisions. A sidewalk shall be constructed along one side of all local streets and both sides of all major streets and streets in multi-family and commercial areas. Paved bikeways may be substituted for or provided in addition to sidewalks where such a facility would benefit the public or comply with parks and recreation plans of the City. Sidewalks, and bikeways, if practical, shall be shown on the preliminary plat.

D. Water lines shall be installed by the subdivider in keeping with the policies and specifications of the water district serving the subdivision. Fire hydrants shall be installed as part of the water main construction.

E. Sanitary sewers shall be installed by the subdivider in keeping with local and state standards. Where no system of mains or treatment is available the Plan Commission may deny the subdivision or require special engineering documentation supporting an alternative sewage disposal system.

F. Street lighting standards and fixtures shall be provided in accordance with the City Street Lighting Standard and Specifications.

G. Standard City of Leawood street name markers shall be prepared and installed on all street intersections by the City of Leawood Public Works Department. The subdivider will be issued a statement of cost by the Leawood Public Works Department for all materials and labor required for the preparation and installation of the street name markers. Payment must be received prior to any building permits being issued within the subdivision.

H. Monuments in the form of iron pins not less than one-half inch in diameter and 24 inches in length shall be driven to one inch below the final grade at each block corner. Corners of the subdivision shall be marked with steel pin not less than three-fourths inch in diameter and three feet in length, driven to one inch below final grade. The Director of Public Works may require additional

I. Tree planting and other landscaping located within public right-of-way shall be regulated and approved by the City of Leawood to prevent interference with public sidewalks, street lighting or safe site distance at any street intersection or private driveway. All such trees or other landscaping shall not be the responsibility of the City of Leawood but shall be the responsibility of a homes association or other acceptable type organizations duly registered with the Leawood Planning Commission and other landscaping such as growth, trimming, removal and replacement.

17-404. ENFORCEMENT. Section 5.

It is the intent of the City Council of the City of Leawood that the above required improvements or public works elements be installed in a competent and timely fashion and that the residents of homes built in the subdivision shall have the full range of services provided by the improvements beginning with initial occupancy of the home. Therefore, no building permit shall be issued for a building to be placed on a lot which is not fully served by all of these improvements. For purposes of this ordinance "being fully served" shall mean that sanitary sewers (except where alternate methods are used), water supply, street pavement, sidewalks, bikeways, storm sewers, street lighting, street markers and monuments shall be installed, duly inspected and found acceptable, accepted by the City Council, and service connections, if appropriate, applied for. In the event that building permits are desired before all of the improvements are in place, the subdivider may place with the City of Leawood in the form of bond, cash escrow or other acceptable means, guaranteeing the installation of all improvements, whereupon building permits may be issued. The amount of surety shall be equal to 100% of the estimated cost of all improvements as determined by the Director of Public Works. Such surety and the issuance of building permits may be in increments as may be deemed practical by the Director of Public Works and the City Architect, but in no case less than one full block length of street.

17-405. MAINTENANCE SURETY. Section 6.

The subdivider or the contractor responsible for the construction of public street pavement, curbs and gutters, storm sewers, sidewalks, bikeways, street markers and street lighting shall deposit surety in the form of bond, cash, or other acceptable methods with the City guaranteeing against failure of any of those public works elements for a period of two years following acceptance by the City. The amount of surety shall be determined by the Director of Public Works and shall be generally equal to the cost of construction. In the case of a performance surety being used as set out in Section 5 above, that surety may be retained by the City for two years following acceptance of the public works elements in satisfaction of this maintenance bond requirement. Release of maintenance surety shall be by the recommendation of the Director of Public Works reported to the Planning Commission. The Director shall inform the developer, in writing, that the public works improvements are in satisfactory condition and that the developer is released from the Maintenance Surety, and that the City of Leawood accepts the public works improvements and the maintenance thereof.

TAKE EFFECT. Section 7.

This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 4/18/83
Second Reading: 5/2/83
Passed by the Governing Body this 2nd day of May,

Approved by the Mayor this 11th day of May, 1983.

(s) Kent E. Crippin,
Mayor

(SEAL)
Attest:
D.J. Oberlander,
City Clerk

APPROVED FOR FORM CONTENT: (s) Larry
Wirth III, City Attorney

(0750 1W)

Be it ordained by the Governing Body of the City of Leawood, Kansas:

10-901. NUISANCE ALARM SYSTEMS PROHIBITED. Section 1. It shall be unlawful for any person or business to own or operate any burglary, robbery, fire, medical, or panic alarm system deemed to be a nuisance. Nuisance alarm systems shall be defined as follows:

- a. False alarms. Any alarm which elicits a response from the Police and/or Fire Departments more than six (6) times in any twelve (12) month period when no emergency exists. Exempt from this definition are newly installed systems, which shall receive a grace period of thirty (30) days or four (4) false alarms, whichever occurs first; alarm signals caused by violent conditions of nature or other extraordinary circumstances beyond control of the owner or operator; alarm systems owned or operated by any governmental political unit.
- b. Direct telephone alarms. Any alarm which is programmed to automatically dial any telephone number, listed or unlisted, directly into any City building for the purpose of transmitting a voice recording of an emergency message.
- c. Disturbing alarms. Any alarm which emits an audible signal which is not automatically discontinued within fifteen (15) minutes of activation.

10-902. DIRECT ALARM SYSTEMS TO BE DISCONNECTED. Section 2. It shall be unlawful for any alarm user to fail to disconnect any direct telephone alarm as defined in 10-901 within seventy-two (72) hours of receipt of written notice from the Police Department that such a programmed connection exists.

10-903. DISTURBING ALARMS TO BE DISCONNECTED OR MODIFIED. Section 3. It shall be unlawful for any alarm user to fail to disconnect or modify any disturbing alarm as defined in 10-901 within seventy-two (72) hours of receipt of written notice from the Police Department that such a condition exists.

10-904. NOTIFICATION OF NUISANCE ALARMS. Section 4. At the time of the sixth false alarm in any twelve (12) month period, the City shall notify the responsible party by first class mail of such occurrence and that additional false alarms shall require the payment of fees as per Section 10-906 of this ordinance. Such written notification shall be assumed to have been delivered three days after mailing.

10-905. RESPONSIBLE PARTY. Section 5. The responsible party shall be the resident for a residential alarm system and the business owner or manager for a business alarm system, regardless of whether such system is owned, leased, rented, or otherwise controlled.

10-906. FALSE ALARMS; FEES REQUIRED. Section 6. Any alarm system which has recorded more than six (6) false alarms within any twelve (12) month period shall be subject to the following fees:

- | | |
|--|---------------|
| a. Seven (7) through ten (10) false alarms | \$ 25.00 each |
| b. Eleven (11) through fourteen (14) false alarms | 50.00 each |
| c. Fifteen (15) through eighteen (18) false alarms | 75.00 each |
| d. Nineteen (19) and each subsequent alarm | 100.00 each |

The payment of the fee provided for shall be submitted to the City of Leawood within ten (10) days of receiving notice that such fee is due.

10-907. APPEALS. Section 7. An alarm user who desires to appeal a fee imposed by Section 10-906 shall submit a written request for a hearing to the Chief of Police, who shall notify the Governing Body. The Governing Body shall then direct the Public Safety Committee to meet and consider the appeal.

10-908. DESIGNATION OF ALARM COORDINATOR; DUTIES. Section 8. There is hereby established the position of Alarm Coordinator. The Alarm Coordinator shall:

- a. Maintain records necessary to carry out the terms of this ordinance; such records shall be confidential.
- b. Make notifications as outlined in Section 10-904.
- c. Establish, distribute, and enforce such rules and regulations as may be necessary for implementation of this ordinance, and make same available upon request.
- d. Determine which alarms constitute false alarms as defined in Section 10-901.

10-909. PENALTY. Section 9. Any person convicted of a violation of any of the provisions of or failing to comply with any of the mandatory requirements of this ordinance shall be guilty of a public offense and punished by a fine of not more than \$500.00 or by imprisonment not to exceed six (6) months or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the City ordinances is committed, continued or permitted by any such person.

10-910. VALIDITY OF ORDINANCE. Section 10. Should any section, paragraph; sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

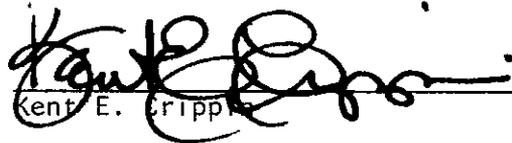
TAKE EFFECT. Section 11. This ordinance shall take effect and be in force from and after the first day of August, 1983.

First Reading: 4/18/83 Second Reading: 5/2/83

Passed by the Governing Body this 2nd day of May, 1983.

Approved by the Mayor this 3rd day of May, 1983.

(S E A L)


Kent E. Crippin Mayor

Attest:


J. Oberlander City Clerk

APPROVED FOR FORM AND CONTENT: , City Attorney

Larry Winn III

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Barbara A. Ellis, being first Duty sworn, Deposes and say: That she is ~~legal publications manager of THE JOHNSON COUNTY SUN~~, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, with a general paid circulation on a yearly basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 11th day of May 19 83, with subsequent publications being made on the following dates:

_____ 19____

_____ 19____

Barbara A. Ellis

Subscribe and sworn to before me this 11th day of May 19 83

Marguerite E. Baker
NOTARY PUBLIC

My commission expires: 3-15-84
Printer's Fee \$ 52.13
Additional copies \$ _____



ORDINANCE NO. 777

AN ORDINANCE RELATING TO NUISANCE ALARM SYSTEMS.

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b. Make notifications as outlined in Section 10-904.

c. Establish, distribute, and enforce such rules and regulations as may be necessary for implementation of this ordinance, and make same available upon request.

d. Determine which alarms constitute false alarms as defined in Section 10-901.

10-909. PENALTY. Section 9. Any person convicted of a violation of any of the provisions of or failing to comply with any of the mandatory requirements of this ordinance shall be guilty of a public offense and punished by a fine of not more than \$500.00 or by imprisonment not to exceed six (6) months or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the City ordinances is committed, continued or permitted by any such person.

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TAKE EFFECT. Section 11. This ordinance shall take effect and be in force from and after the first day of August, 1983.

First Reading: 4/18/83 Second Reading: 5/2/83

Passed by the Governing Body this 2nd day of May, 1983.

Approved by the Mayor this 3rd day of May, 1983.

(s) Kent E. Crippin,

Mayor

(SEAL)

Attest:

(s) J. Oberlander,

City Clerk

APPROVED FOR FORM AND CONTENT: (s) Larry Winn III,

City Attorney