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<tr>
<td>1142</td>
<td>12/4/89</td>
<td>12/5/89</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING T.N.'S, SERIES 89T, PROJECT 118; POLICE/COURT BLDG. AND FIRE STA. NO. 1 REMODELING; IN AN AMOUNT OF $110,000.00</td>
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<td>1143 C</td>
<td>12/18/89</td>
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<td>AN ORD. ADOPTING THE 1985 EDITION OF THE &quot;UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS&quot;</td>
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<td>12/18/89</td>
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<td>1145</td>
<td>1/15/90</td>
<td>1/16/90</td>
<td>N/A</td>
<td>AN ORD. ACCEPTING A DEED FOR STREET PURPOSES IN CONJUNCTION WITH THE 143RD &amp; NALL CULVERT PROJECT</td>
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<tr>
<td>1146</td>
<td>1/15/90</td>
<td>1/16/90</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING T.N.'S; SERIES L.I.D. 86-1-90A, PROJECT 107; ROE AVE., 112TH/121ST; IN THE AMOUNT OF $270,000.00</td>
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<td>1147</td>
<td>2/5/90</td>
<td>2/13/90</td>
<td>N/A</td>
<td>AN ORD. RELATING TO ZONING OF PROPERTY - A to R-1, The Church of the Nativity, 119th &amp; Mission Rd.</td>
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<td>1148 C</td>
<td>2/5/90</td>
<td>2/13/90</td>
<td>X</td>
<td>AN ORD. RELATING TO HUNTING &amp; FISHING IN THE CITY OF LEAWOOD</td>
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<tr>
<td>1149 C</td>
<td>2/20/90</td>
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<td>X</td>
<td>AN ORD. AMENDING SECTION 14-308 OF THE CODE WHICH PROHIBITS PARKING ON CERTAIN STREETS</td>
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<td>1150 C</td>
<td>2/20/90</td>
<td>2/27/90</td>
<td>X</td>
<td>AN ORD. ESTABLISHING A RECORDS MANAGEMENT PROGRAM</td>
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<tr>
<td>1151</td>
<td>3/12/90</td>
<td>3/20/90</td>
<td>N/A</td>
<td>AN ORD. AMENDING ANNEXATION ORDINANCE NO. 1129</td>
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<td>1152</td>
<td>3/12/90</td>
<td>3/20/90</td>
<td>N/A</td>
<td>AN ORD. ACCEPTING DEEDS FOR STREET PURPOSES (95th St. improvements)</td>
</tr>
<tr>
<td>1153</td>
<td>3/12/90</td>
<td>3/20/90</td>
<td>N/A</td>
<td>AN ORD. ACCEPTING A PERMANENT EASEMENT FOR STREET PURPOSES (95th St. improvements)</td>
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<td>1154</td>
<td>3/19/90</td>
<td>3/21/90</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 90C, PROJECT 116 (95TH STREET, STATE LINE/WENONGA) FOR $500,000</td>
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<td>1155</td>
<td>3/19/90</td>
<td>3/21/90</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES L.I.D. 88-1-90B, PROJECT 113 (TOMAHAWK CREEK PARKWAY) FOR $350,000</td>
</tr>
<tr>
<td>1156</td>
<td>3/19/90</td>
<td>3/21/90</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 90D, PROJECT 117 (LEE BLVD.) FOR $1,000,000.00</td>
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<td>1129</td>
<td>10/2/89</td>
<td>10/6/89</td>
<td>N/A</td>
<td>AN ORD. ANNEXING 3 TRACTS OF LAND TO THE CITY - O'Donnell tract, Bell property, Guilford Downs</td>
</tr>
<tr>
<td>1130C</td>
<td>10/2/89</td>
<td>10/6/89</td>
<td>X</td>
<td>AN ORD. AMENDING THE CODE OF THE CITY OF LEAWOOD; DESIGNATING MAIN TRAFFICWAYS - to add Tomahawk Creek Parkway, Somerset Dr., 127th St., Kenneth Parkway/Kenneth Road</td>
</tr>
<tr>
<td>1131</td>
<td>10/2/89</td>
<td>10/6/89</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING THE IMPROVEMENT OF SOMERSET DR., BELINDER TO SAGAMORE</td>
</tr>
<tr>
<td>1132</td>
<td>10/2/89</td>
<td>10/6/89</td>
<td>N/A</td>
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<td>1133</td>
<td>10/2/89</td>
<td>10/6/89</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING AND PROVIDING FOR ACQUISITION OF ROAD RIGHT-OF-WAY FOR THE 143RD STREET CULVERT PROJECT, 143RD &amp; NALL</td>
</tr>
<tr>
<td>1134</td>
<td>10/16/89</td>
<td>10/17/89</td>
<td>N/A</td>
<td>AN ORD. ACCEPTING 4 PERMANENT DRAINAGE EASEMENTS REQUIRED FOR THE 98TH ST. CULVERT PROJECT, 98TH &amp; LEE BLVD.</td>
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<tr>
<td>1135</td>
<td>11/6/89</td>
<td>11/7/89</td>
<td>N/A</td>
<td>AN ORD. GRANTING AN EASEMENT TO SOUTHWESTERN BELL - to install buried cable on Fire Station Novi property</td>
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<tr>
<td>1136</td>
<td>11/20/89</td>
<td>11/28/89</td>
<td>N/A</td>
<td>AN ORD. AMENDING THE BOUNDARIES OF THE LEAWOOD SEWER SYSTEM; RELATING TO SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS</td>
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<td>1138</td>
<td>11/20/89</td>
<td>11/21/89</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING THE ISSUANCE OF TEMPORARY NOTES; SERIES L.I.D. 86-1-89R, PROJECT 107; ROE AVE., 112TH TO 121ST; $350,000.00</td>
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<tr>
<td>1139</td>
<td>12/4/89</td>
<td>12/8 &amp; 12/9</td>
<td>X</td>
<td>AN ORD. GRANTING A FRANCHISE TO KCP&amp;L - overall operation; for 1 yr.</td>
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<tr>
<td>1140</td>
<td>12/4/89</td>
<td>12/5/89</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING T.N.'S, SERIES 895, PROJECT 116; 95TH ST., STATE LINE/WENONGA; IN THE AMOUNT OF $110,000.00</td>
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<tr>
<td>1141</td>
<td>12/4/89</td>
<td>12/5/89</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING T.N.'S, SERIES L.I.D. 88-1-89U, PROJECT 113; TOMAHAWK CREEK PARKWAY; IN THE AMOUNT OF $535,000.00</td>
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<td>1114</td>
<td>8/7/89</td>
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<td>N/A</td>
<td>AN ORD. RELATING TO ZONING - RP-4 to RP-1, Hallbrook, 3rd Plat</td>
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<td>1115</td>
<td>8/7/89</td>
<td>8/8/89</td>
<td>N/A</td>
<td>AN ORD. LEVYING ASSESSMENTS ON BRISTOL PLACE SUBDIVISION LOTS TO PAY COST OF IMPROVEMENT TO 127TH ST., MISSION TO ROE (I.D. 83-1)</td>
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<td>1116</td>
<td>8/21/89</td>
<td>8/22/89</td>
<td>N/A</td>
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<tr>
<td>1117</td>
<td>8/21/89</td>
<td>8/22/89 &amp; 8/29/89</td>
<td>N/A</td>
<td>AN ORD. ESTABLISHING THE 1990 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM</td>
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<td>1118</td>
<td>8/21/89</td>
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<td>N/A</td>
<td>AN ORD. AMENDING SECTION 17-302 OF THE &quot;SUBDIVISION REGULATIONS&quot; RELATING TO SUBDIVISION DESIGN STANDARDS, PRIVATE STREETS</td>
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<td>8/22/89</td>
<td>N/A</td>
<td>AN ORD. GRANTING AN EASEMENT TO KCP&amp;L FOR UTILITY PURPOSES - &quot;Leawood Greenway &amp; Parks&quot;</td>
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<td>1120 C</td>
<td>9/5/89</td>
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<td>AN ORD. ADOPTING THE 1989 EDITION OF THE &quot;STANDARD TRAFFIC ORD.&quot;</td>
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<td>1121</td>
<td>9/18/89</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89P; PROJECT 113; TOMAHAWK CREEK PARKWAY; $1,000,000</td>
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<tr>
<td>1122</td>
<td>9/18/89</td>
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<td>9/18/89</td>
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<td>AN ORD. AUTHORIZING TEMPORARY NOTES, SERIES 89N; PROJECT 119; 119TH STREET, STATE LINE TO MISSION ROAD; $500,000</td>
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<td>AN ORD. RELATING TO DRUGS AND DRUG PARAPHERNALIA</td>
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<td>1103</td>
<td>7/3/89</td>
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<td>AN ORD. RELATING TO ZONING - A to RP-2, 137th &amp; Mission; Pine Lakes Apartments</td>
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<td>1105 C</td>
<td>7/3/89</td>
<td>7/7/89</td>
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<td>AN ORD. ADOPTING THE 1988 EDITION OF THE &quot;UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE&quot;</td>
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<td>7/3/89</td>
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<td>N/A</td>
<td>AN ORD. ACCEPTING DEEDS FOR STREET PURPOSES (KENNETH RD. IMPROVEMENTS); PROVIDING FOR THE CORRECTION OF A LEGAL DESCRIPTION; AND REPEAL OF ORD. NO. 915</td>
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<td>AN ORD. RELATING TO ZONING - A to R-1; Willow Lake Estates; 143rd St. west of Kenneth Rd.</td>
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<td>N/A</td>
<td>AN ORD. ENLARGING THE LEAWOOD SEWER SYSTEM TO PROVIDE SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS SUBDIVISION</td>
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<td>1109 C</td>
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<td>AN ORD. AMENDING SECTION 15-101 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE LEAWOOD SEWER SYSTEM - to add portion of Hallbrook Farms</td>
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<td>7/18/89</td>
<td>N/A</td>
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<td>7/18/89</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 89J, PROJECT 118, POLICE/COURT BUILDING &amp; FIRE STATION NO. 1 REMODEL, $400,000</td>
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<td>7/18/89</td>
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<tr>
<td></td>
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<td>$260,000</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING AND PROVIDING FOR ACQUISITION OF RIGHT-OF-WAY FOR CONSTRUCTION OF 95TH STREET BETWEEN STATE LINE ROAD AND WENONGA.</td>
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<td>1094</td>
<td>3/20/89</td>
<td>3/22/89</td>
<td>N/A</td>
<td>AN ORD. GRANTING AN EASEMENT TO KCPEL FOR UTILITY PURPOSES - across Tract C, &quot;Leawood Greenway and Parks&quot;; adjoining the north r-o-w line of 119th St.</td>
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<td>1095</td>
<td>4/17/89</td>
<td>4/19/89</td>
<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 89F, PROJECT 117, LEE BOULEVARD IMPROVEMENTS, IN THE AMOUNT OF $100,000</td>
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<td>4/19/89</td>
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<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 89D, PROJECT 116, 95TH STREET IMPROVEMENTS, STATE LINE RD./WENONGA, IN AN AMOUNT OF $500,000</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES L'I.D. 88-1-89E, PROJECT 113, TOMAHAWK CREEK PARKWAY, IN AN AMOUNT OF $300,000</td>
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<tr>
<td>1098 C</td>
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<td>4/19/89</td>
<td>X</td>
<td>AN ORD. AMENDING SECTIONS OF THE CODE RELATING TO THE APPOINTMENT OF MUNICIPAL JUDGE(S); JUDICIAL SELECTION COMMITTEE PROCESS</td>
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<tr>
<td>1099 C</td>
<td>5/1/89</td>
<td>5/5/89</td>
<td>X</td>
<td>AN ORD. AMENDING THE &quot;STANDARD TRAFFIC ORDINANCE&quot;, 1987 ED. - re pedestrians on highways</td>
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<tr>
<td>1100</td>
<td>5/1/89</td>
<td>5/5/89</td>
<td>N/A</td>
<td>AN ORD. GRANTING AN EASEMENT TO JOHNSON COUNTY WASTEWATER DISTRICT FOR CONSTRUCTION OF SANITARY SEwers; HALLBROOK SUBDIVISION, PHASE 2; AND REPEAL OF ORDINANCE NO. 1089.</td>
</tr>
<tr>
<td>1101</td>
<td>6/5/89</td>
<td>6/9/89</td>
<td>N/A</td>
<td>AN ORD. RELATING TO ZONING OF PROPERTY @ A to CP-0, 11 acres, Lord of Life Lutheran Church, approx. 135th &amp; proposed Aberdeen (might be named Chadwick)</td>
</tr>
<tr>
<td>1102 C</td>
<td>6/19/89</td>
<td>6/20/89</td>
<td>X</td>
<td>AN ORD. PROVIDING FOR RECOVERY OF EXPENSES INCURRED IN EMERGENCY ACTIONS IN RESPONSE TO RELEASES OR THREATENED RELEASES OF MATERIAL INTO OR UPON THE ENVIRONMENT.</td>
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ORDINANCE NO. 1156

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90D, PROJECT 117 (LEE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $1,000,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF LEE BOULEVARD, INCLUDING GRADING, GUTTERING, CURBING, GRADE CONTROL, GUTTERING, CURBING, PAVING, REPAVING, MACADAMIZING, REMACADAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNDING CORNERS, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECONSTRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES THERETO, VIADUCTS, OVERPASSES, UNDERPASSES, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS OR OTHER IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Lee Boulevard, which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1077 on November 21, 1988; and

WHEREAS, total cost of improvements to Lee Boulevard is estimated to be $1,800,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 90D, Project 117 (Lee Boulevard), in the aggregate principal amount of One Million Dollars ($1,000,000.00) which amount does not exceed the total estimated costs of said improvements.
Section Two: Said issue of Temporary Notes, Series 90D, Project 117 (Lee Boulevard), shall consist of ten bearer notes numbered from 1 through 10 inclusive, each in the denomination of $100,000. Said notes shall be dated April 2, 1990 and shall have the stated maturity date of December 20, 1990. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.32% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of said notes shall be payable at maturity from date of notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute the date of issuance notwithstanding the dated date. Said notes shall be in customary form as provided by law, 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.

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 as provided by law 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 Notes 1-5 delivered to United Missouri Bank, the original purchaser thereof, and Notes 6-10 delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.
20-1,561. **Section Five:** The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1990, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>DATE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Temporary Notes</td>
<td>January 23, 1990</td>
<td>$270,000.00</td>
</tr>
<tr>
<td>Series L.I.D., 86-1-90A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roe Avenue, 112th-121st Street</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.
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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 19th day of March, 1990.

SIGNED by the Mayor this 19th day of March, 1990.

(S E A L)

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker being first Duty sworn, Deposes and say: That she is legal publican 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, and that said newspaper in 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 (weeks, days) the first publication thereof being made as aforesaid on the day of, 19-- , with subsequent publications being made on the following dates:

21st, 19--

Signatures

Subscribed and sworn to before me this day of, 19--

Notary Public

My Commission expires: 3-15-92

Printer's Fee $ 22.00

Additional copies $
section 1: that in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineer-

ing, legal, and other professional services, the City of Lewood, Kansas, by an act of its governing body, hereby authorizes and in-structs the Mayor of the City of Lewood, Kansas, and his or her authorized agents, to execute a bond in the sum of $1,000,000.00 which amount does not exceed the total estimated costs of said improvements.

section two: said issue of temporary notes, series 90d, project 117 (lee boulevard), shall consist of a series of notes to be issued in the principal amount of $1,000,000.00. said notes shall be dated with the first date, payable at maturity of $1,000.00 on the date of each of said notes, shall be callable upon 60 days notice as hereinafter provided and shall be redeemed and cancelled be-fore or at the time general obligation improvement bonds are issued in lieu thereof. said notes shall be issued under the provisions of section 119b of the Kansas revenue bond act.

both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Lewood, Kansas, together with any accrued interest hereon, and surcharge of said notes. the principal of said notes shall be payable at maturity date from date of note.

the City of Lewood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event the full face amount) at any time prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date.

section three: the date of delivery of said notes shall be for all purposes constitute the date of issuance notwithstanding the dated date. said notes shall be in customary form as pro-
duced by the Office of the City Treasurer of the City of Lewood, Kansas, and shall have the seal of said City affixed thereto.

section four: the Mayor and City Clerk of Lewood, Kansas, are hereby authorized and directed to cause to be issued the above-mentioned temporary notes in the form and substance hereinafter described as and provided by law and to procure the proper registration in the name of the City Clerk and in the office of the Treasurer of the State of Kan-sas of said notes and at such time and when registered, said notes shall be authenticated by the City Clerk and Notes 1-5 delivered to United Missouri Bank, the original purchaser therethrough, and Notes 1-5 delivered to Country Club Bank, the original purchaser therethrough, upon payment of the purchase price therefor. the purchase price thereof shall not be less than the principal amount of said notes.

section five: the proceeds of said temporary notes shall be deposited with the City Treas-
urer for the purpose of paying said costs and expenses of the im-provement hereinbefore described.

the City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 and the Kansas Revenue Bond Act of 1990, and the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Date</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary Notes</td>
<td>January 23, 1990</td>
<td>$270,000.00</td>
</tr>
<tr>
<td>Series U.I.D, 8-6-90A</td>
<td>Avenue 125th-121st</td>
<td></td>
</tr>
<tr>
<td>Street</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Governing Body hereby certifies, determines, represents and warrants, as follows:

1. The City is a duly created and validly existing political subdivision in existence since 1949.

2. The City has not issued any bonds or obligations other than the following described obligations:

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project, fi-nancial assistance or any of the other purposes of said temporary notes and bonds to retire said temporary notes; and

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the proceeds of any of the other projects the City has issued or will issue the proceeds of any of the other governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations", for the purposes of Section 265 of the Tax Reform Act of 1986.

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

PASSED by the Governing Body of the City of Lewood, Kansas, this 19th day of March, 1990, and approved and signed by the Mayor this 19th day of March, 1990.

SIGNED as required.

(1) Martha Heizer, City Clerk

APPROVED AS TYPED:

(2) W. M. Smith, City Attorney
ORDINANCE NO. 1155

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-90B, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $350,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be $3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 L.I.D. 88-1-90B, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Three Hundred and Fifty Thousand Dollars ($350,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-90B, Project 113, shall consist of bearer notes numbered from 1 through 4 inclusive, with numbers 1 through 3 each in the denomination of $100,000 and number 4 in the denomination of $50,000. Each of said notes shall be dated April 2, 1990, and shall have the stated maturity date of December 20, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior
thereto, at a rate of interest of 6.23% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity from date of notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,553. **Section Three:** The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, 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.

20-1,554. **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 as provided by law 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 United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,555. **Section Five:** The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.
The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1990, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE DATE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 23, 1990</td>
<td>$270,000</td>
</tr>
</tbody>
</table>

(a) Temporary Notes
Series L.I.D., 86-1-90A,
Roe Avenue, 112-121st Street

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used, in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.
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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 19th day of March, 1990.

SIGNED by the Mayor this 19th day of March, 1990.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

R. J. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, and that said newspaper in 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
--- (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---

Subscribed and sworn to before me this- --- day of, 19---.

MARGUERITE E. BAKER
NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp, 3-15-92

My Commission expires: 3-15-92
Printer's Fee: 16.00
Additional copies $
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES I.O. 86-1-908, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $250,000 TO PROVIDE TEMPORARY FINANCING FOR THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY, OF THE CITY OF LEAWOOD, KANSAS; THE AMOUNT OF $100,000 TO PROVIDE TEMPORARY SECURITY FOR MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, the City of Leawood has been established pursuant to Resolution No. 933 under K.S.A. 12-63a-14 and adopted by the Governing Body of the City of Leawood on November 22, 1986; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-128, K.S.A. 12-63a-14 and all acts amendatory thereto. THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement and for immediate future, including necessary equipment and incidental costs, there shall be issued and is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas; designated Temporary Notes, Series I.O. 86-1-908, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Three Hundred and fifty thousand Dollars ($350,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series I.O. 86-1-908, Project 113, shall consist of five thousand ($5,000) each of which shall be in the denomination of $100,000 and number 4 in the denomination of $50,000. Each of said notes shall be dated April 2, 1990, and shall have the stated maturity date of December 20, 1990. The notes shall bear interest from the date of issuance, payable at maturity or upon payment and at a rate of 6% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-128, K.S.A. 12-63a-14 and all acts amendatory thereto.

Both principal and interest on said notes shall be payable at the office of the City Treasurer of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity from funds of the City. The City Clerk of Leawood, Kansas, shall be authorized to sign and issue said notes in the name of the City.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issue. The City Clerk of Leawood, Kansas, who shall sign the said notes shall be in customary form as provided by law, 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.

Section Four: Said temporary notes shall be negotiable. They shall be secured by a note, trust deed, and mortgage to be made, executed, and delivered, by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price thereof which shall not be in excess of the principal amount thereof.

Section Five: The City Clerk is hereby authorized to request, for temporary notes of said temporary notes, such interest rates, premium, if any, as may be consistent with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement herebefore described.

The City of Leawood, Kansas, does hereby covenant and agrees that it will comply with each and every provision of the Tax Refom Act of 1968 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes, provided, however, the foregoing provisions do not apply to notes issued prior to the effective date of the Tax Reform Act of 1968 and notes issued pursuant to any tax law in effect prior to the Tax Reform Act of 1968.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since 1980, the City has not issued any bonds or obligations other than the following described obligations:

   ISSUE
   DATE
   PRINCIPAL AMOUNT
   (a) Temporary Notes
   Series I.O. 86-1-908
   Roe Avenue, 112-11st Street
   January 23, 1990
   $270,000.00

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 other than in an amount in excess of $100,000.00.

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing and the proceeds of which notes shall be in customary form as provided by law, 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.

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the notes be used or intended to be used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1968.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

Passed by the Governing Body of the City of Leawood, Kansas, this 19th day of March, 1990, SIGNED by the Mayor this 19th day of March, 1990.

(a) Maria Rinehart, Mayor

(b) Martha Heier, City Clerk

APPROVED AS FORM:

(c) R. S. Wotzel, City Attorney

[1991 1W-JC]
ORDINANCE NO. 1154

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90C, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be $1,750,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 90C, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of Five Hundred Thousand Dollars ($500,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 90C, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of $100,000. Said notes shall
be dated April 2, 1990, and shall have the stated maturity date of December 20, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.20% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of said notes shall be payable at maturity from date of notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,547. **Section Three:** The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Said notes shall be in customary form as provided by law, 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.

20-1,548. **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 as provided by law 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 United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,549. **Section Five:** The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.
The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1990, the City has not issued any bonds or obligations other than the following described obligations:

   ISSUE DATE PRINCIPAL AMOUNT

   (a) Temporary Notes January 23, 1990 $270,000.00
       Series L.I.D., 86-1-90A
       Roe Avenue, 112-121st Street

   The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.
20-1,550. **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.

**Section Seven:** That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this ___th day of ___ , 1990.

SIGNED by the Mayor this ___th day of ___ , 1990.

(S. E A. L) 
Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, and that said newspaper in 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 (weeks, days) the first publication thereof being made as aforesaid on the 21st day of March, 19--, with subsequent publications being made on the following dates:

__________________________________, 19--

__________________________________, 19--

Subscribed and sworn to before me this 21st day of March, 19--.

[Signature]

NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS

My Commission expires: 3-15-92

Additional copies $
WHEREAS, the City of Leawood, Kansas, in the amount of $500,000 to PRO
VIDE TEMORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF
INCIDENTAL CONSTRUCTION COSTS.
WHEREAS, there has previously by Section 14-206 of the "Code of the City of
Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City
as a main trafficway pursuant to the provisions of K.S.A. 12-685; and
WHEREAS, the City of Leawood has provided for the improvement or reformation of certain
sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1980;
NOW, THEREFORE, BE IT ORDAINED by THE GOVERNING BODY OF THE CITY OF LEA-
WOOD:
Section One: That in order to provide funds to pay the costs and expenses of the aforesaid
improvement now due or to become due in the immediate future, including necessary engineer-
ning, legal and incidental costs, there shall be issued and there is hereby authorized and directed to
issue temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 90C,
Project 116 (95th Street, State Line Road to Wengona), in the aggregate
principal amount of Five Hundred Thousand Dollars ($500,000.00) which amount does not exceed
the total estimated costs of said improvements.
Section Two: Temporary Notes, Series 90C, Project 116 (95th Street, State Line Road
to Wengona), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination
of $100,000. Said notes shall be dated April 2, 1990, and shall have the stated maturity date of
June 30, 1990. Said notes shall be redeemable at face value plus accrued interest at ten days
prior thereto at a rate of interest of 6.20% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be reedemed and cancelled by the City of Leawood on or before the maturity date, or in lieu thereof.
Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.
Both principal of and interest on said notes shall be payable at the office of the City Treasurer
of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of said
notes, interest thereon and all costs incurred thereon shall be payable from funds provided for such
purposes.
The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in
part (but in any event in the full face amount) at any time prior to the stated maturity date of said
notes, on giving written notice of such redemption to the City Treasurer of the City of Leawood,
Kansas, at least 10 days prior thereto, in which case, the City Treasurer of the City of Leawood,
Kansas, shall be authorized to issue a new series of temporary notes of like denomination to
replace the redeemed notes.
Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized
to direct and to prepare and execute said temporary notes herein authorized to be issued in the
form and substance hereinafter described and as provided by law and to procure the proper
sealing and certification of the same by the City Treasurer of the City of Leawood, Kansas, and
the City Clerk of Leawood, Kansas, and to deliver the same to the City Treasurer of the City of
Leawood, Kansas, to be registered in the office of the City Clerk and in the office of the Treasurer of the State of Kan-
sas, and when so executed and when registered, said notes shall be countersigned by the City
Council and delivered to United Missouri Bank, the original purchaser thereof, upon payment of
the proceeds thereof, which shall not be less than the principal amount thereof.
Section Five: The proceeds of said temporary notes shall be deposited with the City Tre-
asurer in a special fund created for the purpose of paying said costs and expenses of the im-
provements herein described.
The City further covenants and agrees that it will comply with each and every provision of the
Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to
the requirements which relate to the reporting of excess earnings on funds or accounts created with
respect to the notes; provided, however, the foregoing provision shall be and become null and void if
and to the extent that the City shall receive an opinion from nationally recognized bond
rating agencies that the notes do not comply with the requirements of the Tax Reform Act of 1986.
The City further covenants and agrees that the proceeds of the notes shall be used to pay for the
improvements herein described.
Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and
are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.
Passed by the City Council of the City of Leawood, Kansas, this 19th day of March, 1990.
(S.E.A.)
(a) Marcia Rinehart, Mayor
(b) Martha Helzer, City Clerk
APPROVED AS FROM:
(3) R. Westerl, City Attorney

(Passed by the Governing Body of the City of Leawood, Kansas, this 19th day of March, 1990.
(S.E.A.)
(a) Marcia Rinehart, Mayor
(b) Martha Helzer, City Clerk
APPROVED AS FROM:
(3) R. Westerl, City Attorney

(7150 1W-0)}
ORDINANCE NO. 1153

AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR STREET PURPOSES (95TH STREET IMPROVEMENTS, STATE LINE ROAD TO WENONGA).

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

19-6,215. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept a permanent easement to be used for street purposes, the legal description of which is as follows:

From Walter P. and Marguerite R. Bacher -

All that part of Lot 23, "Amended Plat of Lots 19 to 30, inclusive, Leawood Estates", a subdivision in Leawood, Johnson County, Kansas, described as follows: Beginning at a point on the South line of said Lot 23 that is north 89° -54'-36" West, a distance of 47.00 feet from the Southeast corner thereof; thence North 89° -54'-36" West, along said South line, a distance of 77.82 feet; thence in a Westerly, Northwesterly and Northerly direction along said lot line and along a curve to the right, tangent to the last described course, having a radius of 25.00 feet, an arc distance of 34.24 feet; thence South 89° -54'-36" East, a distance of 24.40 feet; thence South 0° -05'-24" West, a distance of 16.00 feet to a point that is 4.00 feet North of the South line of said Lot 23; thence South 86° -58'-16" East, a distance of 78.02 feet to the point of beginning.

19-6,216. Section 2. That a copy of said easement is attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the ______ day of ______, 1990.

Approved by the Mayor the ______ day of ______, 1990.

(S E A L)

Marcia Rinehart Mayor

Attest:

(Seal)

Martha Heizer City Clerk

APPROVED FOR FORM:  
R.S. Wetzler City Attorney
This agreement made and entered on the 23rd day of June 1987, by and between WALTER P. BACHER and MARGUERITE R. BACHER, her/his part of the first part, does hereby remise, let and release to the party of the second part, the following described real estate to-wit:

DESCRIPTION: ALL THAT PART OF LOT 23, "AMENDED PLAT OF LOTS 19 TO 30, INCLUSIVE, LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 23 THAT IS NORTH 89°-54'-36" WEST, A DISTANCE OF 47.00 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89°-54'-36" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 77.82 FEET; THENCE IN A WESTERLY, NORTHWESTERLY AND NORTHERLY DIRECTION ALONG SAID LOT LINE AND ALONG A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 34.24 FEET; THENCE SOUTH 89°-54'-36" EAST, A DISTANCE OF 24.40 FEET; THENCE SOUTH 0°-05'-24" WEST, A DISTANCE OF 16.00 FEET TO A POINT THAT IS 4.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 23; THENCE SOUTH 86°-58'-16" EAST, A DISTANCE OF 78.02 FEET TO THE POINT OF BEGINNING.

1) Placement of Subdivision Monument
2) Provide a clear site area for the Intersection/Traffic Control

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

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

STATE OF KANSAS
COUNTY OF JOHNSON

FILED FOR RECORD

1987 FEB 22 P 1: 58.9

By: WALTER P. BACHER
Marguerite R. BACHER

SARA FULLMANN
REGISTER OF DEEDS

BY: ______________ DEP.

ATTEST:

__________________________

FEB 22 P 1: 58.9

Register of Deeds
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas : SS.
COUNTY OF Johnson : SS.

BE IT REMEMBERED, That on the 23 day June , 1989 , before me, the undersigned, a Notary Public in and for said County and State, came Walter P. and Margaret Bachus , 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.

[Signature]
Notary Public

My Commission Expires:
Oct-25-91

CORPORATE ACKNOWLEDGEMENT

STATE OF ________________ : SS.
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 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.

[Signature]
Notary Public

My Commission Expires

VOL 3127 PAGE 505
STATE OF KANSAS, JOHNSON COUNTY, SS:
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

3/20/90 . . .

Business Manager

Subscribed and sworn to before me on this date: 3/20/90

Notary Public

DANA LEWIS
Notary Public - State of Kansas
My Appt. Expires

My appointment expires: February 12, 1994

Publication Fees: $14.82

Ord. 1153


ORDINANCE NO. 1153

AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR STREET PURPOSES (95TH STREET IMPROVEMENTS, STATE LINE ROAD TO WENONA).

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

19-6,215. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept a permanent easement to be used for street purposes, the legal description of which is as follows:

From Walter P. and Marquereit R. Backer

All that part of Lot 23, "Amended plat of Lots 19 to 30, inclusive, Leawood Estates", a subdivision in Leawood, Johnson County, Kansas, described as follows: Beginning at a point on the South line of said Lot 23 that is north 89° -54' -36" West, a distance of 47.00 feet from the Southeast corner thereof; thence North 89° -54' -36" West, along said South line, a distance of 77.82 feet; thence in a Westerly, Northwesterly and Northerly direction along said lot line and along a curve to the right, tangent to the last described course, having a radius of 25.00 feet, an arc distance of 24.40 feet; thence South 90° -05' -24" West, a distance of 16.00 feet to a point that is 4.00 feet North of the South line of said Lot 23; thence South 86° -52' -16" East, a distance of 78.02 feet to the point of beginning.

19-6,216. Section 2. That a copy of said easement is attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 12th day of March 1990.

Approved by the Mayor the 13th day of March 1990.

[S E A L]

Marcia Rinehart

Mayor

Attest:

Harriett Neizer

City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler

R.S. Wetzler

City Attorney
ORDINANCE NO. 1152

AN ORDINANCE RELATING TO ACCEPTANCE OF DEEDS FOR STREET PURPOSES (95TH STREET IMPROVEMENTS, STATE LINE ROAD TO WENONGA).

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

19-5,105. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept the following deeds, the land described therein to be used for street purposes:

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Deed Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>David A. &amp; Margaret E. Young</td>
<td>1927865</td>
</tr>
<tr>
<td>Gary O. &amp; Ruth A. Seabaugh</td>
<td>1927866</td>
</tr>
<tr>
<td>Margaret A. Jakobe</td>
<td>1927867</td>
</tr>
<tr>
<td>William M. &amp; Marilynn F. Gerrard</td>
<td>1927869</td>
</tr>
<tr>
<td>William E. Shugart</td>
<td>1927870</td>
</tr>
<tr>
<td>Edna Thomas Wood</td>
<td>1927871</td>
</tr>
<tr>
<td>Richard F. &amp; Betty J. Smith</td>
<td>1927872</td>
</tr>
<tr>
<td>Raymond C. &amp; Nathalie O. Roberson</td>
<td>1927873</td>
</tr>
<tr>
<td>Robert L. &amp; Louise N. Holtzinger</td>
<td>1927874</td>
</tr>
<tr>
<td>George &amp; Goldie Sakoulas</td>
<td>1927875</td>
</tr>
<tr>
<td>Carl E. &amp; Gloria P. Spitzkeit</td>
<td>1927876</td>
</tr>
</tbody>
</table>

19-5,106. Section 2. That copies of said deeds are attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 12th day of March, 1990.

Approved by the Mayor the 13th day of March, 1990.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzler
City Attorney
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 Parties of the First Part, in consideration of the sum of

One Dollar ($1.00) Dollars

to have 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:

DESCRIPTION: ALL THAT PART OF LOT 269, "LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 269; THENCE SOUTH 89° 56'-06" EAST ALONG THE NORTH LINE OF SAID LOT 269, A DISTANCE OF 103.00 FEET; THENCE SOUTH 87°-00'-30" WEST, A DISTANCE OF 103.15 FEET TO A POINT ON THE WEST LINE OF SAID LOT 269 THAT IS 5.50 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE NORTH 0°-03'-54" EAST ALONG SAID WEST LINE, A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING.

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 Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convene, 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

and that First Parties 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. Parties 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 parties hereby agree that First Parties 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 Parties 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 Parties of the First Part have hereunto set their hands and seals the day and year first above written.

David A. Young
Margaret E. Young

11/24/81
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Kansas SS.
COUNTY OF Johnson:

BE IT REMEMBERED, That on the 12 day of February, 1990, before me, the undersigned, a Notary Public in and for said County and State, came David A. Young and Margaret E. Young,

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

My Commission Expires: 1-27-93

CAROLYN J. ADAMS
My Appl. Exp. 1-27-93

CORPORATE ACKNOWLEDGEMENT

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 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 27 day of June, 1989, by and between

GARY O. SEABOUGH, A SINGLE PERSON, and Ruth Anne Seabough

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

One Dollar ($1.00) Dollars
to have 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:

DESCRIPTION: ALL THAT PART OF LOT 24, "AMENDED PLAT OF LOTS 19 TO 39, INCLUSIVE, LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 24 THAT IS SOUTH 89°-56'-06'' EAST, A DISTANCE OF 47.36 FEET FROM THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 89°-56'-06'' EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 78.18 FEET; THENCE IN AN EASTERLY, NORTHEASTERLY AND NORTHERLY DIRECTION ALONG SAID LOT LINE AND ALONG A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 34.24 FEET; THENCE NORTH 89°-00'-00'' WEST; A DISTANCE OF 16.00 FEET, TO A POINT THAT IS 4.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 24; THENCE SOUTH 87°-03'-17'' WEST, A DISTANCE OF 76.17 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD THE SAME TOGETHER WITH ALL AND SINGULAR THE TENEMENTS, HEREDITARIES, 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 Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convey, 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 whosoever. Parties 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 agrees that First Parties shall pay any special assessments or installations 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 Parties 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 Parties of the First Part have hereunto set their hands and sealed the day and year first above written.

entered in Transfer Record

22 December, 1989

Bev. L. Diller

Johnson County Clerk

11/24/81

27 day of June, 1989

GARY O. SEABOUGH

Ruth Anne Seabough

VOL 3127 PAGE 500
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Missouri: SS.
COUNTY OF Jackson: SS.

BE IT REMEMBERED, that on the 27th day of June, 1989, before me, the undersigned, a Notary Public in and for said County and State, came Gary O. Seabaugh and Ruth Anne Seabaugh 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.

[Signature]
Notary Public

My Commission Expires: Priscilla Diaz
Notary Public, State of Missouri
Commissioned in Jackson County
My Commission Expires December 23, 1990

CORPORATE ACKNOWLEDGMENT

STATE OF: SS.
COUNTY OF: SS.

BE IT REMEMBERED that on this [date] day of [month], 19 [year], 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.

[Signature]
Notary Public

My Commission Expires

City of Leawood
9617 Lee Blvd
Leawood, KS 66206
DEED OF DEDICATION

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

29 day of June, 1989, by and between

________ MARGARET ALLIN JAKOBE

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 Party of the First Part, in consideration of the sum of

One Dollar ($1.00) Dollars

to have 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 her 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:

DESCRIPTION: ALL THAT PART OF LOT 582, "LEAWOOD" A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 582 THAT IS NORTH 89°-55'-06" WEST, A DISTANCE OF 44.50 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89°-59'-06" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 52.08 FEET; THENCE IN A WESTERLY DIRECTION, CONTINUING ALONG SAID SOUTH LINE AND ALONG A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 18.82 FEET; THENCE SOUTH 87°-05'-28" EAST, A DISTANCE OF 70.55 FEET TO THE POINT OF BEGINNING.

The City of Leawood agrees to plant two (2) yew bushes at the front side of the newly constructed sub-division monument.

The City of Leawood agrees to remove any mature trees that die as a result of construction associated with the 95th Street Widening. Any tree that dies will be replaced with a younger tree of similar type.

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 Parties of the First Part, her heirs, executors, administrators, successors, or assigns.

And the Party of the First Part for their heirs, executors, administrators, successors and assigns, does hereby convey, 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 her 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 installations 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 her hand and seal of the day and year first above written.

 Entered in Transfer Record 12 Dec, 1899

Beverly E. Belden

11/24/81

MARGARET ALLIN JAKOBE

vol. 3127 page 502
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas: SS.
COUNTY OF Johnson:

BE IT REMEMBERED, That on the 29 day June , 1939, before me, the undersigned, a Notary Public in and for said County and State, came Margaret Allin Jacob.

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 to the day and year last above written.

Notary Public

---

CORPORATE ACKNOWLEDGEMENT

STATE OF Kansas: SS.
COUNTY OF Johnson:

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

12th day of May, 1989, by and between

WILLIAM M. GERRARD AND MARILYNN F. GERRARD, HUSBAND AND WIFE

of Johnson County, State of Kansas, Part 2S of the First Part,

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

WITNESSETH:

That Parties of the First Part, in consideration of the sum of

One Dollar ($1.00) Dollars

to have 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:

DESCRIPTION: ALL THAT PART OF LOT 270, "LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 270; THENCE NORTH 89°-56'-06" WEST ALONG THE NORTH LINE OF SAID LOT 270, A DISTANCE OF 103.00 FEET; THENCE SOUTH 86°-53'-25" EAST, A DISTANCE OF 94.13 FEET TO A POINT THAT IS 5.00 FEET SOUTH AND 9.00 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 270; THENCE SOUTH 0°-03'-54" WEST, PARALLEL WITH THE EAST LINE OF SAID LOT 270, A DISTANCE OF 30.00 FEET; THENCE SOUTH 89°-56'-06" EAST, A DISTANCE OF 9.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 270; THENCE NORTH 0°-03'-54" ALONG SAID EAST LINE, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

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 Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their 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 Parties 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. Parties 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 parties hereby agrees that First Parties 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 Parties 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 Parties of the First Part have hereunto set their hands and sealed the day and year first above written.

[Signatures]

Entered in Transfer Record

[Record Number] Volume 3127 Page 506

[Notary Public]

11/24/81

[County Clerk]
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas
COUNTY OF Johnson

BE IT REMEMBERED, That on the 12th day of May, 1989, before me, the undersigned, a Notary Public in and for said County and State, came

Marilynn F. Gerrard

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.

Notary Public

My Commission Expires: 6/15/89

Corporate ACKNOWLEDGEMENT

STATE OF
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 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

Sara Fullmann
REGISTER OF DEEDS
KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this
13 day of March, 1989, by and between

WILLIAM E. SHUGART

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 Party of the First Part, in consideration of the sum of

One Dollar ($1.00) .............................................. Dollars

to have in hand paid by Party of the Second Part, receipt whereof is hereby acknowleded, by these presents does GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all his 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:

DESCRIPTION: ALL THAT PART OF LOT 381, "LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 381; THENCE SOUTH 89°-56'-06" EAST, ALONG THE NORTH LINE OF SAID LOT 381, A DISTANCE OF 103.00 FEET; THENCE SOUTH 87°-00'-28" WEST, A DISTANCE OF 103.12 FEET TO A POINT ON THE WEST LINE OF SAID LOT 381, THAT IS 5.50 FEET SOUTH OF THE NORTHWEST CORNER-THEREOF; THENCE NORTH 0°-12'-22" WEST A LONG SAID WEST LINE, A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING.

STATE OF KANSAS
COUNTY OF JOHNSON

FILED FOR RECORD

TO HAVE AND TO HOLD THE SAME together with all and singular the appurtenances thereto belonging or 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, his heirs, executors, administrators, successors, or assigns.

And the Party of the First Part for his 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. Party of the First part, for his 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 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 his hand and seal on the day and year first above written.

SARA F. ULMANN

8° 1930 FEB 22 P 1:59.4

entitled in Transac Record

22 D y of Jul 1989

Beverly L. Baker

11/24/81

Johnson County

William E. Shugart

WILLIAM E. SHUGART

VOL 3127 PAGE 508
INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS
COUNTY OF JOHNSON

BE IT REMEMBERED, That on the 13 day MARCH, 1989, before me, the undersigned, a Notary Public in and for said County and State, came WILLIAM E. SHUGART OF 9501 MANOR, LEAWOOD, KANSAS

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.

Notary Public

My Commission Expires:

CORPORATE ACKNOWLEDGEMENT

STATE OF
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
DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this
17th day of FEBRUARY, 1992, by and between

EDNA C. THOMAS WOOD

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 Party ___ of the First Part, in consideration of the sum of

One Dollar ($1.00) Dollars

to have 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 __ her 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:

DESCRIPTION: ALL THAT PART OF LOT 462, "LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 462; THENCE SOUTH 89°58'-48" EAST ALONG THE NORTH LINE OF SAID LOT 462, A DISTANCE OF 103.00 FEET; THENCE SOUTH 89°58'-48" WEST, A DISTANCE OF 103.15 FEET TO A POINT ON THE WEST LINE OF SAID LOT 462 THAT IS 5.50 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE NORTH 00°03'-54" EAST ALONG SAID WEST LINE, A DISTANCE OF 103.15 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 462, A DISTANCE OF 103.15 FEET TO A POINT ON THE WEST LINE OF SAID LOT 462; THENCE SOUTH 89°58'-48" EAST ALONG THE NORTH LINE OF SAID LOT 462, A DISTANCE OF 103.00 FEET; THENCE SOUTH 89°58'-48" WEST, A DISTANCE OF 103.15 FEET TO A POINT ON THE WEST LINE OF SAID LOT 462.

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 have and hold the 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, her heirs, executors, administrators, successors and assigns.

And the Party ___ of the First Part for her 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 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 her 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 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 her hand and sealed the day and year first above written.

[Signature]

Edna Thomas Wood

Entered in Transfer Record

Boyer, L. Boller

Johnson County Clerk

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INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS:  SS.
COUNTY OF JOHNSON:  

BE IT REMEMBERED, That on the 17 day FEBRUARY, 1989, before me, the undersigned, a Notary Public in and for said County and State, came EDNA THOMAS WOOD

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: 3-13-99

CORPORATE ACKNOWLEDGEMENT

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 afore-said, came , President of a corporation duly organized, incorporated and existing under and by virtue of the laws of said Corporation, 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 10 day of February, 1989, by and between

Richard P. Smith and Betty Jean Smith, Husband and Wife

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

and the City of Leawood, Johnson County, State of Kansas, Particles of the Second Part,

WITNESSETH:

That Parties of the First Part, in consideration of the sum of

One Dollar ($1.00) ................................................ Dollars

To have and to hold the same 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 situated in the County of Johnson, State of Kansas, to wit:

DESCRIPTION: All that Part of Lot 814, "Leawood", a subdivision in Leawood, Johnson County, Kansas, described as follows: Beginning at the Southeast Corner of said Lot 814; Thence North 89^0-56'-06" West, along the South line of said Lot 814, a distance of 108.00 feet; Thence North 87^0-00'-58" East, a distance of 103.21 feet to a point on the East line of said Lot 814, that is 5.50 feet North of the Southeast corner thereof; Thence South 85^0-15" West, along said East line, a distance of 5.50 feet to the Point of Beginning.

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 Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convey, 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 whatsoever. Parties 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 do hereby agree that First Party shall pay any special assessment or installations thereof, rated and unmated, 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 Parties of the First Part have hereunto set their hands and sealed the day and year first above written.

Richard F. Smith

Beverly L. Smith

11/24/89

JOHNSON COUNTY WORK

Richard F. Smith

BETTY JEAN SMITH

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INDIVIDUAL ACKNOWLEDGEMENT

STATE OF KANSAS: S.S.
COUNTY OF JOHNSON:

BE IT REMEMBERED, That on the 10th day of February, 1989, before me, the undersigned, a Notary Public in and for said County and State, came RICHARD F. SMITH AND BETTY JEAN SMITH

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.

[Signature]
Notary Public

My Commission Expires:
06-25-91

CORPORATE ACKNOWLEDGEMENT

STATE OF: S.S.
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.

[Signature]
Notary Public

My Commission Expires

City of Lawrence
KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this
10 day of February, 1989, by and between

RAYMOND C. ROBERSON AND NATALIE O. ROBERSON, HUSBAND AND WIFE

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 Parties of the First Part, in consideration of the sum of

One Dollar ($1.00) Dollars

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 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:

DESCRIPTION: ALL THAT PART OF LOT 608, "LEAWOOD", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 608 THAT IS NORTH 89°-56'-06'' WEST, A DISTANCE OF 46.50 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89°-56'-06'' WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 52.08 FEET; THENCE IN A WESTERLY DIRECTION ALONG SAID SOUTHERLY LINE AND ALONG A CURVE TO THE RIGHT TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 18.82 FEET; THENCE SOUTH 87°-05-28'' EAST, A DISTANCE OF 70.35 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereof 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 or abandoned, the same shall revert to Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convey, 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 Parties 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 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 parties hereby agree that First Parties 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 Parties 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 Parties of the First Part have hereunto set their hands and sealed the day and year first above written.

Raymond C. Roberson

Natalie O. Roberson

11/24/81
STATE OF KANSAS: SS.
COUNTY OF JOHNSON:

BE IT REMEMBERED, That on the 10 day FEBRUARY 1989, before me, the undersigned, a Notary Public in and for said County and State,
came RAYMOND C. ROBERSON AND NATHALIE O. ROBERSON, HUSBAND AND WIFE, 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.

JULIE A. BUTLER
My Commission Expires: 06-25-91
STATE OF KANSAS: SS.
COUNTY OF JOHNSON:

FILED FOR RECORD 1990 FEB 22 P 2-00.1

SARA F.ULLMANN
REGISTER OF DEEDS

CORPORATE ACKNOWLEDGEMENT

STATE OF KANSAS: SS.
COUNTY OF JOHNSON:

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 Leawood
KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this 9th day of February, 1989, by and between

ROBERT L. Holtzinger AND LOUISE N. Holtzinger, HUSBAND AND WIFE

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 $1.00

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:

DESCRIPTION: ALL THAT PART OF LOT 623, "LEAWOOD", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 623, THAT IS SOUTH 89°-56'-06" EAST, A DISTANCE OF 46.50 FEET FROM THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 89°-56'-06" EAST ALONG THE SOUTH LINE OF SAID LOT 623, A DISTANCE OF 53.91 FEET; THENCE IN AN EASTERY DIRECTION ALONG SAID SOUTH LINE AND ALONG A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED COURSE, AND HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 18.82 FEET; THENCE SOUTH 87°-17'-35", WEST, A DISTANCE OF 72.37 FEET TO THE POINT OF BEGINNING.

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 Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convene, 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 Parties 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. Parties 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 parties hereby agree that First Parties shall pay any special assessments or installations 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 Parties 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 Parties of the First Part have hereunto set their hands and sealed the day and year first above written.

Entered in Transfer Record 9th Day 2/9/89

Beverly L. Potter

Johnson County Clerk

11/24/81

Robert L. Holtzinger

Louise N. Holtzinger
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas SS.
COUNTY OF Johnson:

BE IT REMEMBERED, That on the 9th day of February, 1989, before me, the undersigned, a Notary Public in and for said County and State, came Robert L. Holtzinger and Louise N. Holtzinger

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.

My Commission Expires:

1-27-93

Notary Public

CORPORATE ACKNOWLEDGEMENT

STATE OF Kansas SS.
COUNTY OF Johnson:

BE IT REMEMBERED that on the 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.

My Commission Expires

City of Shawnee
1 day of March 1989, by and between

GEORGE SAKOULAS AND GOLDIE SAKOULAS, HUSBAND AND WIFE

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 Parties of the First Part, in consideration of the sum of

One Dollar ($1.00) Dollars

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:

DESCRIPTION: ALL THAT PART OF LOT 815, "LEAWOOD", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 815; THENCE SOUTH 89°-56'-06" WEST, A DISTANCE OF 55.04 FEET; THENCE NORTH 84°-13'-19" WEST, A DISTANCE OF 55.25 FEET TO A POINT ON THE WEST LINE OF SAID LOT 815, THAT IS 5.50 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 0°-45'-15" WEST, ALONG SAID WEST LINE, A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING.

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 Parties of the First Part, their heirs, executors, administrators, successors and assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convey, promise, and agree to and with said Party of the Second Part that at the delivery of these presents the same shall be 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 Parties 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. Parties 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 parties hereby agree that First Parties shall pay any special assessments or installations 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 Parties 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 Parties of the First Part have hereunto set their hands and seal this the day and year first above written.

[Signature]

Notary Public

GEORGE SAKOULAS

GOLDIE SAKOULAS

11/24/81
STATE OF KANSAS: SS.
COUNTY OF JOHNSON: SS.

BE IT REMEMBERED, That on the 1st day MARCH, 1989, before me, the undersigned, a Notary Public in and for said County and State, came George Sakoulas 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.

My Commission Expires: 01/25/91

STATE OF KANSAS: SS.
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 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.

My Commission Expires

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

1 day of March, 1980, by and between

CARL E. SPITKEIT AND GLORIA P. SPITKEIT, HUSBAND AND WIFE

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

One Dollar ($1.00) Dollars

to be 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:

DESCRIPTION: ALL THAT PART OF LOT 1, "LEAWOOD HILLS WEST", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOW: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 1 THAT IS 87.00 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90°-00'-00" WEST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 77.76 FEET; THENCE IN A WESTERLY, NORTHEASTERLY AND NORTHERLY DIRECTION ALONG THE SOUTHERLY, AND WESTERLY LINE OF SAID LOT 1 AND ALONG A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED COURSE, AND HAVING A RADIUS OF 34.00 FEET, DESCRIED AS AN ARC DISTANCE OF 14.24 FEET; THENCE NORTH 90°-00'-00" EAST, A DISTANCE OF 20.50 FEET; THENCE SOUTH 90°-00'-00" EAST, A DISTANCE OF 16.00 FEET; THENCE SOUTH 87°-11'-57" EAST, A DISTANCE OF 81.86 FEET TO THE POINT OF BEGINNING.

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 Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convene, 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 Parties 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. Parties 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 parties hereby agree that First Parties 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 Parties, 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 Parties of the First Part have hereunto set their hands and seals this the day and year first above written

CARL E. SPITKEIT

GLORIA P. SPITKEIT

11/24/81

JOHNSON COUNTY CLERK
INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS: ss.
COUNTY OF Johnson:

BE IT REMEMBERED, That on the 1st day of March, 1989, before me, the undersigned, a Notary Public in and for said County and State, came Carl E. Spitzkeit and Gloria P. Spitzkeit, 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.

My Commission Expires: Do-25-91

[Signature]
Notary Public

CORPORATE ACKNOWLEDGEMENT

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.

[Signature]
Notary Public

My Commission Expires

SARA F. ULLMANN
REGISTER OF DEEDS

City of Leawood
ORDINANCE NO. 1152

AN ORDINANCE RELATING TO ACCEPTANCE OF DEEDS FOR STREET PURPOSES (95TH STREET IMPROVEMENTS, STATE LINE ROAD TO WENDELLA).

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

19-5,105. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept the following deeds, the land described therein to be used for street purposes:

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Deed Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>David A. &amp; Margaret P. Young</td>
<td>1927865</td>
</tr>
<tr>
<td>Gary O. &amp; Ruth A. Seabaugh</td>
<td>1927866</td>
</tr>
<tr>
<td>Margaret A. Jakobe</td>
<td>1927867</td>
</tr>
<tr>
<td>William M. &amp; Marianna F. Gerrard</td>
<td>1927869</td>
</tr>
<tr>
<td>William E. Shugart</td>
<td>1927870</td>
</tr>
<tr>
<td>Edna Thomas Wood</td>
<td>1927871</td>
</tr>
<tr>
<td>Richard F. &amp; Betty J. Smith</td>
<td>1927872</td>
</tr>
<tr>
<td>Raymond C. &amp; Nathalie O. Roberson</td>
<td>1927873</td>
</tr>
<tr>
<td>Robert L. &amp; Louise N. Holtzinger</td>
<td>1927874</td>
</tr>
<tr>
<td>George &amp; Goldie Sakoulas</td>
<td>1927875</td>
</tr>
<tr>
<td>Carl E. &amp; Gloria P. Spitkeite</td>
<td>1927876</td>
</tr>
</tbody>
</table>

19-5,106. Section 2. That copies of said deeds are attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect from and after its publication in the official city newspaper.

Passed by the Council the 12th day of March, 1990.

Approved by the Mayor the 13th day of March, 1990.

(S E A L)                     Marcia Rinehart  Mayor

Attest:                          

Martha Helzer  City.Clerk

APPROVED FOR FORM:  /s/ R.S. Wetsler,  R.S. Wetsler  City Attorney
ORDINANCE NO. 1151


WHEREAS, the Board of County Commissioners of Johnson County, Kansas, did, by its Resolution No. 117-89, approve, pursuant to K.S.A. 12-521, of a portion of the request of the City of Leawood to annex land and did specifically authorize the City of Leawood to annex by ordinance certain land as described in said Resolution No. 117-89; and

WHEREAS, the City of Leawood, on October 2, 1989, following the adoption of Resolution No. 117-89, did adopt Ordinance No. 1129 which annexed lands to the City of Leawood as authorized by said Resolution; and

WHEREAS, the legal descriptions of property annexed to the City of Leawood include reference to a subdivision identified in Section 1 of said Ordinance No. 1129 as "Guilford Downs"; and

WHEREAS, the proper name of the subdivision referred to in said Ordinance as "Guilford Downs" is "Guildford Downs"; and

WHEREAS, Ordinance No. 1129 should be amended to reflect the correct name and legal description of the subdivision annexed by the City;

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

Section 1. Ordinance Amended. Section 1 of Ordinance No. 1129 as adopted by the Governing Body on October 2, 1989, and which became effective on October 6, 1989, is hereby amended to read as follows:

Section 1. Land Annexed to the City of Leawood.
The City of Leawood, Kansas, does hereby, pursuant to the provisions of K.S.A. 12-521 and as authorized by the Order of the Board of County Commissioners of Johnson County, annex to said City the following described land:

Parcel 1: Section 9, Township 14, Range 25.
The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as
Guildford Downs and Leawood Mission Valley First Plat, a replat of a part of Guildford Downs. Containing 34.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25.

Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guildford Downs and Leawood Mission Valley First Plat, a replat of a part of Guildford Downs.

Section 2. Clerk Directed to File Copies of Ordinance. The City Clerk is hereby directed upon passage and publication of this annexation ordinance to file a certified copy of this ordinance with the County Clerk, the Register of Deeds, and the County Election Commissioner of Johnson County, Kansas.

Section 3. Repeal. Existing Section 1 of Ordinance No. 1129 is hereby repealed.

Section 4. Take Effect. This ordinance shall take effect upon publication and filing as provided by law.

Passed by the Council the 12th day of March, 1990.

Approved by the Mayor the 13th day of March, 1990.

(S.E.A.L.)

Marcia Rinehart Mayor

Attest:

Martha Heixer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney
ORDINANCE NO. 1151

AN ORDINANCE AMENDING ORDINANCE NO. 1129 TO STATE CORRECT LEGAL DESCRIPTION OF LANDS ANNEXED TO THE CITY OF LEAWOOD, KANSAS, UPON ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, KANSAS, ISSUED ON SEPTEMBER 30, 1989, PURSUANT TO THE PROVISIONS OF K.S.A. 12-521 (1988 SUPP.)

WHEREAS, the Board of County Commissioners of Johnson County, Kansas, did, by its Resolution No. 117-89, approve, pursuant to K.S.A. 12-521, of a portion of the request of the City of Leawood to annex land and did specifically authorize the City of Leawood to annex by ordinance certain land as described in said Resolution No. 117-89; and

WHEREAS, the City of Leawood, on October 2, 1989, following the adoption of Resolution No. 117-89, did adopt Ordinance No. 1129 which annexed lands to the City of Leawood as authorized by said Resolution; and

WHEREAS, the legal descriptions of property annexed to the City of Leawood include reference to a subdivision identified in Section 1 of said Ordinance No. 1129 as "Guilford Downs"; and

WHEREAS, the proper name of the subdivision referred to in said Ordinance as "Guilford Downs" is "Guilford Downs"; and

WHEREAS, Ordinance No. 1129 should be amended to reflect the correct name and legal description of the subdivision annexed by the City:

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Leawood:

Section 1. Ordinance Amended. Section 1 of Ordinance No. 1129 as adopted by the Governing Body on October 2, 1989, and which became effective on October 6, 1989, is hereby amended to read as follows:

Section 1. Land Annexed to the City of Leawood:
The City of Leawood, Kansas, does hereby, pursuant to the provisions of K.S.A. 12-521 and as authorized by the Order of the Board of County Commissioners of Johnson County, annex to said City the following described land:

Parcel 1: Section 9, Township 14, Range 25.

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guilford Downs and Leawood Mission Valley First Plat, a replat of a part of Guilford Downs.

Containing 14.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25.

Beginning 329.6 feet south of the northwest corner of the northwest quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 603 feet; west 543.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northeast quarter of the northeast quarter consisting of 30.706 acres more or less platted known as Guilford Downs and Leawood Mission Valley First Plat, a replat of a part of Guilford Downs.

Section 2. Clerk Directed to File Copies of Ordinance. The Clerk is hereby directed upon passage and publication of this annexation ordinance to file a certified copy of this ordinance with the County Clerk, the Register of Deeds, and the County Election Commissioner of Johnson County, Kansas.

Section 3. Repeal. Existing Section 1 of Ordinance No. 1129 is hereby repealed.

Section 4. Take Effect. This ordinance shall take effect upon publication and filing as provided by law.

Passed by the Council the __th day of __________, 1990.

Approved by the Mayor the __th day of __________, 1990.
ORDINANCE NO. 1150C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD, KANSAS, BY ADDING THERETO ARTICLE 10 OF CHAPTER I PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF A RECORDS MANAGEMENT PROGRAM FOR THE CITY OF LEAWOOD; PROVIDING THAT THE CITY CLERK SHALL BE RESPONSIBLE FOR ADMINISTERING SUCH PROGRAM; PROVIDING FOR OWNERSHIP OF GOVERNMENT RECORDS AND THE RESPONSIBILITIES OF OFFICERS AND EMPLOYEES WITH RESPECT THERETO; PROVIDING FOR DUTIES OF THE CITY CLERK, RECORDS REVIEW BOARD, AND CITY DEPARTMENTS WITH RESPECT TO SUCH PROGRAM.

WHEREAS, the care, management, and preservation of the records of the government of the City of Leawood is essential for legal, historical and administrative purposes; and

WHEREAS, various provisions of the Kansas Statutes impose duties upon city officials, as custodians of government records, to maintain, preserve and provide records for legal, historical and public access purposes; and

WHEREAS, the Governing Body of the City of Leawood recognizes the need for planning and procedures to manage records access, records storage, and records preservation in the City; and

WHEREAS, the Governing Body finds and determines that it is advisable and of public necessity to establish a comprehensive records management program for the City of Leawood;

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

Section 1. That the Code of the City of Leawood is amended by adding thereto Article 10 of Chapter I which reads as follows:

ARTICLE 10. RECORDS MANAGEMENT PROGRAM

1-1001. SHORT TITLE; PURPOSE; GOALS. This ordinance shall be known and may be cited as the "Records Management Program of the City of Leawood", intended to provide for the proper and efficient management of the government records of the City of Leawood, Kansas.

The Records Management Program shall seek:

1. To assure that the records of the City are professionally managed, properly and effectively organized, maintained, filed and preserved;

2. To assure the lawful and efficient public access to
records of the City;
3. To assure and establish an efficient retrieval
procedure for records of the City;
4. To maintain and assure the security and safe
keeping of records of the City;
5. To provide for the routine inventory, evaluation
and proper disposition of documents and other paperwork;
6. To provide for adequate and effective storage of
records to maximize efficient use of space and equipment;
7. To identify and provide for the preservation of
appropriate records of enduring value;
8. To identify and study records management proce-
dures, changes and technological developments; and
9. To communicate and promote effective management
techniques for records production, handling, maintenance,
preservation and disposition.

1-1002. DEFINITIONS. For guidance in administering the
provisions of the Records Management Program, the following
definitions shall apply to the following words and terms:

1. Active Records: Those records which are in current
use and which must be retained in city offices because
frequent reference is necessary in the conduct of day-to-day
operations.

2. Appraisal: The process of determining the value and
thus the disposition of records based upon their current
administrative, legal, and fiscal use; their relationship to
other records; their arrangement; their evidential and
information or research value; and their historical value.

3. Archives: Those records worthy of permanent
preservation because of the importance of their information
for continuing administrative, legal, or fiscal purposes, or
for historical or other research.


5. City Clerk: The City Clerk of the City of Leawood,
Kansas, or his/her duly designated representative.

6. Government Records (also referred to herein as
"records"): All volumes, documents, reports, maps, drawings,
charts, indexes, plans, memoranda, sound recordings,
microfilms, photographic records and other data, information
or documentary material, regardless of physical form or
characteristics, storage media or condition of use, generated
or received by any officer or employee of the City pursuant
to law or ordinance or in connection with the transaction of
official City business or bearing upon the official
activities and functions of the City government, and
preserved for any period of time by the City as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the City, or because of the informational value of data in them.

7. Inactive Records: Those records which are seldom referred to, but which must be retained temporarily or permanently because of legal, fiscal, administrative, or archival value.

8. Maintenance of Records: The creation, maintenance, protection, use and disposition of all records, including the establishment and maintenance of a system of filing and indexing records.

9. Nonrecords: All material not usually included within the definition of government records, such as published material acquired and preserved solely for reference purposes; extra copies of documents preserved only for convenience of reference; stocks of publications and processed documents, blank forms and duplicated documents; library or museum material made or acquired and preserved solely for reference or exhibition purposes; and all data or word processing applications systems, including software programming and system support procedures and informational services derived from those systems.

10. Public Records: Those government records which contain information open to public access pursuant to K.S.A. 45-201 et seq.

11. Records Center: An establishment maintained primarily for the storage, servicing, security and processing of records which must be preserved for varying periods of time and need not be retained in office equipment or space.

12. Records Disposition: Action taken with regard to records and nonrecords following their appraisal. These actions include the transfer of inactive records to the Records Center or Archives or the destruction of records or nonrecords no longer required in the course of the City's business.

13. Records Management: The use of efficient, cost-effective techniques in the creation, storage, retrieval, and disposition of the various means of recording information including, but not limited to, inventoring records, preparing retention and disposition schedules, managing files and forms, operating records centers, reproducing records through micrographics, protecting vital records, and granting adequate public access to the information in records.
14. **Records Management Program**: A formulated plan to establish a City-wide system that achieves integrated control of all departmental subsystems so that an orderly and efficient flow of paperwork is provided from creation to ultimate disposition of records.

15. **Records Retention and Disposition Schedules**: Lists of series of government records specifying which series of records have enduring value, authorizing disposition of certain other series of records, and indicating how long certain series of records should be retained before their disposition. The Schedules constitute authority for the destruction of records listed thereon, after required retention periods have lapsed.

16. **Records Review Board**: The City Administrator, City Clerk, Department Heads and City Attorney of the City of Leawood, Kansas.

17. **Records Series**: File units created, arranged, and maintained as a unit because they relate to a particular subject or function, result from the same activity, have the same form, or are related to each other in some other apparent way.

18. **Vital Records**: Those records essential to the continuing operation of the government that would be needed to resume and continue operation of the government after a major disaster, to protect the legal and financial interests of the government, and to preserve the rights of the people.

1-1003. **OWNERSHIP OF GOVERNMENT RECORDS AND RESPONSIBILITIES OF OFFICERS AND EMPLOYEES.**

A. All government records shall be the property of the City, and in this regard shall be delivered by outgoing officials and employees to their successors. Each City department shall be the legal custodian of its records; except that the departments shall relinquish legal custody of those records given to the Archives. The City Clerk shall be the physical custodian of all records transferred to the Records Center, Archives, or microfilming service center.

B. It shall be the duty of each officer and employee of the City to protect, preserve, store, transfer, destroy or otherwise dispose of, use and manage records only in accordance with applicable federal, state or local law, or such rules as may be promulgated or approved by the City Clerk.

1-1004. **DUTIES OF THE CITY CLERK.** It shall be the responsibility of the City Clerk, in cooperation with the
Records Review Board, to administer the Records Management Program of the City. In this regard, the City Clerk shall, among all other things that may be required for the proper and efficient management of the records of the City:

1. Prepare a records inventory, and prepare, by appraisal and with the assistance of City departments, Retention and Disposition Schedules for all records pursuant to State Statute requirements and recommendations enumerated in the "Kansas Local Government Records Manual", 1985 edition, and as from time to time amended, as prepared by the Kansas State Historical Society, Department of Archives.

2. Develop and circulate such rules and regulations as may be necessary and proper to implement and maintain the City's Records Management Program.

3. Administer a Records Center and Archives to store and preserve inactive records prior to disposition and to provide for permanent preservation of government records with archival value.

4. Provide microfilming services for records pursuant to rules to be promulgated for the centralization of such services.

5. Advise and assist City departments in all areas of records management, including records maintenance, transfer, and disposition.

6. Conduct, as he or she deems necessary, such surveys, studies and investigations as will assist in promoting a proper and efficient Records Management Program for the City, including information retrieval systems.

1-1005. DUTIES OF THE RECORDS REVIEW BOARD. It shall be the responsibility of the members of the Records Review Board to guide and promote the overall development of the Records Management Program, to review and adopt Retention and Disposition Schedules and amendments thereto recommended by the City Clerk, and to review and make recommendations for Program proposals and procedures.

1-1006. DUTIES OF CITY DEPARTMENT HEADS OR THEIR DULY DESIGNATED REPRESENTATIVES.

A. Departments shall create and maintain all records with adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the department.

B. Departments, with the advice of the City Clerk,
shall establish and maintain an active, continuing program for the economical and efficient management of the records of the department. Such program shall, among other things, provide for:

1. Effective controls over the creation, maintenance, and use of records in the conduct of current business.

2. Cooperation with the City Clerk in applying standards, procedures, and techniques designed to improve the management of records.

3. Promotion of the maintenance and security of records deemed appropriate for preservation.

4. The proper application of the Retention and Disposition Schedules to department records.

C. Those records which are not required in the current operation of the office where they are made or kept, and all records which can properly be abolished or discontinued, shall be transferred to the Records Center or Archives so that they may be centralized, preserved and be made more widely available, insured permanent preservation, or approved for destruction.

Section 2. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 20th day of February, 1990.

Approved by the Mayor the 21st day of February, 1990.

(S. E. A. L)  
Marcia Rinehart  
Mayor

Attest:

Martha Heizer  
City Clerk

APPROVED FOR FORM:  
R.S. Wettler  
City Attorney
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

2/27/90, -

/John Lewis/
Business Manager

Subscribed and sworn to before me on this date:
2/27/90

/Notary Public/

DANA LEWIS
Notary Public - State of Kansas
My Appt. Expires

My appointment expires:
February 12, 1994

Publication Fees: $85.96
ORD. #1150C
First published in The Legal Record and News, Tuesday, February 27, 1990.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD, KANSAS, AND PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF A RECORDS MANAGEMENT PROGRAM FOR THE CITY OF LEAWOOD; PROVIDING THAT THE CITY CLERK SHALL BE RESPONSIBLE FOR THE RECORDS MANAGEMENT PROGRAM; PROVIDING FOR OWNERSHIP OF GOVERNMENT RECORDS AND THE RESPONSIBILITIES OF OFFICERS AND EMPLOYEES WITH RESPECT THERETO; PROVIDING FOR RULES AND REGULATIONS; REQUIREMENTS FOR REVIEW BOARD, AND CITY DEPARTMENTS WITH RESPECT TO SUCH PROGRAM.

WHEREAS, the care, management, and preservation of the public records of the City of Leawood is of primary importance to the government of the City, and it is essential that public records be properly maintained for legal, historical and administrative purposes; and

WHEREAS, various provisions of the Kansas Statutes impose duties upon city officials, as custodians of government records, to preserve and maintain their records for legal, historical and public access purposes; and

WHEREAS, the Governing Body of the City of Leawood recognizes the need for planning and procedures to manage records access, records storage, and records preservation in the City; and

WHEREAS the Governing Body finds and determines that it is advisable and of public necessity to establish a comprehensive records management program for the City of Leawood, Kansas; therefore, be it ordrised by the Governing Body of the City of Leawood that the provisions of this chapter shall be

Section 1. That the Code of the City of Leawood is amended by adding thereto Article 10 of Chapter I which reads as follows:

ARTICLE 10. RECORDS MANAGEMENT PROGRAM

1-1001. SHORT TITLE; PURPOSE; GOALS. This ordinance shall be known and may be cited as the "Records Management Program of the City of Leawood," intended to provide for the proper and efficient management of the government records of the City of Leawood, Kansas.

The Records Management Program shall seek:

1. To assure that the records of the City are professionally and effectively managed, maintained, filed and preserved;
2. To assure the lawful and efficient public access to records of the City;
3. To assure and establish an efficient retrieval procedure for records of the City;
4. To assure the security and safe keeping of records of the City;
5. To provide for the routine inventory, evaluation and proper disposition of documents for the City offices because frequent reference is necessary in the conduct of day-to-day operations.
6. To provide for adequate and effective storage of records to maintain efficient use of space and equipment;
7. To identify records and provide for the preservation of appropriate records of enduring value;
8. To study and develop records management procedures, changes and technological developments; and
9. To communicate and promote effective management techniques through instruction, handling, maintenance, preservation and disposition.

1-1002. DEFINITIONS. For guidance in administering the provisions of the Records Management Program, the following definitions shall apply to the following words and terms:

1. Active Records: Those records which are in current use and which must be maintained by city offices because frequent reference is necessary in the conduct of day-to-day operations.

2. Appraisal: The process of determining the value and thus the disposition of records based upon their current administrative, legal, and fiscal use; their relationship to other records; their arrangement; their evidential and informational value; and whether the records are records or are inactive.

3. Archives: Those records worthy of permanent preservation because of the important and their information for continuing administrative, legal, or fiscal purposes, or other activities of the City, or because of the informational value of data in them.


5. City Clerk: The City Clerk of the City of Leawood, Kansas, or his/her duly designated representative.

6. Government Records (also referred to herein as "records") means all records, reports, maps, drawings, charts, indexes, plans, memoranda, sound recordings, microfilms, photographic records and other data, information or documentation, regardless of form or characteristics, storage media or condition of use, generated or received by or on behalf of the City pursuant to law or ordinance or in connection with the operations of the City or in the course of official business or occurring upon the official records of the City or the City's business or in the course of government and preserved for any period of time by the City as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the City, or because of the informational value of data in them.

7. Inactive Records: Those records which are seldom referred to, but which must be retained temporarily or permanently because of legal, fiscal, administrative, or archival value.
1. Officers of the County: The records of the county, including all legal, financial, and administrative records.

2. All material not actually included within the definition of government records, such as those collected by the county for the general well-being of its citizens, are subject to free public inspection, including the records of organizations and agencies not strictly dependent on the county for their existence, by request of any individual, except for those that are privileged or protected by law.

3. Records Access: All records must be accessible to the public, except for records that are privileged or protected by law.

4. Records Disposal: All records must be disposed of properly, except for those that are privileged or protected by law.

5. Records Management: Records must be managed properly, except for those that are privileged or protected by law.

6. Records Retention: Records must be retained properly, except for those that are privileged or protected by law.

7. Records Disposal: Records must be disposed of properly, except for those that are privileged or protected by law.

8. Records Management: Records must be managed properly, except for those that are privileged or protected by law.

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59. Records Disposal: Records must be disposed of properly, except for those that are privileged or protected by law.

60. Records Management: Records must be managed properly, except for those that are privileged or protected by law.
ORDINANCE NO. 1149C,

AN ORDINANCE AMENDING SECTION 14-308 OF THE CODE OF THE CITY OF LEAWOOD WHICH PROHIBITS PARKING ON CERTAIN STREETS.

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

Section 1. Code Amended. That Section 14-308 of the Code of the City of Leawood is hereby amended to read as follows:

14-308. PARKING PROHIBITED. It shall be unlawful to park, where signs are erected and maintained giving notice of prohibited parking, in the following streets or portions thereof within the City:

(a) Somerset Drive;
(b) 83rd Street, except for that portion on the south side from Wenonga to the west City limits;
(c) That part of 89th Street between State Line and Dykes Branch of Indian Creek;
(d) 95th Street;
(e) The north side of 96th Street between Lee Boulevard and State Line;
(f) The north side of 97th Street between Lee Boulevard and High Drive;
(g) 103rd Street;
(h) College Boulevard;
(i) 119th Street;
(j) 123rd Street;
(k) 127th Street between Mission Road and Nall Avenue;
(l) 143rd Street;
(m) 151st Street;
(n) State Line Road;
(o) Kenneth Parkway;
(p) Kenneth Road;
(q) Mission Road north of I-435;
(r) East side of Mission Road between 119th Street and K-150;
(s) Mission Road south of K-150;
(t) El Monte, north of College Boulevard;
(u) Tomahawk Creek Parkway;
(v) Roe Avenue, College Boulevard to K-150;
(w) Nall Avenue.

Section 2. Repeal of Existing Section. That existing Section 14-308 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1087C)

Section 3. Take Effect. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.
ORDINANCE NO. 1149C

Passed by the Council the 20th day of February, 1990.
Approved by the Mayor the 21st day of February, 1990.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney
ORD. #1149C

First published in The Legal Record and News, Tuesday, February 27, 1990.

ORDINANCE NO. 1149C

AN ORDINANCE AMENDING SECTION 14-308 OF THE CODE OF THE CITY OF LEAWOOD WHICH PROHIBITS PARKING ON CERTAIN STREETS.

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

Section 1. Code Amended. That Section 14-308 of the Code of the City of Leawood is hereby amended to read as follows:

14-308. PARKING PROHIBITED. It shall be unlawful to park, where signs are erected and maintained giving notice of prohibited parking, in the following streets or portions thereof within the City:

(a) Somerset Drive;
(b) 83rd Street, except for that portion on the south side from Wawona to the west City limits;
(c) That part of 89th Street between State Line and Dykes Branch of Indian Creek;
(d) 95th Street;
(e) The north side of 96th Street between Lee Boulevard and State Line;
(f) The north side of 97th Street between Lee Boulevard and High Drive;
(g) 103rd Street;
(h) College Boulevard;
(i) 119th Street;
(j) 122nd Street;
(k) 127th Street between Mission Road and Main Avenue;
(l) 143rd Street;
(m) 151st Street;
(n) State Line Road;
(o) Kenneth Parkway;
(p) Kenneth Road;
(q) Mission Road north of I-435;
(r) East side of Mission Road between 119th Street and K-150;
(s) Mission Road south of K-150;
(t) El Monte, north of College Boulevard;
(u) Tomahawk Creek Parkway;
(v) Roe Avenue, College Boulevard to K-150;
(w) Main Avenue.

Section 2. Repeal of Existing Section. That existing Section 14-308 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1087C)

Section 3. Take Effect. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 20th day of February, 1990.
Approved by the Mayor the 21st day of February, 1990.

(S E A L)

Mayor

Approved for Form: /s/ R.E. Wetzler
R.E. Wetzler City Attorney

Attest:

Martha Heizer
City Clerk

Proof of Publication
STATE OF KANSAS, JOHNSON COUNTY, SS:
John Lewis, of lawful age, being first duty sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereeto attached, was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

2/27/90, - - - -

Business Manager

Subscribed and sworn to before me on this date:

2/27/90

Notary Public

DANA LEWIS
Notary Public - State of Kansas
My Appt. Expires

My appointment expires: February 12, 1994

Publication Fees: $22.23
ORDINANCE NO. 1148 C

AN ORDINANCE RELATING TO HUNTING AND FISHING IN THE CITY OF LEAWOOD, KANSAS, AND REPEALING EXISTING SECTION OF THE CODE OF THE CITY OF LEAWOOD.

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

Section 1. Code Amended. That Section 12-206 of the Code of the City of Leawood is hereby amended to read as follows:

12-206. HUNTING AND FISHING PROHIBITED; EXCEPTION FOR FISHING IN PUBLIC WATERS. No person shall pursue, catch, trap, maim, kill, shoot or take any wildlife, either bird or animal, in any manner at any time except that fishing is permitted in public water within public parks in the City of Leawood during the hours that said parks are open to the public. Fishermen shall use fishing rods and/or reels only, shall possess a valid Kansas State fishing license, and shall obey all Kansas State fishing regulations and all City ordinances relating to the use of City parks.

Section 2. Repeal of Existing Section. That existing Section 12-206 of the Code of the City of Leawood is hereby repealed.

Section 3. Take Effect. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 5th day of February, 1990.

Approved by the Mayor the 6th day of February, 1990.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

E.H. Wetzel City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereeto attached; was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

1st 2/13/90 2nd 3rd 4th 5th 6th

________________________
John Lewis
Business Manager
Subscribed and sworn to before me this 13 day of February, 1990.

________________________
SUSAN G. HETHERINGTON
Notary Public
My commission expires:

March 30, 1991

Publication Fees: $11.78

________________________
SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91
ORDINANCE NO. 1147

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

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

18-131. 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" of April 17, 1978, this property having
been previously zoned A, Agricultural:

A part of the Southwest Quarter of the Southwest Quarter
of Section 15, Township 13 South, Range 25 East, in the City
of Leawood, Johnson County, Kansas, more particularly
described as follows: Commencing at the Southeast corner of
the Southwest Quarter of the Southwest Quarter of said
Section 15; thence South 89 degrees 03 minutes 38 seconds
West on the South line of said Quarter Quarter, 657.98 feet
to the True Point of Beginning; thence continuing South 89
degrees 03 minutes 38 seconds West on said South line, 670.00
feet to the Southwest corner of said Quarter Quarter; thence
North 00 degrees 00 minutes 00 seconds East on the West line
of said Quarter a distance of 682.70 feet; thence South 82
degrees 13 minutes 45 seconds East a distance of 363.01 feet;
thence North 86 degrees 40 minutes 10 seconds East a distance
of 172.27 feet to a point of curvature; thence Southeasterly
on a curve to the left having a radius of 600.00 feet, a
central angle of 02 degrees 23 minutes 15 seconds, and an
initial tangent bearing of South 32 degrees 57 minutes 36
seconds East a distance of 25.00 feet; thence South 35
degrees 20 minutes 51 seconds East a distance of 149.71 feet
to a point of curvature; thence Southeasterly on a curve to
the right having a radius of 169.00 feet and a central angle
of 34 degrees 24 minutes 29 seconds a distance of 101.49
feet; thence South 0 degrees 56 minutes 22 seconds East a
distance of 394.89 feet to the True Point of Beginning.

The above described tract containing 9.56 acres (416,390.04
square feet) more or less, except that part previously
described for public right-of-way. Church of the Nativity,
119th & Mission Rd.

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

Passed by the Council the 5th day of February, 1990.

Approved by the Mayor the 6th day of February, 1990.
ORDINANCE NO. 1147

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Helzer
CITY Clerk

APPROVED FOR FORM:

R.S. Wetzel
City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterruptedly in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached; was published in all editions of the regular and entire issue for _ consecutive week(s) as follows:

1st__1/13/90__
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 13 day of February, 1990.

Susana J. Hetherington
Notary Public
My commission expires:

March 30, 1991

Publication Fees: $1786

LEAWOOD ORD. 1147

ORDINANCE NO. 1147

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

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

18-131. 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” of April 17, 1978, this property having been previously zoned A, Agricultural:

A part of the Southwest Quarter of the Southwest Quarter of Section 15, Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 15; thence South 89 degrees 03 minutes 38 seconds West on the South line of said Quarter Quarter, 657.88 feet to the True Point of Beginning; thence continuing South 89 degrees 03 minutes 38 seconds West on said South line, 670.00 feet to the Southwest corner of said Quarter Quarter; thence North 00 degrees 00 minutes 00 seconds East on the West line of said Quarter a distance of 628.70 feet; thence South 87 degrees 13 minutes 45 seconds East a distance of 363.01 feet; thence North 88 degrees 40 minutes 15 seconds East a distance of 172.27 feet to a point of curvature; thence Southwesterly on a curve to the left having a radius of 630.00 feet, a central angle of 02 degrees 23 minutes 15 seconds, and an initial tangent bearing of South 32 degrees 57 minutes 38 seconds East a distance of 25.00 feet; thence South 35 degrees 32 minutes 40 minutes 51 seconds East a distance of 149.71 feet to a point of curvature; thence Southwesterly on a curve to the right having a radius of 169.00 feet and a central angle of 34 degrees 24 minutes 28 seconds a distance of 101.49 feet; thence South 0 degrees 56 minutes 22 seconds East a distance of 384.89 feet to the True Point of Beginning.

The above described tract containing 0.56 acres (416,390.04 square feet), more or less, except that part previously described for public right-of-way. Church of the Nativity, 119th & Mission Rd.

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

Passed by the Council the 6th day of February, 1990.

Approved by the Mayor the 6th day of February, 1990.

/s/ Marta Rinehart, Mayor
(SEAL)

Attest:
/s/ Martha Hefner, City Clerk
APPROVED FOR FORM:
/s/ R.S. Waterer
R.S. Waterer, City Attorney
2/13
ORDINANCE NO. 1146

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 86-1-90A, PROJECT 107, (ROE AVENUE, 112TH TO 121ST STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $270,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF ROE AVENUE (112TH TO 121ST STREET) INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER APPURTENANCES THERETO.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the Governing Body of the City of Leawood entered into a joint agreement, dated February 4, 1985, with the City of Overland Park and Johnson County, Kansas, to make improvements to Roe Avenue from 112th to 121st Street in the total estimated cost of $1,500,000.00 with each entity to pay a portion of said costs; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,539. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 L.I.D. 86-1-90A, Project 107 (Roe Avenue, 112th to 121st Street), in the aggregate principal amount of Two Hundred and Seventy Thousand Dollars ($270,000), which amount does not exceed the total estimated costs of said improvements.
Section Two: Said issue of Temporary Notes, Series L.I.D. 86-1-90A, Project 107, shall consist of bearer notes numbered from 1 through 3 inclusive, with numbers 1 and 2 each in the denomination of $100,000.00 and number 3 in the denomination of $70,000.00. Each of said notes shall be dated January 23, 1990, and shall have the stated maturity date of January 22, 1991. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.25% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. 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 redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, 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.

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 as
provided by law 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 United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1990, the City has not issued any bonds or obligations.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;
4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,544. **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.

**Section Seven:** That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 15th day of January, 1990.

SIGNED by the Mayor this 15th day of January, 1990.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED TO FORM AND CONTENT:

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.
That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue for ___ consecutive week(s) as follows:

1st 11/16/90
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 16 day of Jan., 1990.

Notary Public
My commission expires:

3.30.91

Publication Fees: $7857

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91
LEAWOOD ORD. 1146

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 86-1-90A, PROJECT 107, (ROK AVENUE, 112TH TO 121ST STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $270,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF ROE AVENUE (112TH TO 121ST STREET) INCLUDING WINDING, RESURFACING, GRADING, STREET DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAYMENT MARKINGS AND OTHER APPURTENANCES THERETO.

WHEREAS, an improvement district has been established pursuant to Resolution No. 913 under K.S.A. 12-644 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the Governing Body of the City of Leawood entered into a joint agreement, dated February 4, 1985, with the City of Overland Park and Johnson County, Kansas, to make improvements in Roe Avenue from 112th to 121st Street in the total estimated cost of $1,500,000.00 with each entity to pay a portion of said costs; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid in whole or in part by the issuance of temporary notes; and

NOW, THEREFORE, BE IT ORDAINED by the GOVERNING BODY OF THE CITY OF LEAWOOD:

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 L.I.D. 86-1-90A, Project 107 (Roe Avenue, 112th to 121st Street), in the aggregate principal amount of Two Hundred and Seventy Thousand Dollars ($270,000.00), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series L.I.D. 86-1-90A, Project 107, shall consist of bearer notes numbered from "1" through "100" inclusive, with numbers 1 and 2 each in the denomination of $100,000.00 and number 3 in the denomination of $70,000.00. Each of said notes shall be dated January 23, 1990, and shall have the stated maturity date of January 22, 1991. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.25% per annum. The notes shall be callable upon 10 days notice as hereinbefore provided and shall be redeemable and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 10-644 and all acts amendatory thereto.

Both principal and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem any said notes, in whole or in part (but in no event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes; the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitutes the date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, 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.

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 hereinafore described and as provided by law 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 United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinafore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1976, as it may be applicable to the notes and with the excise or any provision of the Tax Reform Act of 1984 with respect to the notes; provided, however, the foregoing provision shall be good and void and if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenants and the provisions of the Tax Reform Act of 1984 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1990, the City has not issued any bonds or obligations.

3. The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of $10,000,000.00.

4. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes.

5. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

6. The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1984.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 15th day of January, 1990.

SIGNED by the Mayor this 15th day of January, 1990.

[Signature]

Marta Heizer, Mayor

ATTORNEY:

[Signature]

Marta Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

[Signature]

R. S. Weidler, City Attorney
ORDINANCE NO. 1145

AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET PURPOSES (143RD STREET CULVERT PROJECT, NEAR NALL).

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

19-5,103. Section 1. That the City of Leawood hereby accepts a deed for land to be used for street purposes, the legal description of which is as follows:

From Helen C. and John M. Millett: All that part of the NW 1/4 of Section 4, Township 14, Range 25, in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the NW corner of said 1/4 section, thence east along north line of said 1/4 section, a distance of 1645.66 feet, thence south 20 feet on a line parallel to the west line of said 1/4 section to the true point of beginning; thence 30 feet south on a line parallel to the west line of said 1/4 section, thence east 600 feet on a line parallel to the north line of said 1/4 section, thence north 30 feet on a line parallel to the west line of said 1/4 section, thence west a distance of 600 feet on a line parallel to the north line of said 1/4 section to the point of beginning; total area equals 0.41 acres plus or minus.

19-5,104. Section 2. That a copy of said deed is attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 15th day of January, 1990.

Approved by the Mayor the 15th day of January, 1990.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM: P.S. Wetzler City Attorney
KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this 21 day of December, 1989, by and between John M. Millett and Helen C. Millett 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 Party of the First Part, in consideration of the sum of One Dollars ($1.00) paid in hand to Party of the First Part 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 that part of the NW 1/4 of Section 4, Township 14, Range 25, in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the NW corner of said 1/4 section, thence east along north line of said 1/4 section, a distance of 1645.66 feet, thence south 20 feet on a line parallel to the West line of said 1/4 section to the true point of beginning; thence 30 feet south on a line parallel to the west line of said 1/4 section, thence east 600 feet on a line parallel to the north line of said 1/4 section, thence north 30 feet on a line parallel to the west line of said 1/4 section, thence west a distance of 600 feet on a line parallel to the north line of said 1/4 section to the point of beginning; total area equals 0.41 acres plus or minus.

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 or 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 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 encumbrance whatsoever, except those of record, 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 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 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 granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted by First Party.

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

Helen C. Millett

John M. Millett
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Kansas

COUNTY OF Johnson

BE IT REMEMBERED, That on the 21st day of December, 1989, before me, the undersigned, a Notary Public in and for said county and state, came John M. and Helen C. Millett 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.

My Term Expires: 06-25-91

Notary Public

My Term Expires:

CORPORATE ACKNOWLEDGEMENT

STATE OF

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 _________________, 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.

My Term Expires:

Notary Public
STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first
fully sworn, deposes and says that he
is Business Manager of The Legal Record,
which is the metropolitan edition of The News, and The News
which is printed in the State of
Kansas, published in and of general
paid circulation on a weekly, monthly
or yearly basis in Johnson County,
 Kansas, is not a trade, religious or
fraternal publication, is published at
least weekly fifty (50) times a year,
has been so published continuously
and uninterruptedly in said County and
State for a period of more than five (5)
years prior to the first publication of
the notice attached, and has been
admitted at the post office as second
class matter.
That a notice, a true copy of which is
hereeto attached, was published in all
editions of the regular and entire issue
for    consecutive week(s) as follows:
  1st  11/4/90
  2nd
  3rd
  4th
  5th
  6th

Business Manager
Subscribed and sworn to
before me this 16 day of

Notary Public
My commission expires:

Publication Fees: $1482

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3/30/91

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LEAWOOD ORD. 1145

ORDINANCE NO. 1145
AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET
PURPOSES (143RD STREET CULVERT PROJECT, NEAR BILL).

It is ordained by the Governing Body of the City of Leawood:

19-5-103. Section 1. That the City of Leawood hereby
accepts a deed for land to be used for street purposes, the
legal description of which is as follows:

From Helen C. and John H. Millatt: All that part of the
NW 1/4 of Section 4, Township 14, Range 25, in the City of
Leawood, Johnson County, Kansas; more particularly described
as follows: Beginning at the NW corner of said 1/4 section,
thence east along north line of said 1/4 section, a distance
of 1648.64 feet, thence south 20 feet on a line parallel to
the west line of said 1/4 section to the true point of
beginning; thence 30 feet south on a line parallel to the
west line of said 1/4 section, thence east 600 feet on a line
parallel to the north line of said 1/4 section; thence north
30 feet on a line parallel to the west line of said 1/4
section, thence west a distance of 600 feet on a line
parallel to the north line of said 1/4 section to the point
of beginning; total area equals 0.41 acres plus or minus.

19-5-104. Section 2. That a copy of said deed is attached
hereeto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in
force from and after its publication in the official city
newspaper.

Passed by the Council the 15th day of January, 1990.
Approved by the Mayor the 15th day of January, 1990.

(S E A L)
Martha Hinesley
Mayor

Attest:

R. S. Wetteler
City Attorney

APPROVED FOR FORM:

R. S. Wetteler
City Attorney

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. Code Amended. Article 3 of Chapter 4 of the Code of the City of Leawood titled "Electrical Code" is hereby amended to read as follows:

4-301. NATIONAL ELECTRICAL CODE INCORPORATED. The National Electrical Code, 1990 edition, as published by the National Fire Protection Association (NFPA No. 70-1990) is hereby adopted and incorporated in this chapter as fully as if set forth herein excepting only such parts or portions thereof as are specifically added or changed in sections 4-302 through 4-312 of this article. Three copies of this document shall be on file in the office of the city clerk.

4-302. AMENDMENT; ARTICLE 110-2. Article 110-2 is changed to read as follows: No wiring system or equipment shall be installed within or on any building or structure or premises, nor shall any alteration or addition be made in any such existing installations without first securing approval and permit from the building official. It shall be unlawful to use or permit the use of, or to supply, current for electric wiring for heat, light or power in a building or structure, unless the required certificate of inspection and permit has been issued by the building official. No permit shall be issued until the fees prescribed in this chapter have been paid, nor shall an amendment to a permit necessitating an additional fee because of additional work involved be approved until the additional fees have been paid. The conductors and equipment required or permitted by this code shall be acceptable only if approved.
4-303. SAME; ARTICLE 110-5. Article 110-5 is changed to read as follows: Conductors. Conductors normally used to carry current shall be of copper unless otherwise provided in this code. Conductors for residential application shall be copper only from the meter to the disconnect or panel board and branch circuit wiring from the panel board. Conductors for branch circuits #6 AWG and below shall be copper iron commercial and industrial applications.

4-304. SAME; ARTICLE 110-8. Article 110-8 is changed to read as follows: Wiring Method. All construction other than one and two family dwellings shall be wired with insulated conductors in conduit as defined by this code except that multi-family dwellings and not more than four living units per floor and not more than eight living units between fire walls may be wired with nonmetallic sheathed cable. Only wiring methods recognized as suitable are included in this code. The recognized methods of wiring shall be permitted for installation. Exception: Temporary construction of commercial and industrial buildings may be wired with nonmetallic sheathed cable subject to approval of the building official.

4-305. SAME; ARTICLE 230.23. Article 230.23 is changed to read as follows: Service Entrance Conductors and Equipment. Services shall be sized in accordance with the following provisions:

(1) Service conductors shall have adequate ampacity to conduct safely the current for the loads supplied without a temperature rise detrimental to the insulation or covering of the conductors, and shall have adequate mechanical strength.

(2) Service conductors and equipment shall be sized in accordance with the provisions of the 1990 National Electrical Code.

(3) Service conductors, bus bars and equipment ratings shall not be less than 80 percent of the combined ampacity of the service switches or circuit breakers.

4-306. SAME; ARTICLE 324. Article 324 of the National Electrical Code is hereby deleted.

4-307. SAME; ARTICLE 334-23. Article 334.23 is changed to read as follows: Type MC cable shall provide an adequate path for equipment grounding as required by Article 250. Solid sheath MC cable shall not be used without an isolated green ground.
4-308. SAME; SUBSECTION 370.17(a). Subsection 370.17(a) Outlet Boxes shall read as follows: Boxes used at lighting fixture outlets shall be designed for the purpose intended. At every outlet used exclusively for lighting, the box shall be so designed or installed that lighting fixture may be attached. Where the fixture is required to be grounded to comply with Article 410-E, the fixture outlet box shall be metallic.

4-309. SAME; CHAPTER 210-71, RECEPTACLE OUTLETS. Chapter 210-71, Receptacle Outlets added to read as follows: Receptacle outlets installed in commercial and office buildings shall be adequate to serve the needs of the occupant using the space. Adequacy shall be determined by the building official at the time that plans are submitted for permits. Additional receptacle outlets shall be noted on the plans and installed by the owner or occupant.

4-310. VIOLATION; PENALTIES. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs an electrical system in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this chapter, or other references incorporated, is guilty of a public offense, punishable as provided in section 4-204 of this chapter.

4-311. CIVIL ACTIONS. Notwithstanding any other provisions of this chapter, decisions of the building official, or such assistant or assistants as he or she may appoint, or decisions by the board of appeals reviewing decisions of the building official or his or her assistants shall be enforceable in the District Court of Johnson County, Kansas or any other court of competent territorial jurisdiction upon action brought by the city attorney, assistant city attorney, special attorney, or other legal counsel authorized to maintain such action for the enforcement of the provisions of this chapter.

4-312. LIABILITY. Requirements stated in this chapter and all existing codes and ordinances in force shall not be construed as imposing on the city, its officials, agents, or employees, any liability or responsibility for damages to any property or injury to any person due to defective installations. The city or any official, employee or agent thereof, shall not assume any liability or responsibility whatsoever by reason of inspection or approval of any installation.
Section 2. Repeal of Existing Article. Existing Article 3 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Sec. 4-302 - Ord. No. 1022C; Secs. 4-301 and 4-303 through 4-312 - Code of 1984.)

Section 3. Validity of Ordinance. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder shall not be thereby affected.

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

Passed by the Council the 18th day of December, 1989.

Approved by the Mayor the 18th day of December, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzler
City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS:
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st __/__/19__
2nd ___
3rd ___
4th ___
5th ___
6th ___

[Signature]
Business Manager
Subscribed and sworn to before me this __ day of __, 19__.

[Signature]
Notary Public
My commission expires: December 4, 1993

Publication Fees: $51.87

SHARON ANDERSON
Notary Public - State of Kansas
My Appt. Expires 12/4/93

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. Code Amended. The Code of the City of Leawood is hereby amended by adding thereto Article 10 of Chapter 4 which reads as follows:

Article 10. Uniform Code for the Abatement of Dangerous Buildings

4-1001. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS INCORPORATED. The "Uniform Code for the Abatement of Dangerous Buildings", 1985 Edition, as published by the International Conference of Building Officials, is hereby adopted and incorporated in this chapter as fully as if set forth herein, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified, or changed. No fewer than three copies of said Code shall be marked or stamped "Official Copy", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

4-1002. AMENDMENT; SEC. 704. VIOLATION AND PENALTIES. Sec. 704 Violation and Penalties is hereby added to read as follows: Any person, firm or corporation violating any provision of this Code shall be deemed guilty of a public offense, punishable by a fine of not more than $500 or by imprisonment not exceeding 30 days or both such fine and imprisonment. Each day that violation continues shall be deemed a separate offense.

Section 2. Validity of Ordinance. 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.

Section 3. Take Effect. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.
Passed by the Council the 18th day of December, 1989.

Approved by the Mayor the 18th day of December, 1989.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzler
City Attorney
**Proof of Publication**

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of the News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterruptedly in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereeto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st [Date]
2nd [Date]
3rd [Date]
4th [Date]
5th [Date]
6th [Date]

[Signature]
Business Manager

Subscribed and sworn to before me this ___ day of [Month] [Year].

[Signature]
Notary Public

My commission expires: December 4, 1993

Publication Fees: $22.03

[Seal]

SHARON ANDERSON
Notary Public - State of Kansas

My Appt. Expires 12/4/93

**LEAWOOD ORD. 1143C**

First published in The Legal Record, Tuesday, December 19, 1989

ORDINANCE NO. 1143 C


BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. Code Amended. The Code of the City of Leawood is hereby amended by adding thereto Article 10 of Chapter 4 which reads as follows:

Article 10. Uniform Code for the Abatement of Dangerous Buildings

4-1001. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS INCORPORATED. The "Uniform Code for the Abatement of Dangerous Buildings", 1985 Edition, as published by the International Conference of Building Officials, is hereby adopted and incorporated in this chapter, as fully as if set forth herein, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified, or changed. No part of said code shall be marked or stamped "Official Copy", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

4-1002. AMENDMENT; SEC. 704. VIOLATION AND PENALTIES. Sec. 704 Violation and Penalties is hereby added to read as follows: Any person, firm or corporation violating any provision of this Code shall be deemed guilty of a public offense, punishable by a fine of not more than $500 or by imprisonment not exceeding 30 days or both such fine and imprisonment. Each day that violation continues shall be deemed a separate offense.

Section 2. Validity of Ordinance. 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.

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

Passed by the Council the 18th day of December, 1989.

Approved by the Mayor the 18th day of December, 1989.

(S E A L)

MARCIA KNIETSCH Mayor

Attest:

MARSHA MEIER City Clerk

APPROVED FOR FORM: /s/ R. S. Wetzler

R.S. Wetzler City Attorney
ORDINANCE NO. 1142

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89T, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 REMODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $110,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF REMODELING, ADDITION AND EQUIPPING OF THE POLICE/COURTS BUILDING AND FIRE STATION #1.

WHEREAS, the Governing Body authorized the improvement or remodel of the Police/Courts Building and Fire Station #1 by the approval of Resolution No. 937 on December 5, 1988; and

WHEREAS, total cost of improvement and remodeling is estimated to be $1,200,000.00; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-1737 and all acts amendatory thereto and by Resolution No. 937.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary design, legal and incidental costs, 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 89T, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of One Hundred Ten Thousand Dollars ($110,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 89T, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 and 2, number 1 in the denomination of $100,000 and number 2 in the denomination of $10,000. Said notes shall be dated December 20, 1989, and shall have the stated maturity date of December 19, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 5.96% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-1737 and all acts amendatory thereto.
Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

24-321. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, 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.

24-322. 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 as provided by law 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 note shall be countersigned by the City Clerk and delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

24-323. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be
required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>DATE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>April 21, 1989</td>
<td>$500,000</td>
</tr>
<tr>
<td>Series 89D, Project 116, 95th Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b)</td>
<td>April 21, 1989</td>
<td>$300,000</td>
</tr>
<tr>
<td>Series L.I.D. 88-1-89E, Project 113 Tomahawk Creek Parkway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c)</td>
<td>April 21, 1989</td>
<td>$100,000</td>
</tr>
<tr>
<td>Series 89F, Project 117 Lee Boulevard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d)</td>
<td>July 25, 1989</td>
<td>$260,000</td>
</tr>
<tr>
<td>Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(e)</td>
<td>July 25, 1989</td>
<td>$500,000</td>
</tr>
<tr>
<td>Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(f)</td>
<td>July 25, 1989</td>
<td>$300,000</td>
</tr>
<tr>
<td>Series 89I, Project 116 95th Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(g)</td>
<td>July 25, 1989</td>
<td>$400,000</td>
</tr>
<tr>
<td>Series 89J, Project 118 Police/Court/Fire Remodel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(h)</td>
<td>Sept. 27, 1989</td>
<td>$500,000</td>
</tr>
<tr>
<td>Series 89K, Project 116 95th Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i)</td>
<td>Sept. 27, 1989</td>
<td>$300,000</td>
</tr>
<tr>
<td>Series 89L, Project 117 Lee Boulevard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(j)</td>
<td>Sept. 27, 1989</td>
<td>$500,000</td>
</tr>
<tr>
<td>Series 89M, Project 118 Police/Court/Fire Remodel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(k)</td>
<td>Sept. 27, 1989</td>
<td>$500,000</td>
</tr>
<tr>
<td>Series 89N, Project 119 119th Street, State Line-Mission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(l)</td>
<td>Sept. 27, 1989</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Series L.I.D. 88-1-89P, Project 113 Tomahawk Creek Parkway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(m)</td>
<td>Nov. 28, 1989</td>
<td>$350,000</td>
</tr>
<tr>
<td>Series L.I.D. 86-1-89R, Project 107 Roe Avenue, 112th-121st Street</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 4th day of December, 1989.

SIGNED by the Mayor this 4th day of December, 1989.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereeto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st 12/5/89
2nd __________
3rd __________
4th __________
5th __________
6th __________

Business Manager
Subscribed and sworn to before me this __ day of [Day of the week], 1989.

Notary Public
My commission expires: 3-30-91

Publication Fees: $87.25

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 9-30-91
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89U, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $535,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be $3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

20-1,533. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 L.I.D. 88-1-89U, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Five Hundred Thirty Five Thousand Dollars ($535,000), which amount does not exceed the total estimated costs of said improvements.

20-1,534. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89U, Project 113, shall consist of bearer notes numbered from 1 through 6 inclusive, with numbers 1 through 5 each in the denomination of $100,000 and number 6 in the denomination of $35,000. Each of said notes shall be dated December 20, 1989,
and shall have the stated maturity date of December 19, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 5.96% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. 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 redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, 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.

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 as provided by law 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 Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.
Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>DATE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Temporary Notes Series 89D, Project 116, 95th Street</td>
<td>April 21, 1989</td>
<td>$500,000</td>
</tr>
<tr>
<td>(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway</td>
<td>April 21, 1989</td>
<td>$300,000</td>
</tr>
<tr>
<td>(c) Temporary Notes Series 89F, Project 117 Lee Boulevard</td>
<td>April 21, 1989</td>
<td>$100,000</td>
</tr>
<tr>
<td>(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street</td>
<td>July 25, 1989</td>
<td>$260,000</td>
</tr>
<tr>
<td>(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway</td>
<td>July 25, 1989</td>
<td>$500,000</td>
</tr>
<tr>
<td>(f) Temporary Notes Series 89I, Project 116 95th Street</td>
<td>July 25, 1989</td>
<td>$300,000</td>
</tr>
<tr>
<td>(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel</td>
<td>July 25, 1989</td>
<td>$400,000</td>
</tr>
<tr>
<td>Date</td>
<td>Amount</td>
<td>Series</td>
</tr>
<tr>
<td>------------</td>
<td>----------</td>
<td>------------------</td>
</tr>
<tr>
<td>Sept. 27, 1989</td>
<td>$500,000</td>
<td>Series 89K, Project 116</td>
</tr>
<tr>
<td>Sept. 27, 1989</td>
<td>$300,000</td>
<td>Series 89L, Project 117</td>
</tr>
<tr>
<td>Sept. 27, 1989</td>
<td>$500,000</td>
<td>Series 89M, Project 118</td>
</tr>
<tr>
<td>Sept. 27, 1989</td>
<td>$500,000</td>
<td>Series 89N, Project 119</td>
</tr>
<tr>
<td>Sept. 27, 1989</td>
<td>$1,000,000</td>
<td>Series L.I.D. 88-1-89P</td>
</tr>
<tr>
<td></td>
<td>$350,000</td>
<td>Series L.I.D. 86-1-89R</td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.
PASSED by the Governing Body of the City of Leawood, Kansas, this 4th day of December, 1989.

SIGNED by the Mayor this 4th day of December, 1989.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, KS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st ____________
2nd ____________
3rd ____________
4th ____________
5th ____________
6th ____________

________________________________________
Business Manager

Subscribed and sworn to before me this ______ day of ______, 19__.

________________________________________
Notary Public

My commission expires:

Publication Fees: $____

________________________________________
SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. ______, ______, ______
ORDINANCE NO. 1140

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89S, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $110,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be $1,750,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 89S, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of One Hundred Ten Thousand Dollars ($110,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 89S, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 2 inclusive, number 1 in the denomination of $100,000 and number 2 in
the denomination of $10,000. Said notes shall be dated December 20, 1989, and shall have the stated maturity date of December 19, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 5.96% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,529. **Section Three:** The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, 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.

20-1,530. **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 as provided by law 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 note shall be countersigned by the City Clerk and delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.
The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

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<td>April 21, 1989</td>
<td>$500,000</td>
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<td>(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway</td>
<td>April 21, 1989</td>
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</tr>
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<td>(c) Temporary Notes Series 89F, Project 117 Lee Boulevard</td>
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<td>$100,000</td>
</tr>
<tr>
<td>(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street</td>
<td>July 25, 1989</td>
<td>$260,000</td>
</tr>
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<td>July 25, 1989</td>
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(g) Temporary Notes
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Police/Court/Fire Remodel
July 25, 1989 $400,000

(h) Temporary Notes
Series 89K, Project 116
95th Street
Sept. 27, 1989 $500,000

(i) Temporary Notes
Series 89L, Project 117
Lee Boulevard
Sept. 27, 1989 $300,000

(j) Temporary Notes
Series 89M, Project 118
Police/Court/Fire Remodel
Sept. 27, 1989 $500,000

(k) Temporary Notes
Series 89N, Project 119
119th Street, State Line-Mission
Sept. 27, 1989 $500,000

(l) Temporary Notes
Series L.I.D. 88-1-89P
Project 113
Tomahawk Creek Parkway
Sept. 27, 1989 $1,000,000

(m) Temporary Notes
Series L.I.D. 86-1-89R
Project 107
Roe Avenue, 112th-121st Street
Nov. 28, 1989 $350,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,532. 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.
Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 4th day of December, 1989.

SIGNED by the Mayor this 4th day of December, 1989.

Mariana Rinehart
Mariana Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
Proof of Publication

STATE OF KANSAS, JOHNSON
COUNTY, SS;
John Lewis, of lawful age, being first
duly sworn, deposes and says that he
is Business Manager of The Legal
Record Co., which publishes two
newspapers: The Legal Record; and
The News which is printed in the State
of Kansas, published in and of general
paid circulation on a weekly, monthly
or yearly basis in Johnson County,
Kansas, is not a trade, religious or
fraternal publication, is published at
least weekly fifty (50) times a year,
has been so published continuously
and uninterrupted in said County and
State for a period of more than five (5)
years prior to the first publication of
the notice attached, and has been
admitted at the post office as second
class matter.
That a notice, a true copy of which is
herein attached, was published in the
regular and entire issue of said
newspaper for _ consecutive week(s)
as follows:

1st __________
2nd __________
3rd __________
4th __________
5th __________
6th __________

__________________
Business Manager
Subscribed and sworn to
before me this _ day of
Nov. , 1989.

__________________
Notary Public
My commission expires:
3-30-91

Publication
Fees: $5.95

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91
AN ORDINANCE GRANTING KANSAS CITY POWER & LIGHT COMPANY, ITS GRANTEES, SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO CONSTRUCT AND MAINTAIN ALL WORKS AND PLANTS NECESSARY OR PROPER FOR SUPPLYING CONSUMERS WITH ELECTRIC ENERGY; GRANTING TO SAID COMPANY THE RIGHT TO USE THE STREETS, ALLEYS AND ALL OTHER PUBLIC PLACES; PROVIDING FOR COMPENSATION FROM SUCH COMPANY FOR SAID RIGHT AND FRANCHISE; PRESCRIBING THE TERMS OF AND RELATING TO SUCH FRANCHISE.

WHEREAS, Kansas City Power & Light Company (herein called the Company) is a corporation duly organized and existing under and by virtue of the laws of the State of Missouri, and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy; and

WHEREAS, the Company is operating a system for the transmission of electric current between two or more incorporated cities in the State of Kansas and has heretofore built under a twenty (20) year Franchise Ordinance with the City of Leawood, to wit, Ordinance No. 361 which was passed in February 1970, or proposes to build its transmission lines into or through the City of Leawood, Kansas (herein called the City); and

WHEREAS, the parties hereto desire that the Company continue furnishing electric energy to consumers in said City and expand said services as necessary to serve the needs of the Leawood community;

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

Section 1. In consideration of the benefits to be derived by the City and the inhabitants thereof from the construction, operation and maintenance of an electric light and power transmission and distribution system and the supplying of electric energy to the public and in consideration of the payments required hereunder, there is hereby granted to the Company and to its successors and assigns, for the term of one (1) year from the effective date hereof, a Franchise and authority to construct, operate and maintain in the existing and any future extended corporate limits of the City all appropriate facilities and plants for carrying on a power and light business and all other operations connected therewith or incident thereto for the purpose of supplying the City and outlying areas with electric power and energy in such forms as may be reasonably required for domestic, commercial, industrial, municipal and other purposes and to produce and
supply such energy by manufacture, generation, purchase or otherwise, and to transmit and distribute same by means of underground or overhead lines or otherwise, and for any and all said purposes it is authorized pursuant to the terms and conditions of this Ordinance, (i) construct, install, replace and remove conduits or other underground facilities for the installation and protection of its underground wire and cables, (ii) place power poles, guys, and anchors for its overhead wires on all streets, alleys, avenues, bridges, parking and other public places or thoroughfares, (iii) place underground facilities in City parks (iv) lamp posts, cables and street lights when requested or authorized by the City, (v) construct, erect and maintain all buildings, machinery and attachments of any and every kind for any and all of said purposes, and (vi) enter upon any and all of said public places within the corporate limits of the City as they now exist or may hereafter be opened, widened, extended, laid out and established, including any other territory hereafter added thereto or coming under the City's jurisdiction, and to trim trees upon and overhanging such places and make such excavations thereon as may be appropriate for the construction, repair and renewal of the Company's overhead and underground facilities and plants.

Section 2. Any pavements, sidewalks or curbing taken up, any and all excavations made and all other construction performed pursuant to this Ordinance shall be done under the supervision and direction of the Governing Body of said City under all necessary permits paid and issued for the work, and shall be made and done in such a manner as to give the least inconvenience to the inhabitants of the City and the public generally, and pavements, sidewalks, curbing and excavations shall be replaced and repaired in as good or better condition as before with all convenient speed, all by and at the expense of the Company. The City by written order of a legally authorized officer of the City may require the Company to relocate on said public rights-of-way any of its facilities in conjunction with and because of a public improvement project affecting said public rights-of-way. Such relocation shall be at the Company's sole expense.

Section 3. During the continuance of this Franchise, the Company shall construct, maintain and operate its transmission and distribution system within the City and shall furnish electric energy to the City and its inhabitants as they may require in accordance with the terms of this Franchise, the rates, charges, rules and regulations now on file with the State Corporation Commission of the State of Kansas, or such revision of rates, charges, rules and regulations as may be lawfully established from time to time in accordance with the laws of the State of Kansas. The Company's facilities shall be placed in such a manner as to
interfere with and obstruct as little as reasonably possible the ordinary use of the streets, alleys, lanes and highways of said City, and shall not unduly interfere with any gas main, water main, sewer laid out or constructed, or with any public improvement laid out, constructed or planned at the time of said placement. The Company shall, at all times in the construction, maintenance and operation of its electric transmission, distribution and street lighting system, use all reasonable and proper precautions to avoid damage or injury to persons or property, and shall hold and save harmless said City from any and all damage, injury and expense caused by the sole negligence or intentional acts or omissions of the Company, its successors and assigns. KCPL shall meet semiannually with the City and shall provide advance notice of all proposed new construction and all proposed relocation of KCPL facilities whether on public right-of-way or private easement within the City to such person(s) as the Governing Body may designate. If the Governing Body's designated person(s) informs KCPL that an item of proposed new construction or relocation on private easement may interfere with, be affected by or otherwise obstruct any planned public improvement of the City, and KCPL nevertheless proceeds to construct or relocate said item as proposed, KCPL shall be solely responsible for any subsequent costs of relocation and/or removal of said item required by said public improvement. Agreement between the parties will be solidified through the City's formal permitting process.

Section 4. Nothing contained herein shall be construed as a guarantee upon the part of the Company to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, Orders of Court and other causes reasonably beyond the control of the Company are specifically exempt from the terms of this Section.

Section 5. In consideration for the rights, privileges and franchise hereby granted, the Company agrees to pay to the City of Leawood, Kansas, and the City of Leawood agrees to accept as adequate compensation and consideration for the Franchise hereby granted and in lieu of occupation license, privilege and all other taxes and fees (excluding all fees associated with required permits under this ordinance), five percent (5%) of the total of the gross receipts for electric energy sold by the Company to all consumers located in the present or future corporate boundaries of the City of Leawood during the term of this Franchise. Any consideration hereunder shall be reported and paid to the City by the Company on a monthly basis, reflecting such electric energy sold and billed in the prior month. The term "gross receipts" as applied to the sales of electricity for domestic, commercial or industrial purposes and as used in this Section shall not include (1) the electric energy sold to the United
States or the State of Kansas or to any agency or political subdivision thereof, (2) the electrical energy sold to public utilities, educational institutions not operating for profit, churches and charitable institutions, and (3) the electrical energy sold for resale.

Section 6. All provisions of this Ordinance shall not take effect and be in force until after the expiration of sixty (60) days from the date of its final publication, and upon acceptance in writing by KCPL. If within the sixty (60) days no acceptance is filed with the City, then this Ordinance shall be ipso facto, absolutely, null and void.

Section 7. This Franchise is granted pursuant to the provisions of K.S.A. 12-2001, and shall take effect and be in force as therein provided.

First Reading: 11/6/89; Second Reading: 11/20/89; Third Reading: 12/4/89.

Passed by the Council the _4th_ day of December, 1989.

Approved by the Mayor the _4th_ day of December, 1989.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney
February 12, 1990

TO: Kansas City Power & Light Company

FROM: Office of the City Clerk, City of Leawood, Kansas

SUBJECT: Petition for Popular Vote on Franchise Ordinance No. 1139

The undersigned, City Clerk of the City of Leawood, Kansas, hereby certifies that as of this date, being at least sixty-one days after final publication on December 13, 1989 of Ordinance No. 1139, no petition has been presented to the Governing Body, pursuant to K.S.A. 12-2001(b)(6), asking that Franchise Ordinance No. 1139 be submitted for adoption by popular vote.

Given under my hand and the seal of the City of Leawood, Kansas, this 12th day of February, 1990.

[Signature]

City Clerk
City Clerk
Leawood, Kansas

Re: Acceptance of Franchise Ordinance

Dear Madam:

Under the provisions of Ordinance No. 1139 of the City of Leawood, Kansas, the City granted to Kansas City Power & Light Company a franchise to construct, operate and maintain an electric light and power transmission and distribution system within the City. Section 6 of the Ordinance requires Kansas City Power & Light Company to file its written acceptance of the provisions of the Ordinance within 60 days from and after the Ordinance's passage.

You are hereby notified that Kansas City Power & Light Company does now accept the provisions of said Ordinance and agrees to comply with the same.

Dated this 28th day of December, 1989.

Kansas City Power & Light Company

By C. R. Cole
Senior Director, Customer Services

CERTIFICATE

I, City Clerk of the City of Leawood, Kansas, do hereby certify that the above and foregoing is a true and correct copy of the acceptance by Kansas City Power & Light Company of the above-mentioned Ordinance, said acceptance having been filed in my office on this 11th day of January 1989/90

Given over my hand and the seal of the City of Leawood, Kansas, this 11th day of January 1989/90

City Clerk
Mr. Richard Price  
State Corporation Commission  
State Office Building, Fourth Floor  
Topeka, Kansas 66612

RE: Franchise Ordinance  
City of Leawood

Dear Mr. Price:

Enclosed for filing and review by the Commission, pursuant to its March 18, 1988, Order in Docket No. 134,095-U, are seven copies each of (1) Leawood, Kansas, Ordinance No. 1139, and (2) a copy of the Notice of Electors published in the Sun Newspaper on September 16, 1989, reflecting notice to residents of the City regarding commencement of negotiation on the Ordinance.

The franchise is for a term of one (1) year and provides for a gross receipts charge of 5%.

An extra copy of this letter is enclosed, and I request that you stamp it "FILED" and return it to me in the enclosed self-addressed envelope.

Very truly yours,

Colleen Conroy  
Legal Assistant

CC: cb  
Enc.  
cc w/o Enc.: Mr. Ted Hady  
Ms. Martha Heizer
AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deonna Martinez 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 day of, 19, with subsequent publications being made on the following dates:

December 13, 19

December 19

December 19

Deonna Martinez

Subscribe and sworn to before me this day of December 13, 19

Marguerite E. Baker
NOTARY PUBLIC

My Commission expires: 3-14-92
Printer’s Fee $ 427.20
Additional copies $
OKLAHOMA. Power Company.

Section 3.—During the continuance of this franchise, the Company shall construct, maintain, and operate its transmission and distribution system within the City and shall extend its electric energy service to all parts of said City and its immediate environs, in accordance with the terms of this franchise. No changes, additions or extensions of said franchise shall be made without the consent of the City, except by mutual agreement, which shall be in writing, and submitted to the City for approval.

Section 4. The City may, at any time, terminate this franchise on giving thirty days notice in writing to the Company. The Company shall then have thirty days from the date of such notice to contest the termination in the proper court of record. If such contest is not filed within the aforementioned time, the City may then proceed to dispose of the franchise in such manner as it deems advisable.

Section 5. The City and the Company shall be jointly and severally liable for any loss to the City or its citizens caused by any negligent or incompetent act or omission of the Company.

Section 6. The terms of this franchise shall be subject to the approval of the City Council of the City of Lancaster.
ORDINANCE NO. 1138

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 86-1-89R, PROJECT 107, (ROE AVENUE, 112TH TO 121ST STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $350,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF ROE AVENUE (112TH TO 121ST STREET) INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURtenANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER APPURtenANCES THERETO.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the Governing Body of the City of Leawood entered into a joint agreement, dated February 4, 1985, with the City of Overland Park and Johnson County, Kansas, to make improvements to Roe Avenue from 112th to 121st Street in the total estimated cost of $1,500,000.00 with each entity to pay a portion of said costs; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

20-1,521. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 L.I.D. 86-1-89R, Project 107 (Roe Avenue, 112th to 121st Street), in the aggregate principal amount of Three Hundred and Fifty Thousand Dollars ($350,000), which amount does not exceed the total estimated costs of said improvements.
Section Two: Said issue of Temporary Notes, Series L.I.D. 86-1-89R, Project 107, shall consist of bearer notes numbered from 1 through 4 inclusive, with numbers 1 through 3 each in the denomination of $100,000.00 and number 4 in the denomination of $50,000.00. Each of said notes shall be dated November 28, 1989, and shall have the stated maturity date of November 27, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.11% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. 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 redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, 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.

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 as
provided by law 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 Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,525. **Section Five:** The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

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<td>April 21, 1989</td>
<td>$300,000</td>
</tr>
<tr>
<td>(c) Temporary Notes Series 89F, Project 117 Lee Boulevard</td>
<td>April 21, 1989</td>
<td>$100,000</td>
</tr>
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</table>
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street July 25, 1989 $260,000

(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway July 25, 1989 $500,000

(f) Temporary Notes Series 89I, Project 116 95th Street July 25, 1989 $300,000

(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel July 25, 1989 $400,000

(h) Temporary Notes Series 89K, Project 116 95th Street Sept. 27, 1989 $500,000

(i) Temporary Notes Series 89L, Project 117 Lee Boulevard Sept. 27, 1989 $300,000

(j) Temporary Notes Series 89M, Project 118 Police/Court/Fire Remodel Sept. 27, 1989 $500,000

(k) Temporary Notes Series 89N, Project 119 119th Street, State Line-Mission Sept. 27, 1989 $500,000

(l) Temporary Notes Series L.I.D. 88-1-89P Project 113 Tomahawk Creek Parkway Sept. 27, 1989 $1,000,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.
20-1,526. **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.

**Section Seven:** That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 20th day of November, 1989.

SIGNED by the Mayor this 20th day of November, 1989.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterruptedly in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st
2nd
3rd
4th
5th
6th

[Signature]
Business Manager
Subscribed and sworn to before me this ______ day of ______, ______.

[Signature]
Notary Public
My commission expires: 3/30/91

Publication Fees: $113.25

[Signature]
Susan G. Hetherington
Notary Public - State of Kansas
My Appt. Exp. 3/30/91
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF THE
PROMISE NOTES. SERIES L.D. 86-1-318, PROJECT 107. (308 AVENUE, 130TH TO 131ST STREET),
OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $300,000 TO TIMPLETE
FINANCING THE COST OF THE SHOE OF THE CITY OF CONSTRUCTION OF R.G. AFEAIE
(131ST TO 132ND STREET) INCLUDING VERNERING, EXCAVATING, CRAFTING, FORMS BARRINDA
STRUCTURES AND ACCESSORIES, CURBING, FEADING, STREET LIGHTING, SIDEWALKS, PARK,
MEST MARKERS AND OTHER APPROPRIATE TERRASSES.

UNIVERSAL, an improvement district has been established pursuant to Resolution
No. 83 under K.S.A. 12-39 and adopted by the Governing Board of the City of
Leawood on November 15, 1988, and

UNIVERSAL, the Governing Body of the City of Leawood entered into a joint
agreement dated February 4, 1989, with the City of Overland Park and Johnson
County, Kansas, to make improvements on 308 Avenue from 131st to 132nd Street
in the total estimated cost of $1,500,000.00 with each entity to pay a proportion
of said costs; and

HENCEFORWARD, the necessary permanent rights-of-way for construction have
been acquired by the City of Leawood and

UNIVERSAL, the cost of said improvements is authorized to be paid for in whole
or in part by the issuance of temporary notes; and

UNIVERSAL, the City of Leawood is authorized to issue temporary notes
as provided by K.S.A. 10-123, K.S.A. 12-39 and all acts amendatory thereto.
NOW, THEREFORE, BE IT ENACTED BY THE GOVERNING BOY OF THE CITY OF LEAWOOD:

SECTION 1. That in order to provide funds to pay for the project and expenses
and the advancement of the improvement now due to be accomplished in the
immediate future, including necessary engineering, legal and (incident costs,
there shall be issued and there is hereby authorized and directed to be issued by
issue of temporary notes of the City of Leawood, Kansas, Designated Temporary
Notes, Series L.D. 86-1-318, Project 107 (308 Avenue, 130th to 131st Street), in
the aggregate principal amount of Three Hundred and Fifty Thousand Dollars
($350,000.00), which amount does not exceed the total estimated costs of said
improvements.

SECTION 2. Said Issues of Temporary Notes, Series L.D. 86-1-318,
Project 107, shall consist of bearer notes numbered from 1 through 4 inclusive,
with numbers 1 through 3 each in the denomination of $100,000.00 and number 4
in the denomination of $200,000.00. Each of said notes shall be dated November 20,
1989, and shall have the stated maturity date of November 20, 1990. The said
notes shall bear interest from their dated date, payable in money or by open redemption
parchers, at a rate of interest of 4.14% per annum. The said notes shall be
redeemable—open 60 days calendars-on-herfsbefore-provided-3-Sall be-redeemed
cancelled before or at the time general obligation improvement bonds are issued
in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-39 and all
acts amendatory thereto.

Such principal of and interest on said notes shall be payable at the offices
of the City Treasurer of the City of Leawood, Kansas, upon presentation and
surrender of said notes. The principal of each of said notes shall be payable
or at such earlier time as funds are available from the issuance of
general obligations improvement bonds to redeem the said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said
notes, in whole or in part (but in any event in the full amount of the
particular note chosen for redemption), at any date prior to the stated maturity
date of said notes by the publication of notice and payment of said notes; the
last publication of such notice or written notification of redemption shall be
known before to be at least ten days prior to the redemption date fixed in said
notes.

SECTION 3. The date of delivery of said notes shall be end for all
purposes and consequences their date of issuance notwithstanding the dated date.

Each of said notes shall be in customary form as provided by law, shall be signed
by the Mayor and attested by the City Clerk of the City of Leawood, Kansas,
and shall bear the seal of said City affixed thereto.

SECTION 4. The Mayor and City Clerk of Leawood, Kansas, are
hereby authorized and directed to cause to be issued and execute said temporary notes herein
authorized to be issued in the form and substance hereinafter described and so
provided by law and to procure the proper registration in the office of the City
Mayor and in the office of the Treasurer of the State of Kansas, and when as
executed and when registered, said notes shall be cancelled by the City
Mayor and delivered to County Clerk (sub), the original purchaser thereof upon payment of
the purchase price thereof shall not be less than the principal amount thereof.

SECTION 5. The proceeds of said temporary notes shall be depos-
it with the City Treasurer in a special fund created for the purpose of paying
said costs and expenses of the improvement hereby described.

The city further reserves and agrees that it will comply with each and every
provision of the law before and after the date hereof that is or may become applicable to
the notes. Including but not limited to any provision requiring the receipt of
interest earnings on funds of accounts created with respect to the notes; provided,

The Governing Body hereby finds, determines, represents and warrants, as fol-
lores:

1. The City is a duly-created and validly-existing political subdivi-
sion in existence since 1948;

2. Since January 1, 1989, the City has not issued any bonds or obliga-
tions other than the following described obligations:

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<tr>
<th>ISSUE</th>
<th>DATE</th>
<th>PRINCIPAL AMOUNT</th>
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<tr>
<td>Temporary Notes Series 12, Project 116</td>
<td>April 21, 1989</td>
<td>$500,000</td>
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<tr>
<td>Temporary Notes Series 12, Project 113</td>
<td>April 21, 1989</td>
<td>$300,000</td>
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<td>Temporary Notes Series 12, Project 117</td>
<td>April 21, 1989</td>
<td>$100,000</td>
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<td>Temporary Notes Series 12, Project 118</td>
<td>July 25, 1989</td>
<td>$260,000</td>
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<td>Temporary Notes Series 12, Project 114</td>
<td>July 25, 1989</td>
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<td>Temporary Notes Series 12, Project 115</td>
<td>July 25, 1989</td>
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<td>Sept. 27, 1989</td>
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<td>Temporary Notes Series 12, Project 121</td>
<td>Sept. 27, 1989</td>
<td>$500,000</td>
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The City does not reasonably anticipate incurring qualified tax-exempt obli-
gations during calendar year 1989 in an aggregate amount in excess of
$10,000,000.00.

4. Other than the temporary notes, the City has not issued and does not
expect to issue any other notes or obligations the proceeds of which have been or
will be used to provide project financing for the improvements, other than tempo-
rary notes to be retired with the proceeds of said temporary notes and bonds to
retire said temporary notes;

5. No portion of the proceeds of the sale of the notes will be loaned to
or will such proceeds or the improvements be in any manner used in the trade
or business of any person, firm or corporation other than a governmental entity;

The Governing Body of the City hereby designates the notes to be qualified
tax-exempt obligations within the meaning and for the purpose of Sections 205 of
the Tax Reform Act of 1964.

Section 4.1(a): 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.

Section 4.1(b): That this Ordinance shall take effect and be in
force after its publication as provided by law.

SIGNED by the Governing Body of the City of Leawood, Kansas, this 20th day
of November, 1989.

Martha Kaizer, Mayor

Attorney:

R. E. Metzler, City Attorney
ORDINANCE NO. 1137C:

AN ORDINANCE AMENDING SECTION 15-101 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE LEAWOOD SANITARY SEWER SYSTEM, AND REPEAL OF EXISTING SECTION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. Code amended. Section 15-101 of the Code of the City of Leawood is hereby amended to read as follows:

15-101. APPLICATION. (a) The provisions of this article shall apply to all property within the City limits which lies north of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 226, passed by the Governing Body on January 20, 1964.

(b) The provisions of this article shall also apply to all property within the City limits which lies south of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 1136 passed by the Governing Body on November 20, 1989.

(c) For purposes of administering the Leawood Sewer System, the System shall be divided into sewer districts. Each district shall be comprised of the sanitary sewer network for a natural drainage area. The existing System is hereby divided into the Dykes Branch Sewer District and the James Branch Sewer District as shown on that certain map of the Leawood Sewer System adopted by the Governing Body, and the Hallbrook Farms Sewer District as described in Ordinance No. 1136, passed by the Governing Body on November 20, 1989.

Section 2. Existing section of Code repealed. Section 15-101 of the Code of the City of Leawood is hereby repealed.

(Prior law: Ord. No. 1109C)

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

Passed by the Council the 20th day of November, 1989.

Approved by the Mayor the 21st day of November, 1989.

(S E A L)

Marcia Rinehart
Mayor
Page 2
ORDINANCE NO. 1137C

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzler
City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupte in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for seven consecutive week(s) as follows:

1st ______
2nd ______
3rd ______
4th ______
5th ______
6th ______

Business Manager
Subscribed and sworn to before me this 28th day of November, 1989.

[Signature]
Notary Public
My commission expires: ______

Publication Fees: ______

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 11/30/91

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ORD. #1137C

ORDINANCE NO. 1137C

AN ORDINANCE AMENDING SECTION 15-101 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE LEAWOOD SANITARY SEWER SYSTEM, AND REPEAL OF EXISTING SECTION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. Code amended.
Section 15-101 of the Code of the City of Leawood is hereby amended to read as follows:

15-101. APPLICATION. (a) The provisions of this article shall apply to all property within the City limits which lies north of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 226, passed by the Governing Body on January 20, 1964.

(b) The provisions of this article shall also apply to all property within the City limits which lies south of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 1136 passed by the Governing Body on November 20, 1989.

(c) For purposes of administering the Leawood Sewer System, the System shall be divided into sewer districts. Each district shall be comprised of the sanitary sewer network for a natural drainage area. The existing System is hereby divided into the Dykes Branch Sewer District and the James Branch Sewer District as shown on that certain map of the Leawood Sewer System adopted by the Governing Body, and the Halfbrook Farms Sewer District as described in Ordinance No. 1136, passed by the Governing Body on November 20, 1989.

Section 2. Existing section of Code repealed. Section 15-101 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1109C)

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

Passed by the Council the 20th day of November, 1989.

Approved by the Mayor the 21st day of November, 1989. (SEAL)

[Signature]
N. R. Rinehart, Mayor

[Signature]
Martha Helz

City Clerk
APPROVED FOR FORM:

[Signature]
R. S. Wester, City Attorney 11/28
ORDINANCE NO 1136

AN ORDINANCE AMENDING THE BOUNDARIES OF THE LEAWOOD SEWER SYSTEM AND RELATING TO SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS, A SUBDIVISION WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the City of Leawood has previously approved final plans and plats for certain portions of a mixed-use development within the City of Leawood known as Hallbrook Farms; and

WHEREAS, prior to filing of final plats, the owners and developers of said subdivision constructed a sewer system to serve said subdivision; and

WHEREAS, prior to construction of said sewer system, the owners and developers agreed to construct said system according to the standards of the Leawood Sewer System; and

WHEREAS, the City of Leawood has previously agreed that upon completion of said sewer system in accordance with the standards of the Leawood Sewer System, the City would accept conveyance of said system from the owners and developers of Hallbrook Farms; and

WHEREAS, any expansion of the Leawood Sewer System requires the approval and acceptance of the City of Kansas City, Missouri; and

WHEREAS, the City of Kansas City, Missouri has agreed to permit expansion of the Leawood Sewer System to serve the area known as Hallbrook Farms, and has further agreed to accept such additional flows of sewerage as may be generated by said development; and

WHEREAS, the City of Leawood did by Ordinance No. 1108, passed by the Governing body on July 17, 1989, enlarge the Leawood Sewer System to include and provide service to said Hallbrook Farms; and

WHEREAS, following the adoption of Ordinance No. 1108, sewer district engineers determined that certain portions of the Hallbrook Farms subdivision not previously included within the boundaries of the Leawood Sewer System should be added to said sewer system; and

WHEREAS, following the adoption of Ordinance No. 1108, engineering studies further determined that certain portions of the Hallbrook Farms subdivision previously included within the boundaries of the Leawood Sewer System should be deleted from the said system and should properly be served by and included within the Johnson County Sewer District; and
WHEREAS, the purpose of this ordinance is to set forth the current boundaries of the Leawood Sewer System serving Hallbrook Farms subdivision, including additions and deletions following the adoption of Ordinance No. 1108.

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

Section 1. Sewer District boundaries amended. The City of Leawood does hereby accept into the Leawood Sewer System the property described in Exhibit A attached hereto.

Section 2. Recording of Ordinance. The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Johnson County, Kansas.

Section 3. Ordinance 1108 Repealed. Ordinance No. 1108 as adopted by the City of Leawood on July 17, 1989, is hereby repealed.

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

Passed by the Council the 20th day of November, 1989.

Approved by the Mayor the 21st day of November, 1989.

(Marcia Rinehart)
Mayor

(Martha Heizer)
City Clerk

Approved for Form: R.S. Wetzler
City Attorney
DESCRIPTION: ALL THAT PART OF FRACTIONAL SECTION 11, FRACTIONAL SECTION 14, SECTION 15, AND SECTION 10, ALL IN TOWNSHIP 13, RANGE 25, IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14; THENCE NORTH 2°-05'-34" WEST ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 272.37 FEET; THENCE NORTH 2°-21'-12" WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 582.34 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED, SAID POINT ALSO BEING ON THE EASTERY PROLONGATION OF THE NORTH LINE OF LOT 17, BLOCK 1, "HALLBROOK FARMS, THIRD PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE SOUTH 4°-41'-53" WEST ALONG SAID EASTERY PROLONGATION, SAID NORTH LINE, AND ALONG THE NORTH LINE OF LOT 18, BLOCK 1, OF SAID "HALLBROOK FARMS, THIRD PLAT", A DISTANCE OF 386.38 FEET, TO THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 18, IN SAID BLOCK 1; THENCE SOUTH 27°-31'-18" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 18 AND ALONG THE NORTHWESTERLY LINE OF LOT 19, BLOCK 1, A DISTANCE OF 83.86 FEET, TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 35°-37'-36" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF SAID LOT 19 IN SAID BLOCK 1, A DISTANCE OF 79.95 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 39°-08'-13" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE AND ALONG THE NORTHWESTERLY LINE OF LOT 20, IN SAID BLOCK 1, A DISTANCE OF 84.35 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 28°-30'-50" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF SAID LOT 20, IN SAID BLOCK 1, A DISTANCE OF 93.68 FEET TO THE MOST WES DERLY CORNER THEREOF; THENCE SOUTH 51°-37'-20" WEST, A DISTANCE OF 85.25 FEET, TO THE MOST NORTHERLY CORNER OF LOT 4, IN SAID BLOCK 1; THENCE SOUTH 56°-12'-28" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 4, IN SAID BLOCK 1, A DISTANCE OF 154.86 FEET, TO THE MOST NORTHERLY CORNER OF SAID LOT 6, IN SAID BLOCK 1; THENCE SOUTH 68°-57'-18" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 6, IN SAID BLOCK 1, AND ALONG THE NORTHWESTERLY LINE OF LOT 7 IN SAID BLOCK 1, A DISTANCE OF 310.69 FEET TO A POINT ON A LINE DRAWN 25.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 22, BLOCK 2, "HALLBROOK FARMS, FIRST PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY AND STATE, AND SAID POINT ALSO BEING ON THE EASTERY LINE OF THE TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6; THENCE IN A WESTERLY AND NORTHERLY DIRECTION ALONG THE EASTERY LINE OF SAID SEWER SUB-DISTRICT THE FOLLOWING BEARINGS AND DISTANCES; THENCE SOUTH 88°-39'-52" WEST ALONG THE SOUTHERLY LINE OF LOT 28, IN SAID BLOCK 2, A DISTANCE OF 153.39 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 83°-22'-44" WEST ALONG THE SOUTHERLY LINE OF LOT 27, IN SAID BLOCK 2, A DISTANCE OF 165.40 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 72°-49'-24" WEST ALONG THE SOUTHERLY LINE OF LOT 26, IN SAID BLOCK 2, A DISTANCE OF 174.94 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 59°-36'-34" WEST, A DISTANCE OF 85.35 FEET TO THE SOUTHEAST CORNER OF LOT 8, IN SAID BLOCK 2; THENCE NORTH 64°-45'-50" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 8, A DISTANCE OF 140.54 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 66°-53'-19" WEST ALONG THE SOUTHERLY LINE OF LOT 7, IN SAID BLOCK 2, A DISTANCE OF 123.81 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 71°-52'-17" WEST ALONG THE SOUTHERLY LINE OF LOT 6, IN SAID BLOCK 2, A DISTANCE OF 130.89 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE 17°-18'-42" EAST ALONG THE WES DERLY LINE OF SAID LOT 6, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 206.00 FEET TO A POINT ON THE CENTERLINE OF 118TH STREET; THENCE NORTH 7°-05'-16" ALONG SAID CENTERLINE, A DISTANCE OF 322.85 FEET TO THE CENTERLINE OF SAID 118TH STREET WITH THE CENTERLINE OF BROOKWOOD; THENCE NORTH 82°-43'-43" WEST ALONG THE CENTERLINE OF SAID 118TH STREET, A DISTANCE OF 103.55 FEET; THENCE WESTERLY ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 4°-31'-23" EAST AND AN ARC
DISTANCE OF 78.95 FEET; THENCE NORTH 2°-44'-53" EAST, A DISTANCE OF 42.50 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 4, IN SAID "HALLBROOK FARM, FIRST PLAT"; THENCE CONTINUING NORTH 2°-44'-53" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, A DISTANCE OF 157.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 73°-14'57" EAST ALONG THE NORTHERLY LINE OF SAID LOT 6, A DISTANCE OF 31.47 FEET TO THE SOUTHWEST CORNER OF LOT 7, IN SAID BLOCK 4; THENCE NORTH 2°-02'-08" EAST ALONG THE WESTERLY LINE OF SAID LOT 7, A DISTANCE OF 135.90 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 9°-26'-04" WEST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 4; A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 21°-55'-02" WEST ALONG THE WESTERLY LINE OF LOT 9, IN SAID BLOCK 4; A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 3°-23'-23" WEST ALONG THE WESTERLY LINE OF LOT 10, IN SAID BLOCK 4, A DISTANCE OF 120.28 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 32°-24'-17" WEST, A DISTANCE OF 86.37 FEET TO THE NORTHEAST CORNER OF LOT 25, IN BLOCK 4; THENCE NORTH 42°-37'-23" WEST ALONG THE NORTHERLY LINE OF SAID LOT 25, A DISTANCE OF 61.41 FEET TO AN ANGLE POINT THEREIN; THENCE NORTH 60°-25'-23" WEST ALONG THE NORTHERLY LINE OF SAID LOT 25, A DISTANCE OF 91.10 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 8°-10'-18" EAST ALONG THE WESTERLY LINE OF SAID LOT 25, IN SAID BLOCK 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 269.32 FEET TO A POINT ON THE CENTERLINE OF AFORESAID BROOK ROAD; THENCE SOUTH 60°-25'-20" EAST ALONG SAID CENTERLINE, A DISTANCE OF 184.53 FEET; THENCE NORTH 43°-59'-05" EAST, A DISTANCE OF 2.43 FEET TO A POINT ON A LINE DRAWN FROM A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, THAT IS 275.88 FEET WEST OF THE SOUTHEAST CORNER THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 15, THAT IS 700.00 FEET EAST OF THE WEST LINE OF SAID NORTHEAST 1/4, AS MEASURED AT RIGHT ANGLES THERETO; THENCE NORTH 33°-54'-05" WEST ALONG THE LAST DESCRIBED LINE, A DISTANCE OF 384.06 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1, BLOCK 2, "HALLBROOK FARMS, SECOND PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE NORTH 8°-07'-22" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 84.86 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 74°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 167.50 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 4°-26'-02" WEST ALONG THE EASTERLY LINE OF LOT 2, IN SAID BLOCK 2, A DISTANCE OF 152.20 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 87°-42'-39" WEST ALONG THE NORTHERLY LINE OF SAID LOT 2, A DISTANCE OF 75.95 FEET TO THE SOUTHWEST CORNER OF LOT 11, IN SAID BLOCK 2; THENCE NORTH 12°-09'-34" WEST ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 268.37 FEET TO THE SOUTHWEST CORNER OF LOT 3, IN SAID BLOCK 2; THENCE NORTH 9°-29'-16" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 132.41 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 16°-27'-55" EAST ALONG THE WESTERLY LINE OF LOT 10 AND LOT 9, IN SAID BLOCK 2, A DISTANCE OF 321.31 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE NORTH 9°-57'-40" EAST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 2 AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 173.22 FEET TO A POINT IN THE CENTERLINE OF 114TH STREET, THENCE NORTH 83°-25'-56" WEST ALONG SAID CENTERLINE AND ALONG THE CENTERLINE OF CANTERBURY CIRCLE, A DISTANCE OF 529.65 FEET TO A POINT ON THE WESTERLY LINE OF "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 6°-34'-04 EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 212.65 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 87°-27'-50" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 196.53 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 85°-17'-35" EAST ALONG THE NORTHERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT", A DISTANCE OF 95.00 FEET TO THE NORTHWEST CORNER OF LOT 3, BLOCK 3, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE SOUTH 76°-04'-47" EAST ALONG THE NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 176.27 FEET TO A POINT ON A LINE DRAWN 700.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 15; THENCE NORTH 1°-30'-12" WEST ALONG
SAID PARALLEL LINE, A DISTANCE OF 178.61 FEET; THENCE NORTH 24°-17'-07" WEST, A DISTANCE OF 1032.99 FEET TO A POINT 500.00 FEET SOUTH OF AND 300.00 FEET EAST OF THE NORTHWEST CORNER THEREOF, AS MEASURED PARALLEL TO THE NORTH AND WEST LINES THEREOF; THENCE NORTH 1°-30'-12" WEST PARALLEL TO THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 500.00 FEET TO THE NORTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 88°-02'-19" WEST ALONG SAID NORTH LINE, A DISTANCE OF 300.00 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 87°-50'-04" WEST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 15, A DISTANCE OF 591.82 FEET TO A POINT ON THE EASTERLY LINE OF TRACT "A" OF "LEAWOOD GREENWAY AND PARKS", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE LEAVING THE AFORESAID EASTERLY LINE OF TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6 AND IN A NORTHEASTERLY AND EASTERLY DIRECTION ALONG THE EASTERLY LINE AND SOUTHERLY LINE OF SAID TRACT "A", THE FOLLOWING BEARINGS AND DISTANCES; NORTH 16°-35'-17" EAST, A DISTANCE OF 256.53 FEET; THENCE NORTH 19°-03'-17" EAST, A DISTANCE OF 150.00 FEET; THENCE NORTH 14°-31'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH 19°-49'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH 27°-27'-17" EAST, A DISTANCE OF 300.30 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 65°-31'-23" EAST, A DISTANCE OF 401.84 FEET; THENCE SOUTH 35°-03'-34" EAST, A DISTANCE OF 100.67 FEET; THENCE SOUTH 26°-55'-27" EAST, A DISTANCE OF 75.48 FEET; THENCE SOUTH 36°-44'-46" EAST, A DISTANCE OF 81.99 FEET; THENCE SOUTH 56°-17'-16" EAST, A DISTANCE OF 103.73 FEET; THENCE SOUTH 81°-50'-55" EAST, A DISTANCE OF 51.15 FEET; THENCE NORTH 82°-28'-47" EAST, A DISTANCE OF 204.26 FEET; THENCE NORTH 67°-50'-32" EAST, A DISTANCE OF 310.21 FEET; THENCE NORTH 60°-54'-10" EAST, A DISTANCE OF 136.13 FEET; THENCE NORTH 58°-06'-27" EAST, A DISTANCE OF 83.32 FEET; THENCE NORTH 57°-49'-25" EAST, A DISTANCE OF 59.22 FEET; THENCE NORTH 74°-43'-33" EAST, A DISTANCE OF 75.54 FEET; THENCE NORTH 65°-46'-07" EAST, A DISTANCE OF 325.22 FEET; THENCE NORTH 72°-48'-48" EAST, A DISTANCE OF 46.56 FEET; THENCE NORTH 87°-37'-46" EAST, A DISTANCE OF 74.49 FEET; THENCE NORTH 79°-48'-20" EAST, A DISTANCE OF 125.05 FEET; THENCE SOUTH 84°-36'-56" EAST, A DISTANCE OF 25.76 FEET; THENCE SOUTH 69°-52'-11" EAST, A DISTANCE OF 40.83 FEET; THENCE SOUTH 51°-06'-10" EAST, A DISTANCE OF 77.57 FEET; THENCE SOUTH 35°-54'-50" EAST, A DISTANCE OF 125.76 FEET; THENCE SOUTH 19°-51'-53" EAST, A DISTANCE OF 81.50 FEET; THENCE SOUTH 16°-09'-08" WEST, A DISTANCE OF 54.29 FEET; THENCE SOUTH 87°-58'-57" WEST, A DISTANCE OF 202.07 FEET; THENCE NORTH 1°-56'-43" WEST, A DISTANCE OF 854.99 FEET; THENCE NORTH 43°-42'-19" WEST, A DISTANCE OF 327.25 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 2°-00'-46" WEST ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE NORTH 2°-06'-10" WEST ALONG THE WEST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 11, A DISTANCE OF 194.61 FEET TO THE NORTHEAST CORNER OF AFORESAID TRACT "A", LEAWOOD GREENWAY AND PARKS, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OFF-WAY LINE OF INTERSTATE HIGHWAY NO. 435 AS NOW ESTABLISHED; THENCE LEAVING THE EASTERLY LINE OF SAID TRACT "A", NORTH 24°-23'-33" WEST, A DISTANCE OF 150.00 FEET TO A POINT ON THE CENTERLINE OF SAID INTERSTATE HIGHWAY NO. 435; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF INTERSTATE HIGHWAY NO. 435 TO A POINT ON THE EAST LINE OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG SAID EAST LINE, A DISTANCE OF 967.45 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 11, A DISTANCE OF 27.56 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF FRACTIONAL SECTION 6, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY,
MISSOURI; THENCE SOUTH 2°-10'-14" EAST ALONG SAID EAST LINE AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2625.10 FEET TO THE SOUTHEAST CORNER OF SAID SOUTH 1/2; THENCE SOUTH 2°-10'-14" EAST ALONG THE EAST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 14 AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 79.07 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE SOUTH 2°-22'-55" EAST ALONG THE EAST LINE OF SAID NORTH 1/2 AND ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2576.77 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE SOUTH 2°-22'-55" EAST ALONG SAID WEST LINE AND ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTIONAL 14, A DISTANCE OF 127.40 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 6; THENCE SOUTH 2°-21'-12" EAST ALONG SAID EAST LINE AND ALONG THE WEST FRACTIONAL SECTION 7, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY, MISSOURI, A DISTANCE OF 1675.38 FEET TO THE POINT OF BEGINNING. CONTAINING 468.15 ACRES, MORE OR LESS.
ORDINANCE NO. 1136

AN ORDINANCE AMENDING THE BOUNDARIES OF THE LEAWOOD SEWER SYSTEM AND RELATING TO SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS, A SUBDIVISION WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the City of Leawood has previously approved final plans and plats for certain portions of a mixed-use development within the City of Leawood known as Hallbrook Farms; and

WHEREAS, prior to filing of final plats, the owners and developers of said subdivision constructed a sewer system to serve said subdivision; and

WHEREAS, prior to construction of said sewer system, the owners and developers agreed to construct said system according to the standards of the Leawood Sewer System; and

WHEREAS, the City of Leawood has previously agreed that upon completion of said sewer system in accordance with the standards of the Leawood sewer System, the City would accept conveyance of said system from the owners and developers of Hallbrook Farms; and

WHEREAS, any expansion of the Leawood Sewer System requires the approval and acceptance of the City of Kansas City, Missouri; and

WHEREAS, the City of Kansas City, Missouri has agreed to permit expansion of the Leawood Sewer System to serve the area known as Hallbrook Farms, and has further agreed to accept such additional flows of sewerage as may be generated by said development; and

WHEREAS, the City of Leawood did by Ordinance No. 1108, passed by the Governing body on July 17, 1989, enlarge the Leawood Sewer System to include and provide service to said Hallbrook Farms; and

WHEREAS, following the adoption of Ordinance No. 1108, sewer district engineers determined that certain portions of the Hallbrook Farms subdivision not previously included within the boundaries of the Leawood Sewer System should be added to said sewer system; and

WHEREAS, following the adoption of Ordinance No. 1108, engineering studies further determined that certain portions of the Hallbrook Farms subdivision previously included within the boundaries of the Leawood Sewer System should be deleted from the said system and should properly be served by and included within the Johnson County Sewer District; and
WHEREAS, the purpose of this ordinance is to set forth the current boundaries of the Leawood Sewer System serving Hallbrook Farms subdivision, including additions and deletions following the adoption of Ordinance No. 1108.

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

Section 1. Sewer District boundaries amended. The City of Leawood does hereby accept into the Leawood Sewer System the property described in Exhibit A attached hereto.

Section 2. Recording of Ordinance. The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Johnson County, Kansas.

Section 3. Ordinance 1108 Repealed. Ordinance No. 1108 as adopted by the City of Leawood on July 17, 1989, is hereby repealed.

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

Passed by the Council the 20th day of November, 1989.

Approved by the Mayor the 21st day of November, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

Approved for Form:       R.S. Wetzler        City Attorney

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1989 DEC 4 A 9:27:4

SARA F. ULLMANN
REGISTER OF DEEDS

BY DEP.
DESCRIPTION: ALL THAT PART OF FRACTIONAL SECTION 11, FRACTIONAL SECTION 14, SECTION 15, AND SECTION 10, ALL IN TOWNSHIP 13, RANGE 25, IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14; THENCE NORTH 2°-05'-34" WEST ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 272.37 FEET; THENCE NORTH 2°-21'-12" WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 582.34 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE ERIN THEO DESCRIBED, SAID POINT ALSO BEING ON THE EASTERLY PROLIFICATION OF THE NORTH LINE OF LOT 17, BLOCK 1, "HALLBROOK FARMS, THIRD PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE SOUTH 87°-41'-53" WEST, ALONG SAID EASTERLY PROLIFICATION, SAID NORTH LINE, AND ALONG THE NORTH LINE OF LOT 18, BLOCK 1, OF SAID "HALLBROOK FARMS, THIRD PLAT", A DISTANCE OF 386.38 FEET, TO THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 18, IN SAID BLOCK 1; THENCE SOUTH 27°-31'-18" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 18 AND ALONG THE NORTHWESTERLY LINE OF LOT 19, BLOCK 1, A DISTANCE OF 83.86 FEET, TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 35°-37'-36" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF SAID LOT 19 IN SAID BLOCK 1, A DISTANCE OF 79.95 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 39°-08'-13" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE AND ALONG THE NORTHWESTERLY LINE OF LOT 20, IN SAID BLOCK 1, A DISTANCE OF 84.87 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 55°-34'-33" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF SAID LOT 20, IN SAID BLOCK 1, A DISTANCE OF 93.68 FEET TO THE MOST WESTERN CORNER THEREOF; THENCE SOUTH 51°-43'-57" WEST, A DISTANCE OF 1000.00 FEET A CENTRAL ANGLE OF 4°-31'-23" EAST AND AN ARC
DISTANCE OF 78.95 FEET; THENCE NORTH 2°-44'-'53" EAST, A DISTANCE
OF 42.50 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 4, IN
SAID "HALLBROOK FARMS, FIRST PLAT"; THENCE CONTINUING NORTH
2°-44'-'55" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, A DISTANCE
OF 157.50 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH
73°-'14''-57" EAST ALONG THE NORTHERLY LINE OF SAID LOT 6, A
DISTANCE OF 31.47 FEET TO THE SOUTHWEST CORNER OF LOT 7, IN
SAID BLOCK 4; THENCE NORTH 2°-'02'-08" EAST ALONG THE WESTERLY
LINE OF SAID LOT 7, A DISTANCE OF 135.90 FEET TO THE NORTHWEST
CORNER THEREOF; THENCE NORTH 9°-26'-04" WEST ALONG THE WESTERLY
LINE OF LOT 8, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO
THE NORTHWEST CORNER THEREOF; THENCE NORTH 21°-'55'-02" WEST
ALONG THE WESTERLY LINE OF LOT 9, IN SAID BLOCK 4, A DISTANCE
OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH
42°-37'-23" WEST ALONG THE WESTERLY LINE OF LOT 10, IN SAID
BLOCK 4, A DISTANCE OF 120.28 FEET TO THE NORTHWEST CORNER
THEREOF; THENCE NORTH 32°-24'-17" WEST, A DISTANCE OF 86.37
FEET TO THE NORTHEAST CORNER OF LOT 25, IN BLOCK 4; THENCE
NORTH 42°-37'-23" WEST ALONG THE NORTHERLY LINE OF SAID LOT
25, A DISTANCE OF 61.41 FEET TO AN ANGLE POINT THEREIN; THENCE NORTH
60°-25'-23" WEST ALONG THE NORTHERLY LINE OF LOT 25, 24 AND 23, A DISTANCE OF 317.79 FEET TO AN ANGLE POINT IN THE
NORTHERLY LINE OF SAID LOT 23; THENCE NORTH 81°-'49'-41" WEST,
A DISTANCE OF 91.10 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 8°-'10'-18" EAST ALONG THE WESTERLY LINE OF LOT 28, IN
SAID BLOCK 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE
OF 268.32 FEET TO A POINT ON THE NORTHERLY CENTERLINE OF AFORESAID
BROOK; THENCE SOUTH 60°-25'-20" EAST ALONG SAID CENTERLINE,
A DISTANCE OF 184.53 FEET; THENCE NORTH 43°-59'-05" EAST, A
DISTANCE OF 2.43 FEET TO A POINT ON A LINE DRAWN FROM A POINT
ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15,
THAT IS 275.88 FEET WEST OF THE SOUTHEAST CORNER THEREOF,
TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID
SECTION 15, THAT IS 700.00 FEET EAST OF THE WEST LINE OF SAID NORTHEAST
1/4, AS MEASURED AT RIGHT ANGLES THERETO; THENCE NORTH
33°-54'-05" WEST ALONG THE LAST DESCRIBED LINE, A DISTANCE
OF 384.06 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1, BLOCK
2, "HALLBROOK FARMS, SECOND PLAT", A SUBDIVISION OF LAND IN
SAID CITY, COUNTY, AND STATE; THENCE NORTH 8°-07'-55" EAST
ALONG SAID EASTERLY LINE, A DISTANCE OF 48.86 FEET TO
THE NORTHEAST CORNER THEREOF; THENCE NORTH 74°-45'-05" WEST ALONG
THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 167.50 FEET
TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 4°-26'-02" WEST
ALONG THE EASTERLY LINE OF LOT 2, IN SAID BLOCK 2, A DISTANCE
OF 152.20 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH
87°-42'-39" WEST ALONG THE NORTHERLY LINE OF SAID LOT 2, A
DISTANCE OF 75.95 FEET TO THE SOUTHWEST CORNER OF LOT 11, IN
SAID BLOCK 2; THENCE NORTH 12°-'34'-00" WEST ALONG THE WESTERLY
LINE OF SAID LOT 11, A DISTANCE OF 136.16 FEET TO THE NORTHEAST
CORNER OF LOT 3, IN SAID BLOCK 2; THENCE NORTH 9°-'29'-16" EAST
CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE
OF 132.41 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH
16°-27'-55" EAST ALONG THE WESTERLY LINE OF LOT 10 AND LOT 9,
IN SAID BLOCK 2, A DISTANCE OF 321.31 FEET TO THE NORTHWEST
CORNER OF SAID LOT 9; THENCE NORTH 9°-'57'-40" EAST ALONG
THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 2 AND THE NORTHERLY
EXTENSION OF THEREOF, A DISTANCE OF 173.22 FEET TO A POINT
IN THE CENTERLINE OF 114TH STREET, THENCE NORTH 83°-25'-56" WEST
ALONG SAID CENTERLINE AND ALONG THE CENTERLINE OF CANEBURY
CIRCLE, A DISTANCE OF 35.65 FEET TO THE CENTERLINE OF SAID
LINE OF SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH
6°-34'-04 EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 212.65
FEET, TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4, IN SAID
"HALLBROOK FARMS, SEC'D PLAT"; THENCE NORTH 87°-27'-50" EAST
ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 196.53
FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 85°-'17'-35
EAST ALONG THE NORTHERLY LINE OF SAID "HALLBROOK FARMS,
SECOND PLAT", A DISTANCE OF 95.00 FEET TO THE NORTHWEST CORNER
OF LOT 3, BLOCK 3, IN SAID "HALLBROOK FARMS, SECOND PLAT";
THENCE SOUTH 76°-'04'-47" EAST ALONG THE NORTHERLY LINE OF SAID
LOT 3, A DISTANCE OF 176.27 FEET TO A POINT ON A LINE DRAWN 700.00
FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST
1/4 OF AFORESAID SECTION 15; THENCE NORTH 1°-30'-12" WEST ALONG
SAID PARALLEL LINE, A DISTANCE OF 178.61 FEET; THENCE NORTH
24°-17'-07" WEST, A DISTANCE OF 1032.99 FEET TO A POINT 500.00
FEET SOUTH OF AND 300.00 FEET EAST OF THE NORTHWEST CORNER
THEREOF, AS MEASURED PARALLEL TO THE NORTH AND WEST LINES
THEREOF; THENCE NORTH 1°-30'-12" WEST PARALLEL TO THE WEST
LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 500.00 FEET TO THE
NORTH LINE OF SAID NORTHEAST 1/4; THENCE SOUTH 88°-02'-19"
WEST ALONG SAID NORTH, A DISTANCE OF 300.00 FEET TO THE
NORTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 87°-50'-04"
WEST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID
SECTION 15, A DISTANCE OF 391.82 FEET TO A POINT ON THE EASTERLY
LINE OF TRACT "A" OF "LEAWOOD GREENWAY AND PARKS", A SUBDIVISION
OF LAND IN SAID CITY, JACKSON COUNTY, AND STATE; THENCE LEAVING THE
AFORESAID EASTERLY LINE OF TOMAHAWK CREEK SEWER SUB-DISTRICT
NO. 4, LATERAL DISTRICT NO. 6 AND IN A NORTHEASTERLY AND EASTERLY
DIRECTION ALONG THE EASTERLY LINE AND SoutherLY Line Of SAID
TRACT "A", THE FOLLOWING BEARINGS AND DISTANCES; NORTH
16°-35'-17" EAST, A DISTANCE OF 256.53 FEET; THENCE NORTH
19°-03'-17" EAST, A DISTANCE OF 150.00 FEET; THENCE NORTH
14°-31'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH
19°-49'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH
27°-27'-17" EAST, A DISTANCE OF 309.30 FEET; A POINT ON THE
WEST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE
NORTH 65°-31'-23" EAST, A DISTANCE OF 401.84 FEET; THENCE SOUTH
35°-03'-34" EAST, A DISTANCE OF 100.67 FEET; THENCE SOUTH
26°-55'-27" EAST, A DISTANCE OF 75.48 FEET; THENCE SOUTH
36°-44'-46" EAST, A DISTANCE OF 81.99 FEET; THENCE SOUTH
56°-17'-18" EAST, A DISTANCE OF 103.73 FEET; THENCE SOUTH
81°-50'-55" EAST, A DISTANCE OF 51.15 FEET; THENCE NORTH
82°-28'-47" EAST, A DISTANCE OF 204.26 FEET; THENCE NORTH
67°-50'-32" EAST, A DISTANCE OF 310.21 FEET; THENCE NORTH
60°-54'-10" EAST, A DISTANCE OF 136.13 FEET; THENCE NORTH
58°-06'-27" EAST, A DISTANCE OF 83.32 FEET; THENCE NORTH
57°-49'-29" EAST, A DISTANCE OF 59.22 FEET; THENCE NORTH
74°-43'-32" EAST, A DISTANCE OF 75.54 FEET; THENCE NORTH
65°-46'-07" EAST, A DISTANCE OF 325.22 FEET; THENCE NORTH
72°-48'-48" EAST, A DISTANCE OF 46.56 FEET; THENCE NORTH
87°-37'-46" EAST, A DISTANCE OF 74.49 FEET; THENCE NORTH
79°-48'-20" EAST, A DISTANCE OF 125.05 FEET; THENCE SOUTH
84°-36'-56" EAST, A DISTANCE OF 25.76 FEET; THENCE NORTH
69°-52'-11" EAST, A DISTANCE OF 40.83 FEET; THENCE NORTH
51°-06'-10" EAST, A DISTANCE OF 77.57 FEET; THENCE NORTH
35°-54'-50" EAST, A DISTANCE OF 125.76 FEET; THENCE NORTH
19°-51'-53" EAST, A DISTANCE OF 81.50 FEET; THENCE NORTH
16°-09'-08" WEST, A DISTANCE OF 54.29 FEET; THENCE SOUTH
16°-58'-57" EAST, A DISTANCE OF 21.55 FEET; THENCE SOUTH
1°-56'-42" WEST, A DISTANCE OF 854.83 FEET; THENCE NORTH
43°-42'-59" EAST, A DISTANCE OF 327.25 FEET, TO A POINT ON
THE EAST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10;
THENCE NORTH 2°-00'-46" WEST ALONG SAID EAST LINE, A DISTANCE
OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST
1/4; THENCE NORTH 2°-06'-10" WEST ALONG THE WEST LINE OF THE
NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 11, A DISTANCE
OF 194.61 FEET TO THE NORTHEAST CORNER OF AFORESAID TRACT "A",
LEAWOOD GREENWAY AND PARKS, SAID POINT ALSO BEING ON THE
SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY No. 435 AS
NOW ESTABLISHED; THENCE LEAVING THE EASTERLY LINE OF SAID TRACT
"A", NORTH 24°-23'-33" WEST, A DISTANCE OF 150.00 FEET TO A
POINT ON THE CENTERLINE OF SAID INTERSTATE HIGHWAY No. 435;
THENCE NORTHEASTERLY ALONG THE CENTERLINE OF INTERSTATE HIGHWAY
No. 435 TO A POINT ON THE EAST LINE OF THE NORTH 1/2 OF SAID
FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG SAID
EAST LINE, A DISTANCE OF 967.45 FEET, MORE OR LESS, TO THE
SOUTHEAST CORNER OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11;
THENCE SOUTH 2°-25'-06" EAST ALONG THE EAST LINE OF THE SOUTH
1/2 OF SAID FRACTIONAL SECTION 11, A DISTANCE OF 27.56 FEET
TO THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF FRACTIONAL
SECTION 6, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY,
MISSOURI; THENCE SOUTH 2°-10'-14" EAST ALONG SAID EAST LINE AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2625.10 FEET TO THE SOUTHEAST CORNER OF SAID SOUTH 1/2; THENCE SOUTH 2°-10'-14" EAST ALONG THE EAST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 14 AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 79.07 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE SOUTH 2°-22'-55" EAST ALONG THE EAST LINE OF SAID NORTH 1/2 AND ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2576.77 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE SOUTH 2°-22'-55" EAST ALONG SAID WEST LINE AND ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTIONAL 14, A DISTANCE OF 127.40 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 6; THENCE SOUTH 2°-21'-12" EAST ALONG SAID EAST LINE AND ALONG THE WEST FRACTIONAL SECTION 7, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY, MISSOURI, A DISTANCE OF 1675.36 FEET TO THE POINT OF BEGINNING. CONTAINING 468.15 ACRES, MORE OR LESS.
CERTIFICATE

I, Martha Heizer, City Clerk of the City of Leawood, Kansas, hereby certify that the attached is a true and correct copy of Ordinance No. 1136, as the same appears in my office. This ordinance repealed Ordinance No. 1108 filed for record in the Office of the Register of Deeds of Johnson County, Kansas, on July 21, 1989, in Book 3020 at Page 819.

In testimony whereof, I have hereunto signed my name and affixed the Seal of said City this 28th day of November, 1989.

[Signature]

[Seal]
STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereinafter attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st [28/19]
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 28th day of June, 1981.

Notary Public
My commission expires:

Publication Fees: $2,74

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-21-41
ORD. 1136

ORDINANCE NO. 1136

An Ordinance directing the Surveyor of the Town of Omaha, Nebraska, to make a survey of said Town, and to lay off the boundaries thereof, according to the provisions of said Ordinance.

Section 1. The City of Omaha has previously approved said Ordinance, and the City Clerk shall proceed to make a survey of said Town, and to lay off the boundaries thereof, according to the provisions of said Ordinance.

Section 2. The City Clerk shall make a survey of the City of Omaha, Nebraska, in accordance with the provisions of said Ordinance.

Approved by the Mayor the 11th day of November, 1901.

[Signature]

City Clerk

[Signature]
ORDINANCE NO. 1135

AN ORDINANCE GRANTING AN EASEMENT TO SOUTHWESTERN BELL TELEPHONE COMPANY.

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

19-6,213. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Southwestern Bell Telephone Co. upon the following described land situated in the County of Johnson, State of Kansas, to wit:

The northerly 10 feet of Lot 115, Leawood Estates Subdivision in the City of Leawood, located in the Northeast Quarter (NE 1/4) of Section Three (3), Township Thirteen (13) South, Range Twenty-Five (25) East of the 6th P.M.

19-6,214. INCORPORATION BY REFERENCE. Section 2. A copy of said 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.

Passed by the Council the 6th day of November, 1989.

Approved by the Mayor the 7th day of November, 1989.

(S E A L)

Maria Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wettler
City Attorney
CORPORATION EASEMENT

In consideration of the sum of $1.00, the receipt of which is hereby acknowledged, and other valuable consideration, the CITY OF LEAWOOD, a municipal corporation, its successors and assigns, hereby grant to SOUTHWESTERN BELL TELEPHONE COMPANY, its associated and allied companies, their respective successors, assigns, lessees and agents a permanent right of way and easement 10 feet in width across the following described land situated in the County of Johnson, State of Kansas, owned by the Grantor, to wit:

Lot 115, Leawood Estates Subdivision in the City of Leawood, located in the Northeast Quarter (NE 1/4) of Section Three (3), Township (13) South, Range Twenty-Five (25) East of the 6th P.M., with the right and privilege of constructing, reconstructing, operating, maintaining and placing thereon and removing therefrom a communication system consisting of underground cable or cables, as Grantee may from time to time require, together with markers, fixtures and other appurtenances thereto. The route of said right of way and easement shall be the Northerly 10 feet of the above described property.

Said cable or cables and all appurtenances thereto shall be placed so as not to interfere with the ordinary cultivation of said land.

The Grantor, its successors or assigns, shall be entitled to recover from the Grantee the reasonable amount of any damage caused to crops, fences or livestock by the Grantee or its employees in the construction, reconstruction, operation, maintenance or removal of said communication system.

Dated at Leawood this 7th day of November, 1989.

The City of Leawood, a municipal corporation.

BY: Marcia Rinehart

Mayor

STATE OF KANSAS, COUNTY OF JOHNSON

Notary Public

Registrar of Deeds

BE IT REMEMBERED, that on this 7th day of November, 1989, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Marcia Rinehart and Martha Heizer, Mayor and City Clerk of the City of Leawood respectively, who is/are personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) 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.

Appointment Expires 1989

Notary Public

Jill D. Manson
STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for _ consecutive week(s) as follows:

1st
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this _ day of

Notary Public
My commission expires: 3/30/91

Publication Fees: $9.50

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

LEAWOOD ORD. 1135
First published in The Legal Record and The News, Tuesday, November 7, 1989.
ORDINANCE NO. 1135
AN ORDINANCE GRANTING AN EASEMENT APPORTIONED TO SOUTH WESTERN BELL TELEPHONE COMPANY.
Be it enacted by the City Council of the City of Leawood;
19-6-213. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Southwestern Bell Telephone Co. upon the following described land situated in the County of Johnson, State of Kansas, to wit:
The northerly 10 feet of Lot 115, Leawood Estates Subdivision in the City of Leawood, located in the Northeast Quarter (NE 1/4) of Section Three (3), Township Thirteen (13) South, Range Twenty-Five (25) East of the 6th P.M.
19-6-214. INCORPORATION BY REFERENCE. Section 2. A copy of said easement is attached hereto and thereafter 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. Passed by the Council the 6th day of November, 1989.
Approved by the Mayor the 9th day of November, 1989.
(SEAL)
By Marcia Rinehart
Mayor
Attest:
Jo Martha Heitzer
City Clerk
APPROVED FOR FORM:
By R.S. Wiedel
City Attorney
AN ORDINANCE RELATING TO ACCEPTANCE OF DRAINAGE EASEMENTS REQUIRED FOR THE 98TH STREET CULVERT PROJECT, 98TH AND LEE BOULEVARD.

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

19-6,211. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept 4 permanent drainage easements, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors and assigns, permanent easements 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:

From James J. and Barbara A. Bergin: All that part of Lot 301, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the northeast corner of said Lot 301; thence southwesterly, along the north boundary of said Lot, a distance of 40 feet; thence southeasterly, normal to the last described line, to the westerly right-of-way line of Lee Boulevard; thence northeasterly, along said west right-of-way line, to the point of beginning. The above contains 630 square feet, more or less.

From Michael A. Loyd: All that part of Lot 300, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southwest corner of said Lot 300; thence easterly along the south boundary of said lot to a point 19 feet easterly of the west line of said lot; thence northerly parallel to the south leg of the west boundary of said lot a distance of 104 feet; thence westerly normal to the last described line to the west boundary of said lot; thence southeasterly along said west boundary to an angle point; thence southerly along said west boundary, a distance of 93.10 feet to the point of beginning. The above contains 2,115 square feet, more or less.

From Michael A. and Ann D. DeFeo: All that part of Lot 413, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southeast corner of said Lot 413; thence westerly along the south boundary of said lot to a point 26 feet westerly of the east line of said lot; thence northerly parallel to the south leg of the east boundary of said lot, a distance of 113 feet; thence easterly normal to the last described line to the east boundary of said lot; thence southeasterly along said east boundary to an angle point; thence southerly along said east boundary, a distance of 93.10 feet to the point of beginning. The above contains 2,763 square feet, more or less.
From Michael R. and Melanie M. Cavender: All that part of Lot 300-A, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:
Beginning at a point on the north boundary of said Lot 300-A and 57 feet westerly of the northeast corner of said lot; thence southerly in a straight line to a point on the easterly line of said lot and 65 feet northerly of the southerly corner of said lot; thence southwesterly along said easterly boundary to the southeast corner of said lot; thence westerly along the south line of said lot a distance of 2 feet; thence northerly and parallel to the east line of this easement a distance of 66 feet; thence easterly, normal to the last described line, a distance of 6 feet; thence northerly to a point on the north boundary of said lot and 35 feet west of the point of beginning; thence easterly along said north boundary to the point of beginning. The above contains 3901 square feet more or less.

19-6,212. Section 2. INCORPORATION BY REFERENCE. Copies of said easements are attached hereto and thereby incorporated by reference.

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

Passed by the Council the 16th day of October, 1989.

Approved by the Mayor the 17th day of October, 1989.

(S. E. A. L)
Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Metzler
City Attorney
PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this 19th day of August, 1989, by and between James J. Bergin and Barbara A. Bergin, 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 remit, let and release to the party of the second part, the following described real estate to-wit:

All that part of Lot 301, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at the northeast corner of said Lot 301; thence southwesterly, along the north boundary of said Lot, a distance of 40 feet; thence southeasterly, normal to the last described line, to the westerly right-of-way line of Lee Boulevard; thence northeasterly, along said west right-of-way line, to the point of beginning.

The above contains 630 square feet, more or less.

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 any 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.

[Signatures]

STATE OF KANSAS

COUNTY OF JOHNSON

Filed for Record

1989 OCT 18 P 1:26.1
SARA FULLMANN
REGISTER OF DEEDS

BY——— DEP.
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Kansas:
COUNTY OF County:

BE IT REMEMBERED, That on the 19 day of August, 1999, before me, the undersigned, a Notary Public in and for said County and State, came James J. Bergin and Barbara A. Bergin

who 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.

EDITH L. HEPNER
Notary Public

My Commission Expires:

CORPORATE ACKNOWLEDGEMENT

STATE OF:
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 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.

My Commission Expires:
PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this _11_ day of _Sept._, 1987, by and between Michael A. Loyd, 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:

All that part of Lot 300, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at the southwest corner of said Lot 300; thence easterly along the south boundary of said lot to a point 19 feet easterly of the west line of said lot; thence northerly parallel to the south leg of the west boundary of said lot a distance of 104 feet; thence westerly normal to the last described line to the west boundary of said lot; thence southeasterly along said west boundary to an angle point; thence southerly along said west boundary, a distance of 93.10 feet to the point of beginning.

The above contains 2,115 square feet, more or less.

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 any 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.

STATE OF KANSAS
COUNTY OF JOHNSON

Filed for record

1989 Oct 18 P 1:27.1
Sara F. Ullmann
Register of Deeds

Michael A. Loyd

Vol 3068 Page 432
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Kansas
COUNTY OF Johnson

BE IT REMEMBERED, That on the 11th day of Sept., 1959, before me, the undersigned, a Notary Public in and for said County and State, came Michael A.loyd

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.

Melinda Melton
Notary Public

MELINDA MELTON
My Notary Public: State of Kansas
My App. Expires: 1/31/42

CORPORATE ACKNOWLEDGEMENT

STATE OF
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 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:
PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this 8 day of August, 1989, by and between Michael A. DeFeo and Ann D. DeFeo, 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:

All that part of Lot 413, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at the southeast corner of said Lot 413; thence westerly along the south boundary of said lot to a point 26 feet westerly of the east line of said lot; thence northerly parallel to the south leg of the east boundary of said lot a distance of 113 feet; thence easterly normal to the last described line to the east boundary of said lot; thence southeasterly along said east boundary to an angle point; thence southerly along said east boundary, a distance of 93.10 feet to the point of beginning.

The above contains 2,763 square feet, more or less.

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 any 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.

[Signatures]

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1989 OCT 18 P 1: 26.6
SARA E. FULLMANN
REGISTER OF DEEDS
BY: DEP.
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Kansas:
COUNTY OF Johnson:

BE IT REMEMBERED, That on the ___ day of August, 19__, before me, the undersigned, a Notary Public in and for said County and State, came Michael A. DeFeo and Ann D. DeFeo

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.

[Signature]
Julie A. Butler
Notary Public

My Commission Expires:
06-25-91

CORPORATE ACKNOWLEDGEMENT

STATE OF:
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 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:
PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this 5 day of October, 1989, by and between Michael R. Cavender and Melanie M. Cavender, 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:

All that part of Lot 300-A, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at a point on the north boundary of said lot 300-A and 57 feet westerly of the northeast corner of said lot; thence southerly in a straight line to a point on the easterly... line of said lot and 65 feet northerly of the southerly corner of said lot; thence southwesterly along said easterly boundary to the southeast corner of said lot; thence westerly along the south line of said lot a distance of 2 feet; thence northerly and parallel to the east line of this easement a distance of 66 feet; thence easterly, normal to the last described line, a distance of 6 feet; thence northerly to a point on the north boundary of said lot and 35 feet west of the point of beginning; thence easterly along said north boundary to the point of beginning.

The above contains 3901 square feet more or less.

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 any 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.

Michael R. Cavender

Melanie M. Cavender
INDIVIDUAL ACKNOWLEDGEMENT

STATE OFKansas:

COUNTY OF Johnson:

BE IT REMEMBERED, That on the 5 day of October, 1980, before me, the undersigned, a Notary Public in and for said County and State, came Melanie M. and Michael R. Cavender

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

My Commission Expires:

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CORPORATE ACKNOWLEDGEMENT

STATE OF:

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

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:
STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for ___ consecutive week(s) as follows:

1st __ 10/28/91
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this ___ day of Oct. 1991.

Notary Public
My commission expires: 3/30/91

Publication Fees: $25.00

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-31-91
AN ORDINANCE RELATING TO ACCEPTANCE OF DRAINAGE EASEMENTS REQUIRED FOR THE 57TH STREET-SULVAT PROJECT, 8TH STREET-35TH STREET.

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

19-6.211. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept permanent drainage easements, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors and assigns, permanent easements 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:

From James J. and Barbara A. Bergin: All that part of Lot 301, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the northeast corner of said Lot 301; thence southwesterly, along the northeasterly boundary of said Lot, a distance of 40 feet; thence southeasterly, normal to the last described line, to the westerly right-of-way line of Lee Boulevard; thence northeasterly, along said west right-of-way line, to the point of beginning. The above contains 0.30 square feet, more or less.

From Michael A. Loyd: All that part of Lot 300, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southwest corner of said Lot 300; thence easterly along the south boundary of said lot to a point 19 feet easterly of the west line of said lot; thence northerly parallel to the south leg of the west boundary of said lot a distance of 104 feet; thence westerly normal to the last described line to the west boundary of said lot; thence southeasterly along said west boundary to an angle point; thence southerly along said west boundary, a distance of 93.10 feet to the point of beginning. The above contains 2.115 square feet, more or less.

From Michael A. and Ann D. DeFoe: All that part of Lot 413, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southeast corner of said Lot 413; thence westerly along the south boundary of said lot to a point 26 feet westerly of the east line of said lot; thence northerly parallel to the south leg of the east boundary of said lot, a distance of 113 feet; thence easterly normal to the last described line, a distance of 5 feet; thence northerly to a point on the north boundary of said lot, a distance of 35 feet westerly of the last described point; thence easterly along said north boundary to the point of beginning. The above contains 2.753 square feet, more or less.

From Michael R. and Melanie M. Cavender: All that part of Lot 300-A, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at a point on the north boundary of said lot 300-A and 35 feet westerly of the northeast corner of said lot; thence southerly in a straight line to a point on the easterly line of said lot and 65 feet northerly of the southerly corner of said lot; thence southerly along said easterly line to the southeast corner of said lot; thence westerly along the south line of said lot a distance of 2 feet; thence northerly and parallel to the east line of this easement to a distance of 6 feet; thence easterly, normal to the last described line, a distance of 5 feet; thence northerly to a point on the north boundary of said lot, a distance of 35 feet westerly of the last described point; thence easterly along said north boundary to the point of beginning. The above contains 3501 square feet, more or less.

19-6.212. Section 2. INCORPORATION BY REFERENCE. Copies of said easements are attached hereto and thereto incorporated by reference.

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

Passed by the Council the 16th day of October, 1989.

Approved by the Mayor the 17th day of October, 1989.

(S E A L) /s/ Marcia Almehart
Marcia Almehart Mayor

Attest:
/s/ Martha Meisner
Martha Meisner City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler
R.S. Wetzler City Attorney
ORDINANCE NO. 1133

AN ORDINANCE AUTHORIZING AND PROVIDING FOR ACQUISITION OF ROAD RIGHT OF WAY FOR THE IMPROVEMENT OF 143RD STREET WEST NEAR THE INTERSECTION OF 143RD STREET AND NALL AVENUE IN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood did by resolution, approved on October 2, 1989, declare the necessity of appropriating certain private property for the use of the City; and

WHEREAS, the Governing Body has previously authorized a survey and description of the land and interest to be condemned to be made by some competent engineer and filed with the City Clerk; and

WHEREAS, a survey and description of the land and interest to be condemned has been made by a competent engineer and filed with the City Clerk.

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

19-132. Section 1. The City Attorney is hereby authorized and directed to institute eminent domain proceedings to acquire the property and interests described by survey filed with the City Clerk which property and interests have been determined by the Governing Body to be necessary for the purpose of construction of improvements and re-improvements to 143rd Street near the intersection of 143rd Street and Nall Avenue in the City of Leawood, Kansas. Specifically, the City Attorney is authorized and directed to institute eminent domain proceedings to acquire permanent road right of way to the following described property:

Tract 1. The North 30 feet of the South 50 feet of the West 10 acres of the East 20 acres of the Southeast 1/4 of the Southwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas.

Owner: Corrine O'Brien, trustee under that certain Trust Agreement dated March 10, 1986 between Corrine O'Brien, grantor, and Corrine O'Brien, trustee, and her successor or successors in Trust and Timothy E. O'Brien,
trustee under that certain Trust Agreement dated March 10, 1986 between Timothy E. O'Brien, grantor and Timothy E. O'Brien, trustee and his successor or successors in Trust.

Tract 2. The North 30 feet of the South 50 feet of the East 10 acres of the Southeast 1/4 of the Southwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas.

Owner: Same as Tract 1 hereinabove.

Section 2. This Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 2nd DAY OF October, 1989.

APPROVED BY THE MAYOR THIS 4th DAY OF October, 1989.

(SEE AL)

Mayor

ATTEST:

City Clerk

Approved as to form:

City Attorney
AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, be:

Deanna Marklein being first duly sworn, deposeth and saith: 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 (weeks, days) the first publication thereof being made on the day of, 19- , with subsequent publications being made on the following dates:

19- 

19- 

19-

Subscribed and sworn to before me this day of , 19---

NOTARY PUBLIC

My Commission expires: L.9.3.

Printer's Fee ( )

Additional copies ( )
ORDINANCE NO. 1132

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF SOMERSET DRIVE, A MAIN TRAFFICWAY FROM CITY LIMITS WEST OF FAIRWAY (WENONGA) TO BELINDER ROAD WITHIN THE CITY OF LEAWOOD AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Somerset Drive which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, K.S.A. 12-687 provides that the Governing Body of any city shall have power to improve or reimprove cause to be improved or reimproved, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-685 et seq., and such improvement or reimprovement may include grading, regrading, curbing, recurfing, guttering, reguttering, paving, repaving, macadamizing, remacadamizing, constructing, reconstructing, opening, widening, extending, rounding corners, straightening, relocating, construction or reconstruction of any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts, storm drainage, trafficway illumination, traffic control devices, pedestrian ways, bicycle ways, or other improvements or any two or more of such improvements or reimprovements and the acquisition of right-of-way by purchase or condemnation when necessary for any of such purposes; and

WHEREAS, K.S.A. 12-689 provides that all costs of improvements or reimprovements authorized under the provisions of K.S.A. 12-687, including acquisition of right-of-way, engineering costs, and all other costs properly attributable to such projects, shall be paid by the City at large and may be funded among others, by the issuance of general improvement bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove certain portions of Somerset Drive from City Limits West of Fairway (Wenonga) to Belinder Road as provided by and under the authority of K.S.A. 12-687, and to provide for the payment of the costs thereof as provided by and under the authority of K.S.A. 12-689.

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

20-1,519. Section 1. It is hereby deemed and declared to be necessary to improve and reimprove certain portions of Somerset Drive from City Limits West of Fairway (Wenonga) to Belinder Road, located within the City of Leawood, and it is hereby authorized, ordered, and directed that said main trafficway improvements be done under the authority of K.S.A. 12-687.
Section 2. The total estimated cost of the above described main trafficway improvements or reimprovements, including construction, engineering fees, acquisition of right-of-way and easements, contingencies, administrative expenses and expenses of financing the improvements or reimprovements, is $75,000.00, and said costs shall be chargeable to the City at large and will be paid by the issuance of general obligation bonds of the City of Leawood under the authority of K.S.A. 12-689.

Section 3. This ordinance shall take effect and be of force from and after its passage and approval and publication one time in the official City newspaper.

Passed by the Council the 2nd day of October, 1989.

Approved by the Mayor this 4th day of October, 1989.

Marcia Rinehart
Mayor

ATTEST:

Martha Heizer
City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler
City Attorney
STATE OF KANSAS, JOHNSON COUNTY, ss: Demara Martin being first Duly sworn, Deposes and says: That she is a 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 yealy 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

week days (weeks, days) the first publication thereof being made as aforesaid on the ——— day of, ——— 19——, —— with subsequent publications being made on the following dates:

[Signature]

Demara Martin

Subscribe and swear to before me this ——— day of ——— 19——

Notary Public

Pearlie A. Peterson

NOTARY PUBLIC

TATE OF KANSAS

My App't Expires Jan. 25, 1992

My Commission expires: ———

Printer's Fee $ ———

Additiona copies $ ———
AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF
SOMERSET DRIVE, A MAIN TRAFFICWAY FROM BELINDER ROAD TO
SAGAMORE ROAD, WITHIN THE CITY OF LEAWOOD AND PROVIDING FOR
THE PAYMENT OF COSTS THEREOF.

WHEREAS, the City of Leawood has previously by Section
14-206 of the "Code of the City of Leawood, Kansas, 1984" des-
ignated that portion of Somerset Drive which is located within
this City as a main trafficway pursuant to the provisions of
K.S.A. 12-685; and

WHEREAS, K.S.A. 12-687 provides that the Governing Body of
any city shall have power to improve or re improve or cause to
be improved or re improved, any main trafficway or trafficway
connection designated and established under the provisions of
K.S.A. 12-685 et seq., and such improvement or re improvement
may include grading, regrading, curbing, recurfing, guttering,
reguttering, paving, repaving, macadamizing, remacadamizing,
constructing, reconstructing, opening, widening, extending,
routing corners, straightening, relocating, construction or
reconstruction of any necessary bridges and approaches thereto,
viaducts, overpasses, culverts, storm drainage, trafficway illumination, traffic control devices, pedestrian
ways, bicycle ways, or other improvements or any two or more of
such improvements or improvements and the acquisition of
right-of-way by purchase or condemnation when necessary for any
of such purposes; and

WHEREAS, K.S.A. 12-689 provides that all costs of im-
provements or improvements authorized under the provisions of
K.S.A. 12-687, including acquisition of right-of-way, engineer-
ing costs, and all other costs properly attributable to such
projects, shall be paid by the City at large and may be funded
among others, by the issuance of general improvement bonds; and

WHEREAS, said Governing Body finds and determines that it
is necessary to improve and re improve certain portions of
Somerset Drive from Belinder Road to Sagamore Road, as pro-
vided by and under the authority of K.S.A. 12-687, and to pro-
vide for the payment of the costs thereof as provided by and
under the authority of K.S.A. 12-689.

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

20-1,517. Section 1. It is hereby deemed and declared to be neces-
sary to improve and re improve certain portions of Somerset
Drive from Belinder Road to Sagamore Road, located within the
City of Leawood, and it is hereby authorized, ordered, and di-
rected that said main trafficway improvements be done under the
authority of K.S.A. 12-687.
Section 2. The total estimated cost of the above described main trafficway improvements or reimprovements, including construction, engineering fees, acquisition of right-of-way and easements, contingencies, administrative expenses and expenses of financing the improvements or reimprovements, is $175,000.00, and said costs shall be chargeable to the City at large and will be paid by the issuance of general obligation bonds of the City of Leawood under the authority of K.S.A. 12-689.

Section 3. This ordinance shall take effect and be of force from and after its passage and approval and publication one time in the official City newspaper.

Passed by the Council the 2nd day of October, 1989.

Approved by the Mayor this 4th day of October, 1989.

Marcia Rinehart Mayor

ATTEST:

Martha Heizer City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler City Attorney
AN ORDINANCE ADOPTED TO IMPROVE CERTAIN SECTIONS OF SAGAMORE DRIVE, A MAJOR TRAFFICWAY FROM BELFONDER ROAD TO SAGAMORE ROAD, WITHIN THE CITY OF LEAWOOD AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF.

WHEREAS, the City of Leawood, Kansas, has in previous years, by ordinance, relocated streets, roadways, underpasses, overpasses, underpasses, and underpasses, including, but not limited to: Said newspaper is a semi-weekly published at least weekly 50 times a year; and 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

The undersigned hereby subscribes and swears to the truth of the above and further that

Affidavit of Publication

STATE OF KANSAS, LEAWOOD COUNTY, ss. Deanna Martinez, being first duly
sworn, deposes and says: That she is legal publisher-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 weekly 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

The undersigned hereby subscribes and swears to the truth of the above and further that

Affidavit of Publication

STATE OF KANSAS, JOHNSON COUNTY, ss. Deanna Martinez, being first duly
sworn, deposes and says: That she is legal publisher-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 weekly 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

The undersigned hereby subscribes and swears to the truth of the above and further that

Affidavit of Publication

STATE OF KANSAS, JOHNSON COUNTY, ss. Deanna Martinez, being first duly
sworn, deposes and says: That she is legal publisher-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 weekly 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

The undersigned hereby subscribes and swears to the truth of the above and further that

Affidavit of Publication

STATE OF KANSAS, JOHNSON COUNTY, ss. Deanna Martinez, being first duly
sworn, deposes and says: That she is legal publisher-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 weekly basis in JOHNSON COUNTY, Kansas, and that said newspaper is not a trade,
ORDINANCE NO. 1130C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD; DESIGNATING MAIN TRAFFICWAYS WITHIN THE CITY OF LEAWOOD, KANSAS; AND REPEALING EXISTING SECTION.

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

Section 1. Section 14-206 of the Code of the City of Leawood is hereby amended to read as follows:

14-206. MAIN TRAFFICWAYS. The following list of streets, as located within the City of Leawood, are hereby designated as main trafficways with primary functions of said trafficways for the moving of through traffic between areas of concentrated activities and between such areas within the City and traffic facilities outside the City all pursuant to K.S.A. 12-685:

(a) Lee Boulevard;
(b) Mission Road;
(c) College Boulevard (111th Street);
(d) Roe Avenue;
(e) State Line Road;
(f) Nall Avenue;
(g) 103rd Street;
(h) 123rd Street;
(i) 95th Street;
(j) 119th Street;
(k) 135th Street (K-150);
(l) 143rd Street;
(m) 83rd Street;
(n) 151st Street;
(o) Tomahawk Creek Parkway;
(p) Somerset Drive;
(q) Kenneth Parkway/Kenneth Road;
(r) 127th Street.

Section 2. Existing Section 14-206 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1073C)

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

Passed by the Council the 2nd day of October, 1989.
Approved by the Mayor the 4th day of October, 1989.
ORDINANCE NO. 1130C
re: Main Trafficways

(SEAL)

Attest:

Martha Heizer City Clerk

Marcia Rinehart Mayor

APPROVED FOR FORM:

R.S. Wetzler City Attorney
AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Marisa in 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 2 weeks, consecutive beginning on the --- of October, 19---, with subsequent publications being made on the following dates:

------------ 19- -------------- 19- -------------- 19- 

Deanna Marisa in

Subscribe and sworn to before me this 16th day of October, 19---

Notary Public

My Commission expires: 12-30-52

Printer's Fee $ 7.50

Additional copies $
AN ORDINANCE ANNEXING LANDS TO THE CITY OF LEAWOOD, KANSAS, 
UPON ORDER OF BOARD OF COUNTY COMMISSIONERS OF JOHNSON 
COUNTY, KANSAS, ISSUED ON SEPTEMBER 28, 1989, PURSUANT TO THE 

WHEREAS, the City of Leawood, Kansas, did file a 
Petition for Annexation with the Board of County 
Commissioners on March 10 and March 17, 1988 requesting 
authority to annex land located within Johnson County, 
pursuant to K.S.A. 12-521; and

WHEREAS, a court action was commenced by and between the 
City of Leawood and the City of Overland Park concerning the 
authority of the City of Leawood to annex certain portions 
of the land included within the Petition filed with the Board 
by the City of Leawood; and

WHEREAS, the Board of County commissioners stayed its 
proceedings upon the Petition pending a final decision in the 
court action; and

WHEREAS, a final ruling was issued by the Kansas Supreme 
Court in the court action on July 24, 1989, and the Board 
then commenced its proceedings on the Petition of the City of 
Leawood, directing the City to provide notice by mail and 
publication of the proposed annexation and public hearing and 
confining its considerations on the Petition to only that 
land and properties which, consistent with the decision of 
the Supreme Court, were not then annexed within the City of 
Overland Park; and

WHEREAS, the City of Leawood did file a revised request, 
reflecting the decision of the Supreme Court and the Order of 
the Board; and

WHEREAS, the Board of County Commissioners, under K.S.A. 
12-521, as amended, is vested with the authority and 
responsibility to conduct a public hearing upon the Petition 
and to weigh the evidence presented to it to determine 
whether the Petition, or any part of it, should be granted or 
denied; and

WHEREAS, K.S.A. 12-521 requires the Board of County 
Commissioners to determine the affect of the proposed 
annexation upon the City, the area to be annexed, the 
residents of the area and the City, the utility services, 
other governmental units and other persons, using the factors 
and criteria identified in the statute; and
WHEREAS, the Board did conduct a public hearing on September 14, 1989 on the Petition and has considered all comments, evidence, and factors relevant to the annexation request; and

WHEREAS, the Board following public hearing on September 28, 1989, did by its Resolution No. 117-89 make findings and conclusions regarding the annexation petition of the City of Leawood, which findings and conclusions are incorporated herein by reference as if set forth in full; and

WHEREAS, the Board did by its Resolution No. 117-89 approve, pursuant to K.S.A. 12-521, of a portion of the request of the City of Leawood to Annex land and did specifically authorize the City of Leawood to annex by ordinance certain land as described in said Resolution No. 117-89.

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

Section 1. Land annexed to the City of Leawood. The City of Leawood, Kansas, does hereby, pursuant to the provisions of K.S.A. 12-521 and as authorized by the Order of Board of County Commissioners of Johnson County, annex to said city the following described land:

Parcel 1: Section 9, Township 14, Range 25.

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guilford Downs. Containing 34.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25.

Beginning 829.6 feet south of the northwest corner of the northeast quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guilford Downs.
Section 2. Clerk directed to file copies of ordinance. The City Clerk is hereby directed upon passage and publication of this annexation ordinance to file a certified copy of this ordinance with the county clerk, the register of deeds, and the county election commissioner of Johnson County, Kansas.

Section 3. Take effect. This ordinance shall take effect upon publication and filing as provided by law.

Passed by the Governing Body this 2nd day of October, 1989.

Approved by the Mayor this 4th day of October, 1989.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM: R.S. Wetzler, City Attorney
AN ORDINANCE ANNEXING LANDS TO THE CITY OF LEAWOOD, KANSAS,
UPON ORDER OF BOARD OF COUNTY COMMISSIONERS OF JOHNSON
COUNTY, KANSAS, ISSUED ON SEPTEMBER 28, 1989, PURSUANT TO THE

WHEREAS, the City of Leawood, Kansas, did file a
Petition for Annexation with the Board of County
Commissioners on March 10 and March 17, 1988 requesting
authority to annex land located within Johnson County,
pursuant to K.S.A. 12-521; and

WHEREAS, a court action was commenced by and between the
City of Leawood and the City of Overland Park concerning the
authority of the City of Leawood to annex certain portions
of the land included within the Petition filed with the Board
by the City of Leawood; and

WHEREAS, the Board of County commissioners stayed its
proceedings upon the Petition pending a final decision in the
court action; and

WHEREAS, a final ruling was issued by the Kansas Supreme
Court in the court action on July 24, 1989, and the Board
then commenced its proceedings on the Petition of the City of
Leawood, directing the City to provide notice by mail and
publication of the proposed annexation and public hearing and
confining its considerations on the Petition to only that
land and properties which, consistent with the decision of
the Supreme Court, were not then annexed within the City of
Overland Park; and

WHEREAS, the City of Leawood did file a revised request,
reflecting the decision of the Supreme Court and the Order of
the Board; and

WHEREAS, the Board of County Commissioners, under K.S.A.
12-521, as amended, is vested with the authority and
responsibility to conduct a public hearing upon the Petition
and to weigh the evidence presented to it to determine
whether the Petition, or any part of it, should be granted or
denied; and

WHEREAS, K.S.A. 12-521 requires the Board of County
Commissioners to determine the affect of the proposed
annexation upon the City, the area to be annexed, the
residents of the area and the City, the utility services,
other governmental units and other persons, using the factors
and criteria identified in the statute; and
This is incorrect. Part of Guildford Downs is replotted. Please check!

Thank you

1901178
WHEREAS, the Board did conduct a public hearing on September 14, 1989 on the Petition and has considered all comments, evidence, and factors relevant to the annexation request; and

WHEREAS, the Board following public hearing on September 28, 1989, did by its Resolution No. 117-89 make findings and conclusions regarding the annexation petition of the City of Leawood, which findings and conclusions are incorporated herein by reference as if set forth in full; and

WHEREAS, the Board did by its Resolution No. 117-89 approve, pursuant to K.S.A. 12-521, of a portion of the request of the City of Leawood to Annex land and did specifically authorize the City of Leawood to annex by ordinance certain land as described in said Resolution No. 117-89.

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

Section 1. Land annexed to the City of Leawood. The City of Leawood, Kansas, does hereby, pursuant to the provisions of K.S.A. 12-521 and as authorized by the Order of Board of County Commissioners of Johnson County, annex to said city the following described land:

Parcel 1: Section 9, Township 14, Range 25.

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guilford Downs. Containing 34.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25.

Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guilford Downs.
Section 2. Clerk directed to file copies or ordinance. The City Clerk is hereby directed upon passage and publication of this annexation ordinance to file a certified copy of this ordinance with the county clerk, the register of deeds, and the county election commissioner of Johnson County, Kansas.

Section 3. Take effect. This ordinance shall take effect upon publication and filing as provided by law.

Passed by the Governing Body this 2nd day of October, 1989.

Approved by the Mayor this 4th day of October, 1989.

(SEAL)

Marina Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Wetzler City Attorney

CERTIFICATE

State of Kansas )
County of Johnson) City of Leawood )

I, Martha Heizer, City Clerk of the City of Leawood, Kansas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 1129 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said City this 9th day of October, 1989.
MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS
OF JOHNSON COUNTY, KANSAS, HELD ON THURSDAY, SEPTEMBER 28,
1989.

A regular meeting of the Board of County Commissioners
of Johnson County, Kansas, was held on Thursday, September
28, 1989, with the following members being present and
participating, to-wit: Chairman Bruce R. Craig
Commissioner Kent E. Crippin
Commissioner Murray L. Molte
Commissioner Sue E. Weltner

WHEREUPON, there came before the Board for considera-
tion the request of the City of Leawood, originally filed on
March 10 and March 17, 1988 and revised on July 24, 1989,
seeking authority to annex, pursuant to K.S.A. 12-521, three
(3) tracts of land, comprising a total of 124.75 acres,
located in Johnson County, Kansas.

The Board, after conducting a public hearing, as
required by K.S.A. 12-521, upon reviewing the files, records
and documents, and having considered the statements of City
officials and comments of citizens, adopted the following
findings and conclusions, Resolution and Order, all upon a
motion duly made, seconded and carried, to-wit:

RESOLUTION MAKING FINDINGS AND
CONCLUSIONS AND ORDER ON THE
ANNEXATION REQUEST OF THE CITY
OF LEAWOOD

RES. NO. 117-89

WHEREAS, the City of Leawood, Kansas, located in
Johnson County, did file a Petition for Annexation with the
Board of County Commissioners on March 10 and March 17, 1988
requesting authority to annex land located within Johnson
County, pursuant to K.S.A. 12-521; and

WHEREAS, a court action was commenced by and between
the City of Leawood and the City of Overland Park concerning
the authority to annex certain portions of the land included
within the Petition filed with the Board by the City of
Leawood; and
CERTIFICATE OF TRUE COPY

I, Eileen S. Otto, Deputy County Clerk of Johnson County, Kansas, hereby certify that the foregoing and attached Resolution No. 117-89 is a true and correct copy of Resolution No. 117-89.

Eileen S. Otto
Deputy County Clerk
WHEREAS, the Board of County Commissioners stayed its proceedings upon the Petition pending a final decision in the court action; and

WHEREAS, a final ruling was issued by the Kansas Supreme Court in the court action on July 24, 1989, and the Board then commenced its proceedings on the Petition of the City of Leawood, directing the City to provide notice by mail and publication of the proposed annexation and public hearing and confining its considerations on the Petition to only that land and properties which, consistent with the decision of the Supreme Court, were not then annexed within the City of Overland Park; and

WHEREAS, the City of Leawood did file a revised request, reflecting the decision of the Supreme Court and the Order of the Board; and

WHEREAS, the Board of County Commissioners, under K.S.A. 12-521, is vested with the authority and responsibility to conduct a public hearing upon the Petition and to weigh the evidence presented to it to determine whether the Petition, or any part of it, should be granted or denied; and

WHEREAS, K.S.A. 12-521 requires the Board of County Commissioners to determine the affect of the proposed annexation upon the City, the area to be annexed, the residents of the area and the City, the utility services, other governmental units and other persons, using the factors and criteria identified in the statute; and

WHEREAS, the Board did conduct a public hearing on September 14, 1989 on the Petition and has considered all comments, evidence, and factors relevant to the annexation request.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Johnson County, Kansas that the following findings and conclusions be and hereby are adopted:

1. The City of Leawood properly filed the Petition for Annexation on March 10 and March 17, 1988 and properly
revised the request, consistent with the decision of the Supreme Court and Order of this Board on July 24, 1989;

2. Notice of the filing of the Petition, the stay of the Board's proceedings, the revision of the request, and the scheduled date for the public hearing before the Board were provided by mail and by publication in full and substantial compliance with the statutory requirements;

3. The City of Leawood submitted its plan for the extension of services to the area proposed to be annexed and revised the plan as necessary to conform to the changes in the annexation request;

4. The Petition for Annexation, as filed and revised, is properly before the Board, and the Board has proper jurisdiction over the request;

5. The Petition has been submitted to and reviewed by the Johnson County Planning Commission, which has found and reported to the Board that the request is consistent with the comprehensive plan of the County and the plan of the City, but the planning commission did not make a recommendation on the Petition;

6. The area proposed to be annexed includes a total of 124.75 acres of land, is comprised of three primary tracts of land, and is generally located at or near 151st Street and Mission Ave., as depicted on the attached Exhibit A;

7. The current land uses within the area proposed to be annexed include approximately 30 acres in a platted subdivision zoned for residential use, with the remainder being currently vacant ground or agricultural usage, but none of the land is devoted to agriculture or cultivation;

8. At the present time, approximately one quarter of the area proposed for annexation is now platted, and landowners of the unplatted area are in the process of proposing subdivision plans for their property;

9. The future land use proposed for the area is residential with some recreational areas along streams and
flood plain areas, and the land proposed to be annexed has been included within the comprehensive plan for the City;

10. The area proposed to be annexed has no existing commercial or industrial development and none is planned within the area, but utility and industrial properties are located to the east and south of the area;

11. The present population in the area proposed to be annexed is 56 persons, and that population is expected to increase significantly through substantial growth and development likely to occur in the area during the next five years;

12. The area proposed to be annexed is bounded on all sides by property located within either the City of Leawood or the City of Overland Park and is no longer adjacent to nor near any other unincorporated area;

13. The area proposed to be annexed lies adjacent to the boundaries of the City of Leawood, lies with the natural growth area of Leawood, is more naturally aligned by topography and transportation routes with the City of Leawood, and is very near or adjacent to other proposed and existing residential development located within the City of Leawood;

14. The area is currently located in and is a part of Oxford Township, Johnson County Fire District No. 2, and Blue River Main Sewer District, as well as Blue Valley Unified School District 299, which provide services or have services available for the area, but it is not now a part of any other separate governmental subdivision or special service district, and there are no existing petitions for incorporation or to create any special or improvement districts related to the area or any part of it;

15. The area currently receives governmental services from Johnson County, which are paid from the County general fund and other mill levies at rates applicable to all properties in the County, from the Unified Sewer Districts, at rates applicable to properties within the separate and
united districts, from the Johnson County Fire District No. 2, at rates applicable through the district, and from the township, at tax rates levied for the township, and those services are adequate for existing conditions but will need to be supplemented and improved with new growth and development in the area;

16. The City of Leawood has proposed a plan for the extension of municipal services into the area and does now possess the capability to provide all necessary municipal services to the area without appreciable additional cost to the City or its residents;

17. The area proposed to be annexed is now isolated from any other unincorporated or township area, and the City of Leawood can more easily and efficiently provide services to the area and can provide the services, including planning and zoning, more comparable to and consistent with those provided to adjacent and surrounding areas;

18. The services proposed by the City for the area are generally equivalent to services provided to current residents of the City of Leawood and are equivalent to or better than those now provided or which can be readily provided by the County and township in the near future;

19. The annexation, as proposed, would impose a tax impact upon the land with a resulting increase in taxes of approximately 24 to 33 mills, based upon 1988 property valuations and mill levy equivalents, for the general mill levy paid by all land within the City, less the tax levy for Johnson County Fire District No. 2 as that service is incorporated into the City;

20. The tax and cost impact upon the area to be annexed and its residents is not appreciable nor substantial when compared to the services and benefits to be provided and necessary for growth and development in the area and will not result in substantial burdens in relation to other surrounding properties;
21. To the extent identifiable within the urban nature of Johnson County and the Kansas City Metropolitan area, the land sought to be annexed is dependent to some extent upon the City of Leawood for services, for social and economic opportunities, and for other available resources, with major thoroughfares and transportation routes running into and through the City of Leawood to the North, West and East;

22. The proposed annexation will have no effect upon any adjacent area, nor upon any sewer, water utility, or improvement district and any impact upon the fire district or township services will be minimal and/or compensated for through agreements with the City;

23. The area proposed to be annexed is ready for imminent development and will experience significant growth and development in the next five years, and both the area and the City will benefit from the annexation due to the necessity for and ability of the City to provide planning and regulation of the growth and development in an orderly manner, consistent and compatible with surrounding properties already within the City;

24. The landowners within the area proposed to be annexed will benefit from the proposed annexation, and the landowners of more than three-fourths of the property have consented, in writing, to the annexation;

25. Some property owners within the existing platted subdivision, Guildford Downs, have objected, in writing, to the annexation and others in the subdivision have supported the proposed annexation;

26. The Guildford Downs platted subdivision is bounded on the North, East and West by property already annexed into the City of Leawood and is bounded on the South by property owned by a developer who has consented to annexation by the City of Leawood;

27. The area proposed to be annexed will be better served and have more appropriate governmental services and regulations upon annexation and without annexation would be
isolated from other unincorporated areas and would not be easily accessible for or able to develop comparable services;

28. The citizens within the current City boundaries will not incur any appreciable burdens or costs from the proposed annexation, and the citizens in the area proposed to be annexed will receive services and benefits commensurate with any costs or burdens imposed by the annexation.

IT IS, THEREFORE, THE CONCLUSION of the Board of County Commissioners of Johnson County, Kansas that:

1. The proposed annexation, in whole, is reasonable and advisable due to the location of the area immediately adjacent to current city limits, due to the imminent nature of development in the area, due to the nature of surrounding properties already included within the City of Leawood or City of Overland Park, and due to the present need for and capability of the City to provide full municipal services to the area;

2. The proposed annexation, as a whole, will not adversely affect nor cause any manifest injury to the landowners within the area, nor the current city residents, nor to any governmental entity or other service district, nor to any other person, utility or entity; and the City of Overland Park has not opposed the annexation and has not been shown to be more capable or reasonable to serve the area;

3. Failure to approve the annexation may cause injury to the City of Leawood due to the inability then for the City to plan and regulate the growth and development in the area in an orderly manner, compatible with adjacent areas and consistent with the need for municipal services in the area and surrounding area; and

4. Annexation of the area, as a whole, within the City of Leawood is preferable to any division or partition since approximately one-fourth or the area is currently platted, the remaining three quarters have consented to the annexation, and the platted area is completely surrounded and
bounded by property already within the City of Leawood or consenting to the annexation.

IT IS, THEREFORE, RESOLVED AND ORDERED by the Board of County Commissioners of Johnson County, Kansas, based upon the findings and conclusions, that the Petition for Annexation filed by the City of Leawood on March 10 and March 17, 1988, as revised on July 24, 1989, be and hereby is approved and, pursuant to K.S.A. 12-521 the City of Leawood is hereby authorized to annex, by ordinance, the land legally described on the attached Exhibit B.

This Resolution shall be effective upon adoption and a certified copy shall be filed with the City Clerk of the City of Leawood.

BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, KANSAS

By: [Signature]
Bruce R. Craig, Chairman

ATTEST:

Beverly L. Baker
County Clerk

APPROVED AS TO FORM:

Donald Jarrett
Chief Counsel

cc: City of Leawood
Planning
Legal
EXHIBIT B - LEGAL DESCRIPTION OF AREAS TO BE ANNEXED

Parcel 1: Section 9, Township 14, Range 25.

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guilford Downs. Containing 34.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25.

Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guilford Downs.
STATE OF KANSAS, JOHNSON COUNTY, ss. "Deanna Marisatt" being first duly sworn, Depose 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 fraternities publication.

Said newspaper is a semi-weekly published at least 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

(weeks, days) the first publication thereof being made as aforesaid on the day of, 1989,

with subsequent publications being made on the following dates:


Subscribed and sworn to before me this day of, 1989.


[Signature]

NOTARY PUBLIC

[Seal]

[Name]

[Title]
ORDINANCE NO. 1128C

AN ORDINANCE RELATING TO DRUGS; DRUG PARAPHERNALIA; DEFINING CERTAIN TERMS RELATING TO THE SAME, REGULATING THE USE, POSSESSION WITH INTENT TO USE, SALE, DELIVERY OR MANUFACTURE OF DRUG PARAPHERNALIA; REPEALING EXISTING SECTIONS.

DECLARATION OF CITY POLICY AND PURPOSE. Whereas, the governing body of the City of Leawood, Kansas, has determined, and hereby finds, that a problem exists within its territorial limits exposing both young people and adults to the use of drugs and controlled substances other than as authorized by law. The governing body hereby finds that the display and availability for sale of drug paraphernalia, simulated drugs and simulated controlled substances all hereinafter defined contributes to the usage of drugs creating an atmosphere of apparent condonation by the community of the same; and

Whereas, the governing body of the City of Leawood hereby finds that it is to the best interests of the health, safety and welfare of the community to prohibit the display and sale of drug paraphernalia.

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

SECTION 1. ADOPTION OF NEW ARTICLE SIX OF CHAPTER 11. Article 6 of Chapter 11 is hereby amended to read as follows:

11-601. DEFINITIONS. When used in this ordinance:
   a. The term "controlled substance" means any drug, substance or immediate precursor included in any of the schedules as designated in the Uniform Controlled Substance Act, Chapter 65, Article 41 of the Kansas Statutes Annotated.
   b. The term "deliver" or "delivery" means actual constructive or attempt to transfer from one person to another whether or not there is an agency relationship.
   c. The term "drug" means:
      1. Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, or any supplement to any of them;
      2. Substances intended for use in the diagnosis, cure, medication, treatment or prevention of disease in man or animal;
      3. Substances other than food intended to affect the structure or any function of the body or man or animal;
      4. Substances intended for use as a compo-
ponent of any articles specified in paragraphs 1, 2 or 3 of this subsection, but does not include devices or their
components, parts or accessories.

d. "Drug Paraphernalia" means all equipment, products and materials of any kind which are used or intended
for use in planting, propagating, cultivating, growing, har-
vesting, manufacturing, compounding converting, producing
processing, preparing, testing, analyzing, packaging,
repackaging, storing, containing, concealing, injecting, in-
gesting, inhaling or otherwise introducing into the human
body a controlled substance in violation of the Uniform Con-
trolled Substances Act, Chapter 65, Article 41 of the Kansas
Statutes Annotated. Drug Paraphernalia shall include but is
not limited to:

1. Kits used, intended for use, or designed
for use in planting, propagating, cultivating, growing or
harvesting any specifies of plant which is a controlled sub-
stance or from which a controlled substance can be derived;

2. Kits used or intended for use in manufac-
turing, compounding, converting, producing, processing, or
preparing controlled substances;

3. Isomerization devices used or intended
for use in increasing the potency of any species of plant
which is a controlled substance;

4. Testing equipment used or intended for
use in identifying or in analyzing the strength, effective-
ness or purity of a controlled substance;

5. Scales and balances used or intended for
use in weighing or measuring controlled substances;

6. Diluents and adulterants, such as quinine
hydrochloride, mannitol, mannite, dextrose and lactose, which
are used or intended for use in cutting controlled sub-
stances;

7. Separation gins and sifters used or in-
tended for use in removing twigs and seeds from or otherwise
cleaning or refining marijuana;

8. Blenders, bowls, containers, spoons and
mixing devices used or intended for use in compounding con-
trolled substances;

9. Hypodermic syringes, needles and other
objects used or designed for use in parenterally injecting
controlled substances into the human body;

10. Objects used or intended for use in in-
gesting, inhaling or otherwise introducing marijuana, co-
caine, hashish, or hashish oil into the human body, such as:
(a) Metal, wooden, acrylic, glass,
stone, plastic or ceramic pipes with or without screens, per-
manent screens, hashish heads, or punctured metal bowls;
(b) Water pipes;
(c) Carburetion tubes and devices;
(d) Smoking and carburetion masks;
(e) Roach clips (objects used to hold burning material such as marijuana cigarettes that have become too small or too short to be held in the hand);
(f) Miniature cocaine spoons and cocaine vials;
(g) Chamber pipes;
(h) Carburetor pipes;
(i) Electric pipes;
(j) Air-driven pipes;
(k) Chillums;
(l) Bongs;
(m) Ice pipes or chillers.

In determining whether an object is drug paraphernalia, a court or other authority shall consider in addition to all other logically relevant factors, the following:

1. Statements by an owner or person in control of the object concerning its use;
2. Prior convictions, if any, of the owner or person in control of the object under any city, state or federal law relating to any controlled substance;
3. The proximity of the object to a direct violation of the Uniform Controlled Substances Act;
4. The proximity of the object to a controlled substance;
5. The existence of any residue of controlled substances on the object;
6. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object to deliver it to persons whom he knows or should reasonably know, intends to use the object to facilitation a violation of the Uniform Controlled Substances Act; the innocence of an owner or person in control of the object, as to a direct violation of the Uniform Controlled Substances Act shall not prevent a finding that the object is intended for use as drug paraphernalia;
7. Oral or written instructions provided with the object concerning its use;
8. Descriptive materials accompanying the object which explain or depict its use;
9. National and local advertising concerning the object's use;
10. The manner in which the object is displayed for sale;
11. Whether the owner or person in control of the object is a legitimate supplier of similar or related items to the community such as a distributor or dealer of tobacco products;
12. Direct or circumstantial evidence of the ratio of sales of the object or objects to the total sale of the
13. The existence and scope of legitimate uses for the object in the community or expert testimony concerning the object's use.

e. "Intended for use" or the "with intent to deliver" means the intent of the person possessing, manufacturing, selling, offering to sell, dispensing, giving way or displaying, drug paraphernalia or any simulated controlled substances or simulated drug.

f. The term "marijuana" means all parts of all varieties of the plant Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination.

g. "Manufacture" means the production, preparation, propagation, conversion or processing of a controlled substance either directly or indirectly by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging or labeling of a controlled substance:

1. By a practitioner or his agent pursuant to a lawful order of a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or

2. By a practitioner or by his authorized agent under his supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or hospital as an incident to his or its dispensing of a controlled substance.

h. "Patient" means, as the case may be:

1. The individual for whom a drug is prescribed or to whom a drug is administered; or

2. The owner or the agent or the owner of the animal for which a drug is prescribed or to which a drug is administered; provided, that the prescribing or administering referred to in subdivisions 1 and 2 of this subsection is in good faith and in the course of professional practice only.

i. "Person" means individual, corporation, gov-
ernment or governmental subdivision or agency, business
trust, estate, trust, partnership or association or any other
legal entity.

j. "Pharmacist" means an individual currently li-
censed to practice the profession of pharmacy in this state.

k. "Practitioner" means a physician (M.D. or
D.O.), dentist, podiatrist, veterinarian, scientific investi-
gator or other person licensed, registered or otherwise au-
thorized by law to administer and prescribe, use in teaching
or chemical analysis, or conduct research with respect to a
controlled substance in the course of professional practice
and research.

l. "Production" includes the manufacture, plant-
ing, cultivation, growing or harvesting of a controlled sub-
stance.

m. "Prescription" means a written order, and in
cases of emergency, a telephone order, issued by a practitio-
er in good faith in the course of his professional practice
to a pharmacist for a drug for a particular patient, which
specifies the date of its issue, the name and address of the
patient (and, if such drug is prescribed for an animal, the
species of such animal), the name and quantity of the drug
prescribed, the directions for use of such drug, and the sig-
nature of such practitioner.

n. "Simulated drugs" and "simulated controlled
substances" means any product which identifies itself by a
common name or slang term associated with a controlled sub-
stance and which indicates on its label or accompanying pro-
motional material that the produce simulates the effect of a
controlled substances.

o. "Somnafacient" and "stimulating" have the
meaning attributable in standard medical lexicons.

p. "Warehouseman" means a person who, in the
usual course of business, stores drugs for others lawfully
entitled to possess them and who has no control over the dis-
position of such drugs except for the purpose of such stor-
age.

q. "Wholesaler" means a person engaged in the
business of distributing drugs to persons included in any of
the classes named in this chapter.

11-602. POSSESSION OF CONTROLLED SUBSTANCES.

A. It is unlawful for any person to deliver, possess,
manufacture or have under his or her control, any dangerous
drug or controlled substance.

B. It is unlawful for any person to sell, offer for
sale or have in his or her possession with the intent to sell
any dangerous drug or controlled substance.
11-603. USE AND POSSESSION WITH INTENT TO USE DRUG PARAPHERNALIA. It shall be unlawful for any person to use or possess with the intent to use any drug paraphernalia within the city limits of Leawood, Kansas.

11-604. THE DELIVERY, POSSESSION WITH INTENT TO DELIVER, MANUFACTURE WITH INTENT TO DELIVER, AND DISPLAY OF DRUG PARAPHERNALIA AND SIMULATED CONTROLLED SUBSTANCE AND SIMULATED DRUGS PROHIBITED. It shall be unlawful for any person to deliver, possess with intent to deliver, manufacture with intent to deliver or display drug paraphernalia, any simulated controlled substance, or any simulated drug within the city limits of Leawood, Kansas, knowing or under circumstances where one reasonably should know that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substance Act.

11-605. EXEMPTIONS.

A. This ordinance does not apply to manufacturers, practitioners, pharmacists, owners of pharmacies and other persons duly registered with the Kansas Board of Pharmacy as prescribed in the Uniform Controlled Substances Act, Article 41, Chapter 65 of the Kansas Statutes Annotated.

B. Nothing contained in this ordinance shall make it unlawful for a public officer, agent or employee, or person aiding such public officer in performing his official duties to possess, obtain, or attempt to obtain a drug for the purpose of enforcing the provisions of any law of this state or of the United States relating to the regulation of the handling, sale or distribution of drugs.

11-606. PENALTIES. A violation of any provision of this Article shall be punishable as a Class A violation as defined by the Uniform Public Offense Code for Kansas Cities, 1989 Edition, as incorporated by reference by Section 11-101 of this Chapter.

11-607. FORFEITURE OF DRUG PARAPHERNALIA AND SIMULATED CONTROLLED SUBSTANCE.
a. All drug paraphernalia and simulated controlled substances are subject to forfeiture as provided in this section.

b. Property subject to forfeiture under this section may be seized by any law enforcement officer upon process issued by any district court having jurisdiction over the property.

c. In the event of seizure pursuant to subsection (b) proceedings under subsection (d) shall be instituted promptly.

d. Property taken or detained under this section shall not be subject to replevin but is deemed to be in the custody of the law enforcement agency seizing it, subject only to the orders of the district court having jurisdiction over the forfeiture proceeding. When property is seized under this section the law enforcement agency seizing it may (i) place the property under seal, (ii) remove the property to a place designated by it or (iii) require the State Board of Pharmacy to take custody of the property and remove it to an appropriate location for disposition in accordance with law.

e. When property is forfeited under this section, the law enforcement agency having custody of it may: (i) retain it for official use; (ii) sell that which is not required to be destroyed by law and which is not harmful to the public with the proceeds to be used for the payment of all proper expenses of the proceedings for forfeiture and sale including expenses of seizure, maintenance, custody, advertising and court costs; (iii) transfer it for medical or scientific use to any state agency; or (iv) require the sheriff of the county in which the property is located to take custody of the property and remove it to an appropriate location for disposition in accordance with law.

SECTION 2. REPEAL OF SECTIONS. Existing Sections 11-601, 11-602, 11-603 and 11-604 of the Code of the City of Leawood are hereby repealed. (Prior law: Ord. No. 1001C)

SECTION 3. SEVERABILITY. In the event any section, subsection, sentence, clause or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no name effect the other sections, subsections, sentences, clauses or phrases of this ordinance, all of which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.

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

Passed by the Council the 18th day of September, 1989.

Approved by the Mayor the 18th day of September, 1989.

(SEAL)

Margia Rinehart, Mayor

Attest:

Martha Heizer, City Clerk

APPROVED FOR FORM: R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached; and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for ______ consecutive week(s) as follows:

1st ______
2nd ______
3rd ______
4th ______
5th ______
6th ______

[Signature]
Business Manager
Subscribed and sworn to before me this ______ day of __________.

[Signature]
Notary Public
My commission expires: ______

Publication Fees: $______
8. Dilution of drug paraphernalia

9. Hypodermic syringes, needles or other objects used in injecting controlled substances into the human body.

10. Paint, inks, or other substances used for inking, labelling or otherwise introducing markings into controlled substances such as:
   - Metal, wooden, acrylic, plastic or other objects
   - Paints, inks, or other substances, with or without containers, parcel screens, hashish bags, or plastic bags

11. Burner objects (objects used to hold material such as charcoal or cotton to be used in smoking drugs)

In determining whether an object is drug paraphernalia, a court or other authority shall consider in addition to all other legal and administrative statements by an owner or person in control of the object:

1. Prior convictions.
   - If any of the object is intended to be used in a controlled substance trafficking or related to any controlled substance

2. The object to a direct violation of the Uniform Controlled Substances Act.

3. Any object in a controlled substance

The existence of any residue of controlled substances on the object:

4. In determining whether there is any residual evidence of the intent to use the object to facilitate a violation of drug object to a direct violation of the Uniform Controlled Substances Act.

5. The object to a direct violation of the Uniform Controlled Substances Act.

6. The existence of any residue of controlled substances on the object:

7. In determining whether whether it is an owner or owner of control of the object to a direct violation of the Uniform Controlled Substances Act.
4. PENALTIES. A violation of this section, or any rule promulgated thereunder, shall be deemed a violation of law enforced in this state and punishable by a fine of not less than $500 or more than $1,000 and, in case of a continuing violation, by a fine of not less than $500 for each day of the violation, plus costs of prosecution, costs of investigation, and costs of enforcement.

5. To enforce this chapter, the state shall conduct a comprehensive and continuing program of education, for licensees, regarding their responsibilities under this chapter.

6. Violations of the provisions of this chapter by any person, firm, association, corporation or other entity shall be punishable by a fine of not less than $500 or more than $1,000, and in case of a continuing violation, by a fine of not less than $500 for each day of the violation, plus costs of prosecution, costs of investigation, and costs of enforcement.

7. The fines imposed under this chapter shall be in addition to any other remedies available to the state under this chapter or otherwise.

8. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

9. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

10. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

11. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

12. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

13. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

14. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

15. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

16. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

17. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

18. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

19. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

20. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

21. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

22. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

23. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

24. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.

25. This chapter shall be liberally construed to effectuate its purposes and declare any and all portions of this chapter or any rule promulgated thereunder to be severable from any other portion thereof or any other rule promulgated thereunder.
AN ORDINANCE AMENDING SECTION 11-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR PUBLIC OFFENSE LOCAL PROVISIONS, AND REPEALING EXISTING SECTION.

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

Section 1. Section 11-201 of the Code of the City of Leawood is hereby amended to read as follows:

11-201. PENALTIES. Unless otherwise specified, the penalties for violation of any of the following sections will be classed in the manner set out in Article 12 of the "Uniform Public Offense Code for Kansas Cities", 1989 Edition, as incorporated by reference by Section 11-101 of this Chapter.

Section 2. Existing Section 11-201 of the Code of the City of Leawood is hereby repealed.

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

Passed by the Council the 18th day of September, 1989.

Approved by the Mayor the 18th day of September, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

F.S. Wetzler
City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS:
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication. Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st 9/19/89
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 19 day of Sept., 1989.
Notary Public
My commission expires 3/30/91

Publication Fees: $14.80

ORDINANCE NO. 1127C
AN ORDINANCE AMENDING SECTION 11-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR PUBLIC OFFENSE LOCAL PROVISIONS, AND REPEALING EXISTING SECTION.

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

Section 1. Section 11-201 of the Code of the City of Leawood is hereby amended to read as follows:

11-201. PENALTIES. Unless otherwise specified, the penalties for violation of any of the following sections will be assessed in the manner set out in Article 12 of the "Uniform PublicOffense Code for Kansas Cities", 1989 Edition, as incorporated by reference by Section 11-101 of this Chapter.

Section 2. Existing Section 11-201 of the Code of the City of Leawood is hereby repealed.

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

Passed by the Council the 18th day of September, 1989.
Approved by the Mayor the 18th day of September, 1989.

(S E A L)
Marcia Minnhart Mayor

Attest:

Martha Haizer
City Clerk

APPROVED FOR FORM: R.L. Matthes
City Attorney

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 7-23-91
AN ORDINANCE ADOPTING THE 1989 EDITION OF THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", AND REPEALING EXISTING SECTIONS.

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

Section 1. ADOPTION OF THE UNIFORM PUBLIC OFFENSE CODE. Article 1 ("Uniform Offense Code") of Chapter 11 of the Code of the City of Leawood is hereby amended to read as follows:

11-101. UNIFORM CODE INCORPORATED. There is hereby incorporated by reference the "Uniform Public Offense Code for Kansas Cities", 1989 Edition, revised, prepared and published by the League of Kansas Municipalities. No fewer than three copies of said uniform ordinance shall be marked or stamped "Official Copy as adopted by the Code of the City of Leawood, Kansas", and shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable hours.

11-102. SAME; AMENDMENT. Section 10.13 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

10.13. BARBED WIRE. It shall be unlawful for any person to construct, set up or maintain any barbed wire or barbed wire fence or enclosure within the city, except in areas zoned or predominately used for agricultural purposes. Violation of this section is a Class C violation.

11-103. SAME. Section 10.1 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

10.1. UNLAWFUL USE OF WEAPONS.
(a) Unlawful use of weapons is knowingly:
   (l) Selling, manufacturing, purchasing, possessing or carrying any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switchblade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or
movement;

(2) Carrying concealed on one's person, or possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, sling shot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;

(3) Carrying on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;

(4) Carrying any pistol, revolver or other firearm:
   (i) concealed on one's person except when on the person's land or in the person's abode or fixed place of business;
   (ii) openly or visibly on the person at any place open to public view;
   (iii) within any vehicle in transport unless the weapon is unloaded and in a case;

(5) Setting a spring gun;

(6) Possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.

(b) Subsections (a) (1), (2), (3) and (4) shall not apply to or affect any of the following:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) Members of the armed services or reserve forces of the United States or the Kansas National Guard while in the performance of their official duty; or

(4) Manufacture of, transportation to, or sale of weapons to a person authorized under (b) (1) through (b) (3) of this section to possess such weapons.

(c) Subsection (a) (4) does not apply to or affect the following:

(1) Watchmen, while actually engaged in the performance of the duties of their employment;

(2) Licensed hunters while engaged in hunting;

(3) Private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;
(4) Detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment; or

(5) The state fire marshal, the state fire marshal's deputies or member of a fire department authorized to carry a firearm pursuant to K.S.A. Supp. 31-157 and amendments thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157 and amendments thereto.

(d) Subsections (a) (1) and (6) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

(e) It shall be a defense that the defendant is within an exemption. (K.S.A. 21-4201)

Violation of this section is a Class B violation.

11-104. SAME. Section 10.5 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

10.5 UNLAWFUL DISCHARGE OF FIREARMS.

Unlawful discharge of firearms is the discharging or firing of any gun, rifle, pistol, revolver or other firearm within the city. This section shall not be construed to apply:

(a) To the discharge of firearms by any duly authorized law enforcement officer when necessary in the discharge of his or her official duties;

(b) To the discharge of firearms in any licensed shooting gallery;

(c) To firing squads for ceremonials; nor

(d) To a legitimate gunsmith in pursuit of his or her trade; nor

(e) To an established trap or skeet range upon the premises of any private club, which club was in existence upon the same property prior to the date of the incorporation of the City, from 10:00 a.m. to 5:00 p.m., solely for recreational purposes, provided that the club rules and changes therein related to the types of weapons and loads will be first submitted to the chief of police for approval; provided
further that the distance from the muzzle direction of the appropriate firearm so used shall not be less than 1,000 feet from the boundary line of any adjacent property owned by another.

Unlawful discharge of firearms is a Class B violation.

Section 2. REPEAL OF SECTIONS. Existing Sections 11-101, 11-102, 11-103, 11-104, and 11-105 of the Code of the City of Leawood are hereby repealed. (Prior law: Ord. No. 1046C)

Section 3. VALIDITY OF ORDINANCE. 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.

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

Passed by the Council the 18th day of September, 1989.

Approved by the Mayor the 18th day of September, 1989.

(SEAL)

Martina Rinehart, Mayor

Attest:

Martha Heizer, City Clerk

APPROVED FOR FORM: R. S. Wettlér, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.
Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.
That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for __ consecutive week(s) as follows:

1st ______
2nd ______
3rd ______
4th ______
5th ______
6th ______

John Lewis
Business Manager
Subscribed and sworn to before me this 19 day of Sept., 1989.

Susan G. Hetherington
Notary Public
My commission expires:
3/30/91

Publication Fees: $ 55.50

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91
Section 1. ADO:

AN INTER-STATE COMMISSION TO DETERMINE THE \"DUTY\" OF THE \"PUBLIC OFFICE\" CODE FOR \"RURAL CITIZENS\", AND AFFIRMING THE VICTORY OF \n
Violations of this section are Class C violations.

Section 2. Section 8 of the Code incorpo-

ately as a part of said Code, as follows:

The 

10-11. TAKE:

Section 8. No person or organization shall 

be permitted to enter upon the lands or 

properties of another person or organization 

without the written consent of the owner or 

person in charge thereof; and no person or 

organization shall be permitted to enter 

upon any public property in violation of 

any law or regulation, or without the 

written consent of the department or 

agency thereof, or without the written 

consent of the proper authority thereof.

Violations of this section are Class C violations.

Section 3. Section 9 of the Code incorpo-

Section 11 of the Code incorpo-

Section 12 of the Code incorpo-

Section 13 of the Code incorpo-

Section 14 of the Code incorpo-

Section 15 of the Code incorpo-

in a CLASS C VIOLATION.

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ORDINANCE NO. 1125

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89L, PROJECT 117 (LEE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $300,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF LEE BOULEVARD, INCLUDING GRADING, REGRADING, CURBING, RECURBING, CUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, REMACADAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNDED CORNERS, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECONSTRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES THERETO, VIADUCTS, OVERPASSES, UNDERPASSES, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS OR OTHER IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Lee Boulevard, which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1077 on November 21, 1988; and

WHEREAS, total cost of improvements to Lee Boulevard is estimated to be $1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

20-1,511. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 89L, Project 117 (Lee Boulevard), in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000.00) which amount does not exceed the total estimated costs of said improvements.
20-1,512. **Section Two:** Said issue of Temporary Notes, Series 89L, Project 117 (Lee Boulevard), shall consist of three bearer notes numbered from 1 through 3 inclusive, each in the denomination of $100,000. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.36% per annum. The note shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said note is authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,513. **Section Three:** The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, 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.

20-1,514. **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 as provided by law 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 note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.
Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

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<th>ISSUE</th>
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<tr>
<td>Project 113</td>
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<td></td>
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<td></td>
<td></td>
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The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;
3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

SIGNED by the Mayor this 18th day of September, 1989.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st 9/19/89
2nd
3rd
4th
5th
6th

__________________________
Business Manager

Subscribed and sworn to before me this 19 day of Sept. 1989.

__________________________
Notary Public

My commission expires: 3/30/91

Publication Fees: $72.50

__________________________
SUSAN G. HETHERINGTON
Notary Public State of Kansas
My Appr. Exp. 3 - 30 - 91
September 19, 1989, Page 8

From Page 7

The city of Lansing, according to the Lansing Board of Water and Light, has a population of approximately 100,000 people. The city is divided into several distinct districts, each with its own unique characteristics. The downtown area is a hub of economic activity, with numerous businesses and organizations located there. Lansing is also home to several universities, including Michigan State University, which is located just north of the city center.

The city of Lansing is served by a robust public transportation system, including buses and a light rail line. These services are operated by the Greater Lansing Metropolitan Transit Authority (GLMTA), which provides convenient and affordable transportation options for residents and visitors alike.

Lansing is known for its vibrant arts and culture scene, with a variety of museums, theaters, and performing arts venues offering a wide range of events and exhibits throughout the year. The city also hosts several annual festivals, including the Michigan State Fair, which draws visitors from all over the state.

In addition to its cultural attractions, Lansing is also home to a number of parks and recreational areas, where residents and visitors can enjoy a variety of outdoor activities. The city is committed to preserving its natural beauty and offers opportunities for hiking, biking, and other forms of nature exploration.

The city of Lansing is a hub of economic activity, with a strong focus on technology and innovation. The city is home to several major companies, including the Michigan Bell Telephone Company, which is headquartered in the city.

Lansing is also known for its strong sense of community and civic pride. The city is home to a number of civic organizations and volunteer groups, which work together to improve the lives of residents and create a sense of connection for all who call the city home.

The city of Lansing is a vibrant and diverse community, offering a range of opportunities for residents to engage with the arts, culture, and nature. With its strong sense of community and robust economy, Lansing is a place where people can thrive and make a difference.
ORDINANCE NO. 1124

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89N, PROJECT 119 (119TH STREET, STATE LINE TO MISSION ROAD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 119TH STREET, STATE LINE TO MISSION ROAD, INCLUDING GRADING, CURBING, CUTTERING, PAVING, MACADAMIZING, CONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNding CORNERS, STRAIGHTENING, RELOCATING, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS, OR OTHER IMPROVEMENTS OR ANY TWO OR MORE OF SUCH IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 119th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1090 on February 6, 1989; and

WHEREAS, total cost of improvements to 119th Street, State Line to Mission Road, is estimated to be $1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary-engineering; legal and incidental costs, 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 89N, Project 119 (119th Street, State Line Road to Mission Road), in the aggregate principal amount of Five Hundred Thousand Dollars ($500,000.00) which amount does not exceed the total estimated costs of said improvements.
Section Two: Said issue of Temporary Notes, Series 89N, Project 119 (119th Street, State Line to Mission Road), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of $100,000.00. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.33% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, 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.

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 as provided by law 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 note shall be countersigned by the City Clerk and delivered to Cooper-Malone-McClain, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.
Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

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<td>April 21, 1989</td>
<td>$100,000</td>
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<tr>
<td>(d) Temporary Notes, Series L.I.D. 86-1-89C, Proj. 107, Roe Ave, 112-121st Street</td>
<td>July 25, 1989</td>
<td>$260,000</td>
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<td>(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113, Tomahawk Creek Parkway</td>
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The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

SIGNED by the Mayor this 18th day of September, 1989.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS:
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for ) consecutive week(s) as follows:

1st 19/89
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 19 day of Sept., 1989.

Notary Public
My commission expires: 3/30/91

Publication Fees: $71.63

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91
SECTION 2. REPEAL OF SECTIONS.

Existing Sections 501-1, 1-2, and 34, Ordinance No. 1001 (City Code of the City of Lebanon), are hereby repealed. (Prior law: Ord. No. 1001, C)

SECTION 3. SECTIONABILITY. In the event any section, subsection, provision, citation of section or any combination thereof is declared to be unlawful, invalid or unconstitutional, such determination shall in no way affect the remaining sections.

SECTION 4. TAKING EFFECT. This ordinance shall take effect and be enforced on the publication in the official City newspaper.

Adopted by the Council the 15th day of September, 1989.

Approved by the Mayor the 15th day of September, 1989.

[Signatures]
ORDINANCE NO. 1123

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89M, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 REMODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF REMODELING, ADDITION AND EQUIPPING OF THE POLICE/COURTS BUILDING AND FIRE STATION #1.

WHEREAS, the Governing Body authorized the improvement or remodel of the Police/Courts Building and Fire Station #1 by the approval of Resolution No. 937 on December 5, 1988; and

WHEREAS, total cost of improvement and remodeling is estimated to be $1,200,000.00; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary design, legal and incidental costs, 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 89M, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of Five Hundred Thousand Dollars ($500,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 89M, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of $100,000.00. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.23% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-1737 and all acts amendatory thereto.
Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

24-315. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, 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.

24-316. 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 as provided by law 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 note shall be countersigned by the City Clerk and delivered to Cooper-Malone-McClain, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

24-317. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the pro-
visions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

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The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.
The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

SIGNED by the Mayor this 18th day of September, 1989.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. J. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.
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John Lewis
Business Manager
Subscribed and sworn to before me this 19 day of Sept. 1989.

SUSAN G. HETHERINGTON
Notary Public
My commission expires: 3/30/91

Publication Fees: $10.00
The city does not currently anticipate issuing a qualified tax-exempt bond. Meeing scheduled since 1989 to become imminent to issue a bond of $10,000,000 in 1989.

2. Thus, when the company and the city has not issued a loan or other mortgage loans of the kind which have been an option will be the only option. The decision on whether to issue a bond or mortgage loan needs to be made in conjunction with the county, to be in the best interest of the county and state bond and mortgage company.

3. As per the proceeds of the sale of the bonds to be issued no such proceeds to be realized by the proceeds of any loan or mortgage is for the purpose of the bond and any state bond and mortgage company.

4. The date of the sale of the bonds to be realized by the proceeds of any loan or mortgage is for the purpose of the bond and any state bond and mortgage company.

5. The state of the city housing development is to be avoided.

6. The state of the city housing development is to be avoided.

7. The state of the city housing development is to be avoided.

8. The state of the city housing development is to be avoided.

9. The state of the city housing development is to be avoided.
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEM-
PORARY NOTES, SERIES 89K, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA),
OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000.00 TO PROVIDE TEMPORARY
FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH
STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING,
STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING,
SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code
of the City of Leawood, Kansas, 1984" designated that portion of 95th Street
which is located within this City as a main trafficway pursuant to the provisions
of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of
certain sections of said main trafficway by the approval of Ordinance No. 1065 on
September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga,
is estimated to be $1,750,000.00; and.

WHEREAS, the necessary permanent rights-of-way for construction have been
acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole
or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes
as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and
expenses of the aforesaid improvement now due or to become due in the immediate
future, including necessary engineering, legal and incidental costs, 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, Se-
ries 89K, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate
principal amount of Five Hundred Thousand Dollars ($500,000.00) which amount does
not exceed the total estimated costs of said improvements.
20-1,500. Section Two: Said issue of Temporary Notes, Series 89K, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of $100,000.00. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.33% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,501. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, 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.

20-1,502. 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 as provided by law 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 note shall be countersigned by the City Clerk and delivered to Cooper-Malone-McClain, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.
Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>DATE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
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<tbody>
<tr>
<td>(a)</td>
<td>April 21, 1989</td>
<td>$500,000</td>
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<tr>
<td>Temporary Notes</td>
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<td>Series 89D, Project 116, 95th Street</td>
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<td>(b)</td>
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<td>Tomahawk Creek Parkway</td>
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<td>(c)</td>
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<td>$100,000</td>
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<td>Lee Boulevard</td>
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<td>(d)</td>
<td>July 25, 1989</td>
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<td>Temporary Notes, Series</td>
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<td>L.I.D. 86-1-89G, Proj. 107</td>
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<td>Roe Ave, 112-121st Street</td>
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<td>L.I.D. 88-1-89H, Proj. 113</td>
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<td>Tomahawk-Creek-Parkway</td>
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<td>Series 89I, Project 116</td>
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<td>95th Street</td>
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<td>July 25, 1989</td>
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<tr>
<td>Police/Court/Fire Remodel</td>
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</tbody>
</table>
The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

SIGNED by the Mayor this 18th day of September, 1989.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. D. Wetzler, City Attorney
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
John Lewis, of lawful age, being first
duly sworn, deposes and says that he
is Business Manager of The Weekly
(THE JOHNSON COUNTY LEGAL
RECORD), a newspaper printed in the
State of Kansas, and published in and
of general paid circulation on a weekly,
monthly or yearly basis in Johnson
County, Kansas, and that said
newspaper is not a trade, religious or
fraternal publication.

Said newspaper is published at least,
weekly fifty (50) times a year, has
been so published continuously and
uninterrupted in said County and State
for a period of more than five (5) years
prior to the first publication of the
notice attached, and has been
admitted at the post office as second
class matter.

That a notice, a true copy of which is
hereeto attached, was published in the
regular and entire issue of said
newspaper for ___ consecutive
week(s) as follows:

1st  _/___/___
2nd _________
3rd _________
4th _________
5th _________
6th _________

John Lewis
Business Manager
Subscribed and sworn to
before me this ___ day of

SUSAN G. HETHERINGTON
Notary Public
My commission expires:
3/30/91

Publication
Fees: $21.50

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91
ORDINANCE NO. 1121

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89P, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $1,000,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be $3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

20-1,493. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 L.I.D. 88-1-89P, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of One Million Dollars ($1,000,000), which amount does not exceed the total estimated costs of said improvements.

20-1,494. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89P, Project 113, shall consist of bearer notes numbered from 1 through 10 inclusive, each in the denomination of $100,000. Each of said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.36% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be
redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. 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 redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, 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.

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 as provided by law 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 United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.
The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, that the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
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<th>PRINCIPAL AMOUNT</th>
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<td>(a)</td>
<td>April 21, 1989</td>
<td>$500,000</td>
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<tr>
<td>Temporary Notes</td>
<td>Series 89D, Project 116, 95th Street</td>
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<tr>
<td>(b)</td>
<td>April 21, 1989</td>
<td>$300,000</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>Series L.I.D. 88-1-89E, Project 113, Tomahawk Creek Parkway</td>
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<td>(c)</td>
<td>April 21, 1989</td>
<td>$100,000</td>
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<tr>
<td>Temporary Notes</td>
<td>Series 89F, Project 117, Lee Boulevard</td>
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<td>July 25, 1989</td>
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<td>Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113, Tomahawk Creek Parkway</td>
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<td>July 25, 1989</td>
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<td>Temporary Notes, Series 89I, Project 116, 95th Street-</td>
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<td>July 25, 1989</td>
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<tr>
<td>Temporary Notes, Series 89J, Project 118, Police/Court/Fire Remodel</td>
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</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;
3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

SIGNED by the Mayor this 18th day of September, 1989.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON
COUNTY, SS:
John Lewis, of lawful age, being first
duly sworn, deposes and says that he
is Business Manager of The Weekly
(THE JOHNSON COUNTY LEGAL
RECORD), a newspaper printed in the
State of Kansas, and published in and
of general paid circulation on a weekly,
monthly or yearly basis in Johnson
County, Kansas, and that said
newspaper is not a trade, religious or
fraternal publication.

Said newspaper is published at least
weekly fifty (50) times a year, has
been so published continuously and
uninterrupted in said County and State
for a period of more than five (5) years
prior to the first publication of the
notice attached, and has been
admitted at the post office as second
class matter.

That a notice, a true copy of which is
hereto attached, was published in the
regular and entire issue of said
newspaper for ___ consecutive
week(s) as follows:

1st ___
2nd ___
3rd ___
4th ___
5th ___
6th ___

Business Manager
Subscribed and sworn to
before me this ___ day of

Notary Public
My commission expires:
3/30/91

Publication Fees: $72.52

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3.30.91
AN ORDINANCE ADOPTING THE 1989 EDITION OF THE "STANDARD TRAFFIC ORDINANCE", AND REPEALING EXISTING SECTIONS.

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

Section 1. ADOPTION OF "STANDARD TRAFFIC ORDINANCE". Article 1 ("Standard Traffic Ordinance") of Chapter 14 of the Code of the City of Leawood is hereby amended to read as follows:

14-101. INCORPORATING "STANDARD TRAFFIC ORDINANCE". There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Leawood, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", Edition of 1989, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three copies of said standard ordinance shall be marked or stamped "Official Copy", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

14-102. AMENDMENTS; SPEED LIMITS. Section 33 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Section 33. Maximum Speed Limits. (a) Except when a special hazard exists that requires lower speed for compliance with Section 32, the limits specified in this Section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits:

(1) All vehicles 20 miles per hour in any business district.

(2) All vehicles 20 miles per hour in any park under the jurisdiction of this city.

(3) All vehicles 20 miles per hour during those hours when students are going to and from school of any day school is in session, upon streets and/or parts of streets abutting school property and adjacent to school crosswalks designated as school zones; provided that appropriate signs are erected giving notice of such speed limits and the times said limits are in force, said times to be determined by the Chief of Police with the consent of the City Council.
(4) All vehicles 25 miles per hour in any residential district and on other streets within the City except where modified by engineering and traffic investigation as provided hereafter in subsection (b) of this Section. The maximum speed limit established by or pursuant to this paragraph shall be of force and effect regardless of whether signs are posted giving notice thereof and notwithstanding any signs giving notice of maximum speed limits in excess thereof, and any sign giving notice of a maximum speed limit in excess of the limits established by or pursuant to this paragraph shall not be of any force or effect, subject to the following exception.

(b) The Chief of Police is hereby authorized and empowered to designate maximum speed zones when he or she shall find and determine that such regulation is necessary for safety purposes or to expedite traffic, to the extent any such regulation is not in conflict with any law of the City. The Chief of Police shall, following ratification of his or her designations under this subsection by the Governing Body, place and maintain the necessary traffic-control signs and devices.

(c) Whenever the Chief of Police shall determine upon the basis of an engineering and traffic investigation that any speed limit herein set forth is greater or less than is reasonable or safe under the conditions found to exist, the governing body shall declare by resolution a reasonable and safe speed limit consistent with applicable state and local statutes which shall be effective at all times or during daytime or nighttime or at such other times as may be determined when appropriate signs giving notice thereof are erected pursuant to council action and K.S.A. 8-1560 and 8-2002. It shall be unlawful for any person to drive a vehicle at a speed in excess of such declared maximum limits.

(d) No person shall drive a school bus to or from school or interschool or intraschool functions or activities at a speed greater than 45 miles per hour on any roadway having dirt, sand or gravel surface, and in no event shall a school bus be driven to and from school or activities in excess of 55 miles per hour, notwithstanding any maximum speed limit in excess thereof. The provisions of this subsection shall also apply to buses used for the transportation of students enrolled in community junior colleges or area vocation schools when such buses are transporting students to or from school functions or activities.

14-103. SAME; RACING ON HIGHWAYS. The title of Section 37 is hereby changed to read as follows: Racing on Highways; Drag Race, Racing, Exhibition of Speed or Acceleration.

14-104. SAME; PEDESTRIANS ON HIGHWAYS. Section 68 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:
Section 68. Pedestrians on Highways. (a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk, jog or run along and upon an adjacent roadway.

(b) Where a sidewalk is not available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run only on a shoulder, as far as practicable from the edge of the roadway.

(c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk, jog or run only on the left side of the roadway.

(d) Except as otherwise provided in this ordinance, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

Section 2. REPEAL OF SECTIONS. Existing Sections 14-101, 14-102, 14-103, 14-104, and 14-105 of the Code of the City of Leawood are hereby repealed. (Prior law: 14-101, 102, 103, 104 - Ord. No. 1025C; 14-105 - Ord. No. 1099C)

Section 3. VALIDITY OF ORDINANCE. 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.

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

Passed by the Council the 5th day of September, 1989.

Approved by the Mayor the 6th day of September, 1989.

(S E A L)

Marcia Rinehart, Mayor

Attest: Martha Heizer, City Clerk

APPROVED FOR FORM:

A. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS;  
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted of the post office as second class matter.

That a notice, a true copy of which is hereunto attached, was published in the regular and entire issue of said newspaper on:  

1st  12-8-82  
2nd  12-15-82  
3rd  12-22-82  
4th  12-29-82  
5th  1-5-83  
6th  1-12-83

Business Manager  
Subscribed and sworn to before me this 5 day of January, 1983.

SUSAN G. HETHERINGTON  
Notary Public - State of Kansas  
Notary Seal 3/30/91

Publication Fees: $8 1/2

ORD. #1200C  
First published in The Weekly Johnson County Legal Record,  
Tuesday, December 13, 1982.  

AN ORDINANCE ADOPTING THE 1989 EDITION OF THE "STANDARD  
TRAFFIC ORDINANCE," AND REPEALING  
ANALOGOUS SECTIONS.

It is hereby ordained by the Governing Body of the City of Leawood,  

Section 1. ADOPTION OF  
STANDARD TRAFFIC ORDINANCE.  

14-101. INCORPORATING "STANDARD TRAFFIC ORDINANCE." There is hereby adopted by reference for the purpose of regulating traffic within the corporate limits of the City of Leawood, Kansas, certain standard traffic ordinances known as the "Standard Traffic Ordinance for Kansas Cities." Edition of 1989, prepared and published in book form by the League of Kansas Municipalities, and except such articles, sections, parts, or portions as are hereafter deleted, amended, modified or changed, such incorporation being hereby made an "Official Copy," with all sections of said standard ordinance hereinafter referred to as the "Standard Traffic Ordinance."  

Section 2. Incorporation. Section 1 hereby adopted shall be in full force and effect, and to which shall be attached, by the City Clerk to be kept for inspection and available to the public at all reasonable hours.

14-103. SAME; RACING ON HIGHWAYS. The title of Section 14-101 shall be hereby changed to read as follows:  

14-102. AMENDMENTS, SPEED LIMITS. Section 32 of the Standard Traffic Ordinance incorporated in Section 14-101 shall be amended to be read as follows:  

14-101. SAME; RACING ON HIGHWAYS. Section 68 of the Standard Traffic Ordinance incorporated in Section 14-101 shall be hereby amended to read as follows:  

40. PEDESTRIANS ON HIGHWAYS. Any person crossing a roadway, street or thoroughfare at a crossing other than a marked crosswalk, shall be subject to the penalties set forth in Sections 14-101 to 14-108, inclusive.

40. PEDESTRIANS ON HIGHWAYS. Any person crossing a roadway, street or thoroughfare at a crossing other than a marked crosswalk, shall be subject to the penalties set forth in Sections 14-101 to 14-108, inclusive.

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ORDINANCE NO. 1119

AN ORDINANCE GRANTING AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR UTILITY PURPOSES.

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

19-6,209. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Kansas City Power & Light Company on property described as follows:

A tract of land ten (10) feet in width the center line of which is described as follows: Beginning at a point on the Westerly right-of-way line of Tomahawk Creek Parkway, as now established, said point being fifty (50) feet South of the North line of the Northwest Quarter (NW 1/4) of Section 15, Township 13, Range 25, Johnson County, Kansas; thence Easterly, parallel with and fifty (50) feet South of said North line of the Northwest Quarter (NW 1/4) of said Section 15, a distance of six hundred sixty (660) feet; thence to the left at an angle of ninety degrees (90°) from the last described course through the Northwest Quarter (NW 1/4) of said Section 15 into and through the Southwest Quarter (SW 1/4) of Section 10, Township 13, Range 25, Johnson County, Kansas, to a point on the Northerly line of Tract A, LEAWOOD GREENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, said point being one thousand nine hundred ninety (1990) feet East of the West line of the Southwest Quarter (SW 1/4) of said Section 10. Excepting any part of the above described ten (10) foot tract of land lying in public roads, as now established.

19-6,210. Section 2. INCORPORATION BY REFERENCE. A copy of said easement is attached hereto and thereby incorporated by reference.

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

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L)

Mayor

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.B. Wetzel
City Attorney
EASEMENT CONVEYANCE
(Corporation)

KNOW ALL MEN BY THESE PRESENTS, that CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, a corporation doing business in the County of Johnson and State of Kansas,

for and in consideration of the sum of ONE Dollar ($1.00), and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, do hereby grant, bargain, sell, convey and confirm unto Kansas City Power & Light Company, 1330 Baltimore, Kansas City, Missouri, a Missouri corporation, and unto its successors and assigns, a right of way easement over, along, across and under the following described lands in the County of Johnson, State of Kansas, to wit:

A tract of land ten (10) feet in width the center line of which is described as follows: Beginning at a point on the Westerly right of way line of Tomahawk Creek Parkway, as now established, said point being fifty (50) feet South of the North line of the Northwest Quarter (NW 1/4) of Section 15, Township 13, Range 25, Johnson County, Kansas; thence Easterly, parallel with and fifty (50) feet South of said North line of the Northwest Quarter (NW 1/4) of said Section 15, a distance of six hundred sixty (660) feet; thence to the left at an angle of ninety degrees (90°) from the last described course through the Northwest Quarter (NW 1/4) of said Section 15 into and through the Southwest Quarter (SW 1/4) of Section 10, Township 13, Range 25, Johnson County, Kansas, to a point on the Northerly line of Tract A, LEAWOOD GREENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, said point being one thousand nine hundred ninety (1990) feet East of the West line of the Southwest Quarter (SW 1/4) of said Section 10. Excepting any part of the above described ten (10) foot tract of land lying in public roads, as now established.

This easement conveyance shall run with the land and shall be binding upon the Grantor, its successors and assigns.

TO HAVE AND TO HOLD THE SAME, together with all appurtenances, necessary incidents and immunities thereunto belonging or in any manner appertaining, unto the said Kansas City Power & Light Company, a corporation, and unto its successors and assigns, forever.

IN WITNESS WHEREOF, the CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, (Name of Corporation) has caused these presents to be signed by its Mayor - President and attested by its Secretary, and its corporate seal to be hereunto affixed this 21st day of August, 1989.

CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS

By
Marcia Rinehart, Mayor - President

Attested
Martha Heizer, City Clerk

(NAME OF CORPORATION)

SECRETARY

(CORPORATE SEAL)

State of Kansas

County of Johnson

On this 21st day of August, 1989, before me, a Notary Public, appeared
Marcia Rinehart, to me personally known, who, being by me duly sworn, did say that he is the Mayor - President of the City of Leawood, Kansas, (Name of Corporation) described in and which executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Mayor - President and the said Mayor - President acknowledged said deed to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.

Notary Public

My Commission Expires

JILL D. MANSOW

County of Johnson

State of Kansas
EASEMENT CONVEYANCE

INSTRUMENT NO.

FROM City of Leawood

TO--KANSAS CITY POWER & LIGHT COMPANY
1330 Baltimore, Kansas City, MO
NE NW
SE QTH OF THE SW QTH
15° 13' 25"
Sect. 10 Twp. 13 Range 15°

County of Johnson
C.O.1 8-60950 C.

Filed for record this _______ day
of ___________ A.D., 19
at _______ o'clock _______ minutes _______ M.

Recorded in Book _______ at Page _______
Recorder

By _______ Deputy

Recorder's Fee, $ _______

KCPD Form 70004028 (Rev 12/85)
STATE OF KANSAS, JOHNSON COUNTY, KS
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.
Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.
That a notice, a true copy of which is hereeto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:
1st 5/22
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 22 day of May 1989.

Notary Public
My commission expires: 3/30/91

Publication Fees: $14.50

PROOF OF PUBLICATION

ORDINANCE NO. 1119
AN ORDINANCE GRANTING AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR UTILITY PURPOSES.

Be it ordained by the Governing Body of the City of Leawood:
19-6-209, Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Kansas City Power & Light Company on property described as follows:

A tract of land ten (10) feet in width the center line of which is described as follows: Beginning at a point on the Westerly right-of-way line of Tonawanda Creek Parkway, as now established, said point being fifty (50) feet South of the North line of the Northwest Quarter (NW 1/4) of Section 15, Township 13, Range 25, Johnson County, Kansas; thence Easterlyparallel with and fifty (50) feet South of said north line of the Northwest Quarter (NW 1/4) of said Section 15, a distance of six hundred sixty (660) feet; thence to the left at an angle of ninety degrees (90°) from the last described course through the Northwest Quarter (NW 1/4) of said Section 15 into and through the Southwest Quarter (SW 1/4) of Section 10, Township 13, Range 25, Johnson County, Kansas, to a point on the Northerly line of Tract A, LEAWOOD GRENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, said point being one thousand nine hundred ninety (1990) feet East of the West line of the Southwest Quarter (SW 1/4) of said Section 10. Excepting any part of the above described ten (10) foot tract of land lying in public roads, as now established.

19-6-210. Section 2. INCORPORATION BY REFERENCE. A copy of said easement is attached hereto and thereby incorporated by reference.

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

Passed by the Council the 21st day of August, 1989.
Approved by the Mayor the 22nd day of August, 1989.

(S E A L)
/s/ Marcia Rinehart
Marcia Rinehart, Mayor

Attest:
/s/ Martha Helzer
Martha Helzer, City Clerk

APPROVED FOR FORM: /s/ R.S. Wettler
R.S. Wettler, City Attorney

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91
AN ORDINANCE AMENDING SECTION 17-302 OF THE "SUBDIVISION REGULATIONS" OF THE CITY OF LEAWOOD, KANSAS, RELATING TO SUBDIVISION DESIGN STANDARDS, PRIVATE STREETS; AND REPEALING EXISTING SECTION.

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

Section 1. AMENDMENT. Section 17-302 of the "Subdivision Regulations", dated January 16, 1978, and adopted by reference by the "Code of the City of Leawood, 1984", is hereby amended to read as follows:

17-302. SUBDIVISION DESIGN STANDARDS.

A. Streets. The arrangement, character, extent, width, grade and location of all streets shall conform to all of the elements of the Major Street Plan and shall be designed in accordance with the following provisions:

1. Major streets shall be planned to conform with the Major Street Plan.
2. Whenever a subdivision abuts or contains an existing or proposed major street, the Plan Commission may require service streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
3. Local streets shall be laid out so that their use by through traffic will be discouraged.
4. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Plan Commission may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard to the requirements of approach, grades and future grade separation structures.
5. Reserve strips controlling access to streets shall be prohibited except where their control is placed in the City under conditions approved by the Plan Commission.
6. Where the plat to be submitted includes only part of the tract owned or intended for development by the subdivider, a tentative plan of a proposed future street system for the unsubdivided portion shall be prepared and submitted by the subdivider.
7. When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of
future streets and appropriate resubdivision, with provision for adequate utility easements and connections for such resubdivision.

8. Street jogs with centerline offsets of less than one hundred and fifty (150) feet shall not be permitted.

9. Streets shall intersect at approximately right angles and no street should intersect any other street at an angle of less than seventy-five (75) degrees.

10. Street rights-of-way, pavement widths, maximum and minimum gradients, sight distance requirements, horizontal and vertical alignment, and other design elements shall be in accordance with the Leawood Street Construction Standards based on the street classification shown on the Major Street Plan. Where unusual topographic conditions exist in the opinion of the Plan Commission and the City Engineer, slight modification from these standards may be permitted. New streets not shown on the Major Street Plan shall be designed to local street standards unless the Plan Commission determines that higher design standards are required to serve anticipated traffic demands.

11. A cul-de-sac shall not exceed five hundred (500) feet in length, measured from the entrance to the center of the turnaround. The turnaround shall have an outside property line radius of not less than 50 feet and a curbline radius of 40 feet. There shall be provided in the center of the turnaround an unpaved island improved with grass and landscaping that will not interfere with sight distance. Said unpaved area shall have a radius of not less than twelve (12) feet and shall be curbed.

12. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and provided that the Plan Commission finds it will be practical to obtain the dedication of the other half of the street right-of-way within a reasonable time.

13. The arrangement of streets shall be such as to facilitate the subdividing of adjacent properties. Street stubs shall be platted and paved at intervals in keeping with maximum block length standards, topography and property lines of land adjacent.

14. Street names and numbers shall be assigned by the City of Leawood.

A.1. Scope of Ordinance. This ordinance shall deal exclusively with private streets. Any other reference to streets in this section shall be construed to be a reference to public streets.

1. Private streets shall be allowed only within residential developments as defined and authorized in Article 10 of the Leawood Zoning Regulations.

2. Plats with private streets shall have the private
streets clearly and boldly marked on the drawing portion, as
well as in the written portion.
3. Any street which has been platted as a private street shall remain as a private street in perpetuity.
4. Any person making application for an occupancy permit for a residence constructed within a subdivision containing a private street, shall certify to the City that he has mailed by restricted certified mail to the initial purchaser of said residence a copy of the declaration of restrictions along with a letter calling particular attention to the fact that the residence may be subject to assessments for the maintenance of private streets within the subdivision or development.
5. The City will install a standard "private street sign" at each private street connection to a public street at the developer's expense.
6. Each private street shall be designed and constructed to handle its and any connecting street's traffic loading.
7. All design factors of a private street shall be considered on an individual basis with the following minimum requirements:
   a. 28 feet wide, back to back of curb
   b. 8 inch pavement thickness, conforming to City standards
   c. 1% minimum and 12% maximum gradients
   d. 25 miles per hour sight radius
   e. 65 foot center line radius
8. Lay down type curb and gutter, as approved by the City, shall be constructed along the public street curb line at the intersection of each public and private street, thus forming a ribbon of concrete separating the public and private street.
9. A public safety covenant in a form to be approved by the City shall be filed of record.
10. Street lights and/or sidewalks may be installed at the developer's discretion. In the event street lights and/or sidewalks are installed, their installations and their continued maintenance shall be the responsibility of the developer.
11. Adequate utility easements shall be provided.
B. Easements. Easements not less than fifteen (15) feet wide shall be provided for use by public and private utilities along each rear lot line, and along side lot lines where necessary, in the following manner:
   1. A permanent easement not less than seven and one-half (7-1/2) feet wide shall be provided along the rear lot line, or along the side lot line where necessary, of each
abutting or adjoining lot.

2. Where the land owned and being subdivided ends at a rear or side lot line and the subdivider is unable to obtain from the adjoining property owners an easement not less than seven and one-half (7-1/2) feet wide, the Plan Commission upon finding that the easement will be available from the adjoining property owners at a future date, may approve the grant of an easement along each rear lot line, or side lot line where necessary, not less than ten (10) feet.

3. Easements shall be maintained free of buildings or structures. The Plan Commission may require area easements and easements of greater width for the extension of main storm and sanitary sewers, surface drainageways and other utilities where it is deemed necessary.

C. Storm Drainage. All subdivisions shall be provided with storm water disposal systems in compliance with the DESIGN CRITERIA FOR STORM SEWERS AND APPURtenances published by the Kansas City Metropolitan Chapter of the American Public Works Association and amendments thereto. Hydrological calculations shall utilize a time of concentration (TC) of ten minutes unless otherwise directed by the City Engineer. All subdivision plats shall include easements for purposes of access to and protection of underground and surface drainageways. Where drainageways serve a sufficiently large area that underground pipe is impractical, the City may require the subdivider to either perform channel improvements or, in the alternative, dedicate an easement of greater width than the drainageway currently requires in order to allow for overflow and sideslope deterioration. In addition, the calculated one hundred year flood elevation, as computed by a registered engineer, shall be depicted on the preliminary plat and submitted to the City Engineer with the Public Works Elements. This calculation and mapped flood line shall be submitted regardless of the presence of any flood plain as shown on the Flood Insurance Rate Maps of the Flood Insurance Agency. In case such flood prone area occurs within the subdivision the subdivider shall provide assurance that any building constructed in the flood prone area will have its lowest opening at or above the said 100 year flood elevation. Any grading within the flood prone area shall not proceed until review and approval is received from the Kansas Board of Water Resources as set out in K.S.A. 74-2611. In addition, the 100 year Floodway as depicted on the Flood Insurance Map, Department of Housing and Urban Development, shall be shown on the same preliminary plat if applicable to any portion of the subdivision.

Alternative methods of handling surface water may be required or permitted by the Plan Commission and City Council upon recommendation of the City Engineer. Such alternatives may include retention or detention basins, rooftop or parking lot detention, bank stabilization, velocity dissipation
techniques and other methods that are shown to be in the long
term public interest.

Prior to issuance of a building permit within a
subdivision, the City Architect shall review a plot plan
submitted by the applicant indicating finished grades for
each lot and specifying by proper indications thereon the
direction of flow of surface drainage and facilities for its
disposition adequately to preclude damage to any adjacent
property by virtue of such drainage.

D. Dedication or Reservation of Public Areas, Parkland
and Open Space.

1. In subdividing land, due consideration shall be
given by the subdivider to the dedication or reservation of
land for public parks, playgrounds, school sites, open spaces
and other public areas, which shall be provided in accordance
with the requirements and standards set forth in the
Comprehensive Development Plan, as amended, and in the
ordinances relating thereto. Notwithstanding the above, park
impact fees may be due at final plat approval for residential
development or at building permit issuance for
non-residential development pursuant to Ordinance No. 985C.

2. All areas proposed to be reserved or dedicated shall
be indicated on the preliminary plat in accordance with
Article 2, Section 17-201B of these Subdivision Regulations
in order that it may be determined when, in what manner and
under what circumstances and conditions such areas will be
reserved or dedicated to the City or other appropriate public
agency. The Plan Commission shall require that reserved or
dedicated lands be of suitable size, location, dimension,
topography and general character and shall have proper and
adequate road and/or pedestrian access, as may be
appropriate, for the particular purpose for which such land
is intended to be used. Reserved or dedicated land shall be
clearly indicated as such on the preliminary plat.

3. Reservation or dedication of land may be required by
the City as a condition of subdivision approval, or the
subdivider may voluntarily offer land to the City for
reservation or dedication. If the City requires such
dedication as a condition of preliminary plat approval, the
amount of land required to be dedicated in residential
subdivisions shall not exceed ten percent (10%) of the tract
being subdivided, exclusive of streets, alleys, easements or
other public ways; provided, however, that a subdivider may
voluntarily dedicate more than ten percent (10%) of the tract
being subdivided.

4. The Plan Commission shall, during the preliminary
plat review, determine whether the land proposed to be
reserved or dedicated is for parkland or open space and, if
so, whether such land is of a size, location, dimension,
topography and general character so as to be suitable for
such purposes and consistent with the Park and Recreation element of the Master Plan. The Plan Commission may, at its discretion and in accordance with the Master Plan, grant compensating density in exchange for all or a portion of land dedicated pursuant to this provision in order to achieve a balanced project and a fair and equitable result.

5. In its approval of a preliminary plat which proposes reservation or dedication, the Plan Commission may impose such conditions as deemed necessary to ensure that the purposes and intent of this section are satisfied.

6. The final plat of a tract including reservation or dedication of land shall be consistent with the approved preliminary plat and shall incorporate all conditions and requirements imposed by the Plan Commission.

7. A final plat that has been approved by the Plan Commission and which shows dedication of land shall be submitted to the Governing Body for acceptance of the proposed dedication. No dedication shall be deemed approved without express action of the Governing Body in the form of a written "Acceptance of Dedication". Failure of the Governing Body to execute an Acceptance of Dedication shall be deemed to be a refusal of the proposed dedication. A final plat which shows a dedication which has not been accepted by the Governing Body shall not be dated or endorsed by the Plan Commission and shall not be filed with the Register of Deeds.

8. If the Governing Body refuses to accept the dedication, the final plat shall be returned to the subdivider for resubmission to the Plan Commission with the appropriate changes to indicate the use of the portion of the property originally proposed to be dedicated.

E. Blocks.

1. The lengths, widths and shapes of blocks will be determined with due regard to the following:

   a. Provision shall be made for the use of adequate building sites suitable for the special needs of the type of use contemplated.

   b. Zoning requirements as to lot sizes and dimensions shall be met.

   c. The proposed subdivision must be designed to provide the needs for convenient access, circulation, control and street safety.

   d. The subdivision shall be designed to function adequately within the limitations and opportunities provided by the topography of the site.

2. Blocks for residential use shall not be longer than eighteen hundred (1,800) feet along the center line of the block. When a block exceeds six hundred (600) feet in length, the Plan Commission may require a dedicated and
fenced easement containing a paved crosswalk not less than five (5) feet in width to provide pedestrian access across the block.

3. Blocks used for residential purposes shall be of sufficient width to allow for two tiers of lots of appropriate depth. Blocks intended for business and industrial use shall be of a width suitable for the intended use, with due allowance for screening and off-street parking and loading facilities.

F. Lots.

1. Residential lots shall have a width not less than that specified in the Leawood Zoning Ordinance. Lots fronting on a cul-de-sac turnaround shall have a frontage on the turnaround of not less than forty-five (45) feet. Lots shall be of a generally symmetrical shape, shall permit construction of a broad range of building shapes and sizes, shall not have a depth greater than three times the width and shall have its buildable width generally face, and directly relate to, the street upon which it fronts.

2. Side lot lines shall be approximately at right angles or radial to street lines.

3. The depth of residential lots shall be not less than one hundred and twenty (120) feet or that specified in the Zoning Ordinance, whichever is greater.

4. The area of residential lots shall be not less than twelve thousand (12,000) square feet or that specified in the Zoning Ordinance, whichever is greater.

5. In subdivisions where commercial and industrial uses are planned, provisions shall be made for adequate street access, off-street parking and loading, varying lot sizes, avoidance of face-to-face relationships with residential lots and shall utilize transitional land use patterns where possible.

G. Building Lines. Building lines along all front and side streets shall be shown on the final plat and shall, as a minimum, comply with yard requirements of the Leawood Zoning Ordinance.

Section 2. LIBERAL CONSTRUCTION. The provisions of this ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare and convenience.

Section 3. SEVERABILITY. Should any sentence, section, clause, part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any
part thereof, other than the part declared to be invalid.


Section 5. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Helzer
City Clerk

APPROVED FOR FORM:

R.S. Wetzie
City Attorney
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.
Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.
That a notice, a true copy of which is hereeto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:
1st
2nd
3rd
4th
5th
6th

[Signature]

Business Manager
Subscribed and sworn to before me this __ day of __, ___.

[Signature]

Notary Public
My commission expires: 3/30/91
Publication Fees: $108.00

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appr. Exp. 3/30/91
ORD.1919

AN ORDINANCE AMENDING SECTION 1919-33 of the "ZONING REGULATIONS OF THE CITY OF NATIONAL, PETE WEST" AND PROVIDING FOR THE REVOCATION OF A CERTAIN STRUCTURE AS A NONCONFORMING USE OF LAND.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NATIONAL, PETE WEST, AS FOLLOWS:

1. Section 1919-33 of the "ZONING REGULATIONS OF THE CITY OF NATIONAL, PETE WEST" is amended by deleting paragraphs 9 and 10 thereof and substituting the following in lieu thereof:

"9. IN ORDER TO PROVIDE AN APPROPRIATE PLANNING FRAMEWORK FOR THE DEVELOPMENT OF THE CITY, IT IS PROCLAIMED TO BE THE POLICY OF THE CITY OF NATIONAL, PETE WEST TO PROVIDE FOR THE REVOCATION OF ALL NONCONFORMING USES OF LAND AS SOON AS SUCH LAND USES CAN BE CONSIDERED FOR THE PURPOSE OF SUCH PLANNING FRAMEWORK.

10. NONCONFORMING USES OF LAND SHALL NOT BE CONSIDERED FOR REVOCATION FOR A PERIOD OF FIVE YEARS FROM THE DATE OF THE PASSAGE OF THE PRESENT ORDER OR ORDINANCE."
ORDINANCE NO. 1117

AN ORDINANCE ESTABLISHING THE 1990 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

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

28-311. Section 1. 1990 ANNUAL ASSESSMENT. Pursuant to the terms of Section 15-104 of the "Code of the City of Leawood, 1984", the following shall be the formula to establish the 1990 annual assessment for all users of the Leawood Sewer System:

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

Volume Charge = $1.1982 per 1000 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 = $80.00 per user per unit;

Replacement Cost = $0.00/account (for 1990);

Special Charge = $26.02/account; Debt Service, Public Works Facility; 1986 Sewer Repair

28-312. Section 2. PUBLICATION. This ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

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

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L)

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

Marcia Rinehart Mayor
STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposés and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterruptedly in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 2 consecutive weeks as follows:

1st ____________
2nd ____________
3rd ____________
4th ____________
5th ____________
6th ____________

Business Manager
Subscribed and sworn to before me this 29th day of August, 1989.

Notary Public
My commission expires: 3/30/91

SUSAN G. HETHERINGTON
Notary Public, State of Kansas
My App’t Exp. 3-30-91

Publication Fees: $29.64

ORDINANCE No. 1117

ORDINANCE ESTABLISHING THE 1990 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

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

28-311. Section 1. 1990 ANNUAL ASSESSMENT. Pursuant to the terms of Section 15-104 of the "Code of the City of Leawood, 1984", the following shall be the formula to establish the 1990 annual assessment for all users of the Leawood Sewer System:

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

Volume Charge = $1.1982 per 1000 gallons of water used. The minimum volume for residential users shall be 35,000 gallons per year; the minimum volume for commercial users shall be 12,000 gallons per year;

Customer Service Charge = $80.00 per user per unit;

Replacement Cost = $0.00/Account (for 1990);

Special Charge = $26.02/Account; Debt Service, Public Works Facility; 1986 Sewer Repair

28-312. Section 2. PUBLICATION. This ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

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

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L)

/s/ Marcia Rinehart
Marcia Rinehart Mayor

Attest:

/s/ Martha Meier
Martha Meier City Clerk

APPROVED FOR FIRM: /s/ R.S. Wetzler
R.S. Wetzler City Attorney
ORDINANCE NO. 1116

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

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

18-1209. Section I. 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" of April 17, 1978, this property having been previously zoned RP-4, Planned Cluster Residential District:

This is a resurvey and resubdivision of Tract "A", OXFORD PARK, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the N1/2 of Frac. Section 23, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas; thence S 89° 14' 26" E, along the South line of the N1/2 of said Frac. Section 23, a distance of 570.26 feet, to the true point of beginning of subject tract, said point also being on the centerline of Pembroke Lane, as now established; thence N 0° 45' 34" W, along the centerline of said Pembroke Lane, a distance of 715 feet, to a point of curvature; thence Northerly and Northwesterly, along the centerline of said Pembroke Lane, said line being on a curve to the left, having a radius of 300 feet and a central angle of 37° 32' 38", a distance of 196.58 feet, to a point of tangency; thence N 36° 47' 04" W, along the centerline of said Pembroke Lane, a distance of 56.77 feet, to a point of curvature; thence Northwesterly, Northwesterly, and Northeasterly, along the centerline of said Pembroke Lane, said line being on a curve to the right, having a radius of 400 feet and a central angle of 42° 53' 04", a distance of 299.39 feet, to a point of tangency; thence N 6° 06' E, along the centerline of said Pembroke Lane, a distance of 177 feet, to a point of curvature; thence Northwesterly, along the centerline of said Pembroke Lane and along the centerline of 121st Terrace, as now established, said line being on a curve to the right, having a radius of 300 feet and a central angle of 42° 24', a distance of 222.01 feet, to a point of compound curvature; thence Northwesterly and Easterly, along the centerline of said 121st Terrace, said line being on a curve to the right, having a radius of 500 feet, a central angle of 41° 43' 25", and whose initial tangent bearing is N 48° 30' E, a distance of 364.11 feet, to a point of tangency; thence S 89° 46' 35" E, along the centerline of said 121st Terrace, a distance of 252 feet, to a point on the East line of the N1/2 of said Frac. Section 23, said point also being on the Kansas-Missouri State Line, as now established; thence S 0° 12' 51" W, along the East line of the N1/2 of said Frac. Section 23 and along said Kansas-Missouri State Line, a distance of 1126.47 feet, to the Southeast corner of the N1/2 of said Frac. Section 23; thence N 89° 14' 26" W, along the South line of the N1/2 of said Frac. Section 23, a distance of 529.87 feet, to the true point of beginning of subject tract, containing 13.101 Acres, more or less, of replatted land.

(Leawood Plaza)
18-1005. 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" of April 17, 1978, this property having been previously zoned RP-4:

This is a resurvey and resubdivision of Tract B, OXFORD PARK, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows:

Beginning at the Southeast corner of the NE1/4 of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas; thence S 89° 57' 52" W, along the South line of the NE1/4 of said Section 22, a distance of 100 feet, to a point 100 feet West of the East line thereof, said point also being on the Southerly extension of the West line of said Tract B; thence N 0° 27' 47" E, along a line 100 feet West of and parallel to the East line of the NE1/4 of said Section 22, and along the West line and its extension of said Tract B, a distance of 1325.88 feet, to a point on the North line of the SE1/4 of the NE1/4 of said Section 22, said point also being the Northwest corner of said Tract B; thence S 89° 57' 59" E, along the North line of the SE1/4 of the NE1/4 of said Section 22 and along the North line of said Tract B, a distance of 100 feet, to the Northeast corner of the SE1/4 of the NE1/4 of said Section 22; thence S 89° 28' 11" E, along the North line of the S1/2 of the N1/2 of Frac. Section 23, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, and along the North line and its extension of said Tract B, a distance of 1094.33 feet, to the Northeast corner of the S1/2 of the N1/2 of said Frac. Section 23; thence S 0° 12' 51" W, along the East line of the S1/2 of the N1/2 of said Frac. Section 23, a distance of 203.70 feet, to a point on the centerline of 121st Terrace, as now established; thence N 89° 46' 35" W, along the centerline of said 121st Terrace, a distance of 252 feet, to a point of curvature; thence Westerly and Southwesterly, along the centerline of said 121st Terrace and along the centerline of Pembroke Lane, as now established, said line being on a curve to the left, having a radius of 500 feet and a central angle of 41° 43' 25", a distance of 364.11 feet, to a point of compound curvature; thence Southwesterly, along the centerline of said 121st Terrace and along the centerline of said Pembroke Lane, said line being on a curve to the left, having a radius of 300 feet, a central angle of 42° 24', and whose initial tangent bearing is S 48° 30' W, a distance of 222.01 feet, to a point of tangency; thence S 6° 06' W, along the centerline of said Pembroke Lane, a distance of 177 feet, to a point of curvature; thence Southwesterly, Southerly, and Southeasterly, along the centerline of said Pembroke Lane, said line being on a curve to the left, having a radius of 400 feet and a central angle of 42° 53' 04", a distance of 299.39 feet, to a point of tangency; thence
ORDINANCE NO. 1116

S 36° 47' 04" E, along the centerline of said Pembroke Lane, a distance of 56.77 feet, to a point of curvature; thence Southeasterly and Southerly, along the centerline of said Pembroke Lane, said line being on a curve to the right, having a radius of 300 feet and a central angle of 37° 32' 38", a distance of 196.58 feet, to a point of tangency; thence S 0° 45' 34" W, along the centerline of said Pembroke Lane, a distance of 115 feet, to a point on the South line of the N1/2 of said Frac. Section 23; thence N 89° 14' 26" W, along the South line of the N1/2 of said Frac. Section 23, a distance of 570.26 feet, to the point of beginning, containing 20.640 Acres, more or less, of replatted land. (Pembroke Court)

Section 3. Section 18-1005 of Ordinance No. 764 is hereby repealed.

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

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(SEAL)

Marsha Reinhart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzel City Attorney
ORDINANCE NO. 1115

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, SPECIFICALLY BRISTOL PLACE SUBDIVISION, FOR THE PURPOSE OF PAYING THEIR PROPORTIONATE SHARE OF THE COST OF CONSTRUCTING IMPROVEMENTS TO 127TH STREET BETWEEN ROE AVENUE AND MISSION ROAD, A DISTANCE OF APPROXIMATELY 2,640 FEET (IMPROVEMENT DISTRICT 83-1), ALL AS PROVIDED BY LAW AND PARTICULARLY SECTIONS 12-6a01 TO 12-6a18 INCLUSIVE, K.S.A., AS AMENDED.

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood, Kansas:

The construction and improvements of 127th Street, from the center line of Roe Avenue (the west line of the northeast quarter of Section 28, Township 13, Range 25) to the center line of Mission Road (east line of the northeast quarter, Section 28, Township 13, Range 25), a distance of 2,640 feet more or less. The improvements will be a 36 foot roadway in width, back to back with curb, all improvements to be inclusive of the storm drainage facilities, street lighting and other appurtenances.

and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is $606,741.71 and that 100% of the total cost thereof be assessed against the improvement district and none to be paid by the City at large in conformance with Resolution No. 617 pertaining to City policy with respect to the improvement district; and

WHEREAS, Resolution No. 617 authorized the deferral of assessments against certain property until subdivided or developed; and

WHEREAS, the deferral was exercised for property owned by A.W. Doepke and Martha Jo Doepke within the boundary of Improvement District 83-1; and

WHEREAS, deferred property was subsequently subdivided and developed and is known as Bristol Place Subdivision; and

WHEREAS, said Governing Body has determined that deferred assessment should be reassessed to the subdivided property in accordance with the provisions of Resolution No. 617; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

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

20-1,490. Section 1. Special assessments, which were deferred in accordance with the provisions of Resolution No. 617, to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots liable for special assessment for said improvement as set out on Exhibit A attached hereto.

20-1,491. Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in ten annual installments. The first installment shall be payable at the time the first payment of general property taxes following the adopting and publication of this ordinance.

20-1,492. Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.

Section 4. This ordinance shall take effect and be in force from and after its publication as provided by law.

Passed by the Council the 7th day of August, 1989.

Approved by the Mayor the 7th day of August, 1989.

(Marcia Rinehart, Mayor)

(S.E.A.L)

Attest:

Martha Heizer, City Clerk

Approved for Form:

R. S. Wetzler, City Attorney
EXHIBIT A
FINAL ASSESSMENT ROLL
REASSESSMENT OF IMPROVEMENT
DISTRICT 83-1
127TH STREET - ROE AVENUE TO MISSION ROAD
BRISTOL PLACE SUBDIVISION
CITY OF LEAWOOD, KANSAS

1. Lot 1, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

   Ashner Construction Co., Inc.
   %Bodine-Ashner Builders Inc.
   9300 W. 110th St., # 225
   Overland Park, Kansas 66210 $1,665.95

2. Lot 2, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

   Ashner Construction Co., Inc.
   %Bodine-Ashner Builders Inc.
   9300 W. 110th St., # 225
   Overland Park, Kansas 66210 $1,676.16

3. Lot 3, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

   Ronald P. and Marilyn Baker
   3909 W. 125th Ter.
   Leawood, Kansas 66209 $1,779.56

4. Lot 4, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

   Bodine-Ashner Builders, Inc.
   9300 W. 110th St., # 225
   Overland Park, Kansas 66210 $2,749.51

5. Lot 5, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

   Stephanie S. and Kathryn B. Stephens
   9004 Pawnee Lane
   Leawood, Kansas 66206 $1,864.18

6. Lot 6, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.
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<tr>
<th>Lot</th>
<th>Lot Number</th>
<th>Address</th>
<th>Owner(s)</th>
<th>Amount</th>
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<td>Joseph A. and Elaine C. Rhoney</td>
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<td>Lot 8</td>
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<td>Donald E. and Frances M. Desroches</td>
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<td>BRISTOL PLACE</td>
<td>J. Michael and Christine F Waring</td>
<td>$2,241.16</td>
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15. Lot 15, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

James E. and Judith L. Kafka
12501 Catalina St.
Leawood, Kansas 66209 $2,066.65

16. Lot 16, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Peter P. and Susan M. Gencarelli
12505 Catalina St.
Leawood, Kansas 66211 $1,449.43

17. Lot 17, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

James M. and Georgina E. Newman
12509 Catalina St.
Leawood, Kansas 66209 $1,625.20

18. Lot 18, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

B. J. and Lucille M. Kissick
4112 W. 125th Ter.
Leawood, Kansas 66209 $1,428.70

19. Lot 19, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Larry L. and Terri L. Groce
4108 W. 125th Ter.
Leawood, Kansas 66209 $1,405.77

20. Lot 20, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Roman S. Jr. and Andrietta L. Enriquez
4104 W. 125th Ter.
Leawood, Kansas 66209 $1,276.78

21. Lot 21, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Paul Heacock
Frankona America Service Co.
2405 Grand Ave., #900
Kansas City, Missouri 64108 $1,253.97

22. Lot 22, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Thomas C. and Sharon S. Usher
12516 Buena Vista St.
Leawood, Kansas 66209 $3,430.39

23. Lot 23, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

...
24. Lot 24, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Craig L. and Dorothy E. Hamlin
12508 Buena Vista St.
Leawood, Kansas 66209 $1,956.07

25. Lot 25, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Terron L. Jackson
c/o Johnson County Bank
6940 Mission Rd.
Prairie Village, Kansas 66208 $1,717.48

26. Lot 26, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Dean D. III and Nancy C. Richards
12500 Buena Vista St.
Leawood, Kansas 66209 $1,671.39

27. Lot 27, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

John Jr. and Jane Wurzer
12501 Buena Vista St.
Leawood, Kansas 66209 $1,964.43

28. Lot 28, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

James L. Osborn
12505 Buena Vista St.
Leawood, Kansas 66209 $1,266.34

29. Lot 29, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Bradford K. and Pamela S. Moore
12509 Buena Vista St.
Leawood, Kansas 66209 $1,682.01

30. Lot 30, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Lawrence A. and Katherine M. Swain
12516 Alhambra St.
Leawood, Kansas 66209 $2,191.58

31. Lot 31, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
32. Lot 32, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Mark and Carol Chaykin
12508 Alhambra St.
Leawood, Kansas 66209 $1,472.40

33. Lot 33, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Stephen C. and Joanne E. Eisold
12504 Alhambra St.
Leawood, Kansas 66209 $2,058.04

34. Lot 34, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Ashner Construction Co., Inc.
Bodine-Ashner Builders, Inc.
9300 W. 110th St. # 225
Overland Park, Kansas 66210 $2,047.99

35. Lot 35, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Ashner Construction Co., Inc.
Bodine-Ashner Builders, Inc.
9300 W. 110th St. # 225
Overland Park, Kansas 66210 $1,902.25

36. Lot 36, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

James P. and Tina M. Mullinix
11659 Grant Drive.
Overland Park, Kansas 66210 $1,521.81

37. Lot 37, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Bristol Place Homes Assoc., Inc.
C/O Larry Swain
12516 Alhambra Street
Leawood, Kansas 66209 $1,801.99

38. Lot 38, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Ashner Construction Co., Inc.
Bodine-Ashner Builders, Inc.
9300 W. 110th Street, #225
Overland Park, Kansas 66210 $1,356.70

39. Lot 39, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
Dennis M. and Donna E. Wilcox  
3904 W. 125th Terrace  
Leawood, Kansas  66209  
$1,347.06

40. Lot 40, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Ashner Construction Co., Inc.  
Bodine-Ashner Builders, Inc.  
9300 W. 110th Street, #225  
Overland Park, Kansas  66210  
$1,477.45

Total Reassessment Cost  $69,529.20
AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF
GROUND IN THE CITY OF LEAWOOD, KANSAS, SPECIFICALLY BRISTOL
PLACE SUBDIVISION, FOR THE PURPOSE OF PAYING THEIR PROPORTION-
ATE SHARE OF THE COST OF CONSTRUCTING IMPROVEMENTS TO 127TH
STREET BETWEEN ROE AVENUE AND MISSION ROAD, A DISTANCE OF AP-
PROXIMATELY 2,640 FEET (IMPROVEMENT DISTRICT 83-1), ALL AS PRO-
VIDED BY LAW AND PARTICULARLY SECTIONS 12-6a01 TO 12-6a18 IN-
CLUSIVE, K.S.A., AS AMENDED.

WHEREAS, pursuant to proceedings regularly had according
to law, contracts have been let for the following improvement
in the City of Leawood, Kansas:

The construction and improvements of 127th Street,
from the center line of Roe Avenue (the west line
of the northeast quarter of Section 28, Township 13,
Range 25) to the center line of Mission Road (east
line of the northeast quarter, Section 28, Township
13, Range 25), a distance of 2,640 feet more or less.
The improvements will be a 36 foot roadway in width,
back to back with curb, all improvements to be
inclusive of the storm drainage facilities, street
lighting and other appurtenances.

and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total
cost of such improvement is $606,741.71 and that 100% of the
total cost thereof be assessed against the improvement district
and none to be paid by the City at large in conformance with
Resolution No. 617 pertaining to City policy with respect to
the improvement district; and

WHEREAS, Resolution No. 617 authorized the deferral of as-
sessments against certain property until subdivided or devel-
oped; and

WHEREAS, the deferral was exercised for property owned by
A.W. Doepke and Martha Jo Doepke within the boundary of Im-
provement District 83-1; and

WHEREAS, deferred property was subsequently subdivided and
developed and is known as Bristol Place Subdivision; and

WHEREAS, said Governing Body has determined that deferred
assessment should be reassessed to the subdivided property in
accordance with the provisions of Resolution No. 617; and

WHEREAS, said Governing Body has, after due notice, met
and determined the amount of such special assessments.

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

20-1,490. Section 1. Special assessments, which were deferred in accordance with the provisions of Resolution No. 617, to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots liable for special assessment for said improvement as set out on Exhibit A attached hereto.

20-1,491. Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in ten annual installments. The first installment shall be payable at the time the first payment of general property taxes following the adopting and publication of this ordinance.

20-1,492. Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.

Section 4. This ordinance shall take effect and be in force from and after its publication as provided by law.

Passed by the Council the 7th day of August, 1989.
Approved by the Mayor the 7th day of August, 1989.

(S. E. A. L.)

Martica Rinehart, Mayor

(Seal)

ATTEST:

Martica Rinehart, City Clerk

Approved for Form:

R. S. Wetzler, City Attorney
EXHIBIT A
FINAL ASSESSMENT ROLL

REASSESSMENT OF IMPROVEMENT
DISTRICT 83-1
127TH STREET - ROE AVENUE TO MISSION ROAD
BRISTOL PLACE SUBDIVISION
CITY OF LEAWOOD, KANSAS

1. Lot 1, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Ashner Construction Co., Inc.
&Bodine-Ashner Builders Inc.
9300 W. 110th St., # 225
Overland Park, Kansas 66210 $1,665.95

2. Lot 2, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Ashner Construction Co., Inc.
&Bodine-Ashner Builders Inc.
9300 W. 110th St., # 225
Overland Park, Kansas 66210 $1,676.16

3. Lot 3, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Ronald P. and Marilyn Baker
3909 W. 125th Ter.
Leawood, Kansas 66209 $1,779.56

4. Lot 4, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Bodine-Ashner Builders, Inc.
9300 W. 110th St., # 225
Overland Park, Kansas 66210 $2,749.51

5. Lot 5, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Stephanie S. and Kathryn B. Stephens
9004 Pawnee Lane
Leawood, Kansas 66206 $1,864.18

6. Lot 6, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.
7. Lot 7, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Joseph A. and Elaine C. Rhoney
4105 W. 125th Ter.
Leawood, Kansas 66209 $1,592.90

8. Lot 8, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Donald E. and Frances M. Desroches
12517 Catalina St.
Leawood, Kansas 66209 $1,607.55

9. Lot 9, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

John E. and Mary J. Opel
12518 Catalina St.
Leawood, Kansas 66209 $1,862.90

10. Lot 10, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Lloyd and Gaye D. Vonsprecken
12516 Catalina St.
Leawood, Kansas 66209 $1,811.37

11. Lot 11, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Leslie Sha and Anne Behrens
% Railroad Savings
110 S. Main St., #2933
Wichita, Kansas 67201 $1,680.82

12. Lot 12, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Stephen A. and Rachel G. Pontzer
12508 Catalina St.
Leawood, Kansas 66209 $1,434.61

13. Lot 13, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Thomas E. and Joyce E. Farmer
12504 Catalina St.
Leawood, Kansas 66210 $1,409.02

14. Lot 14, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

J. Michael and Christine F Waring
12500 Catalina St.
Leawood, Kansas 66209 $2,241.16
15. Lot 15, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
James E. and Judith L. Kafka
12501 Catalina St.
Leawood, Kansas 66209 $2,066.65

16. Lot 16, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
Peter P. and Susan M. Gencarelli
12505 Catalina St.
Leawood, Kansas 66211 $1,449.43

17. Lot 17, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
James M. and Georgina E. Newman
12509 Catalina St.
Leawood, Kansas 66209 $1,625.20

18. Lot 18, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
B. J. and Lucille M. Kissick
4112 W. 125th Ter.
Leawood, Kansas 66209 $1,428.70

19. Lot 19, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
Larry L. and Terri L. Groce
4108 W. 125th Ter.
Leawood, Kansas 66209 $1,405.77

20. Lot 20, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
Roman S. Jr. and Andrietta L. Enriquez
4104 W. 125th Ter.
Leawood, Kansas 66209 $1,276.78

21. Lot 21, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
Paul Heacock
Frankona America Service Co.
2405 Grand Ave., #900
Kansas City, Missouri 64108 $1,253.97

22. Lot 22, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
Thomas C. and Sharon S. Usher
12516 Buena Vista St.
Leawood, Kansas 66209 $3,430.39

23. Lot 23, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
E. Thomas III and Janet W. Long  
12512 Buena Vista St.  
Leawood, Kansas 66209 $1,650.46

24. Lot 24, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Craig L. and Dorothy E. Hamlin  
12508 Buena Vista St.  
Leawood, Kansas 66209 $1,956.07

25. Lot 25, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Terron L. Jackson  
c/o Johnson County Bank  
6940 Mission Rd.  
Prairie Village, Kansas 66208 $1,717.48

26. Lot 26, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Dean D. III and Nancy C. Richards  
12500 Buena Vista St.  
Leawood, Kansas 66209 $1,671.39

27. Lot 27, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

John Jr. and Jane Wurzer  
12501 Buena Vista St.  
Leawood, Kansas 66209 $1,964.43

28. Lot 28, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

James L. Osborn  
12505 Buena Vista St.  
Leawood, Kansas 66209 $1,266.34

29. Lot 29, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Bradford K. and Pamela S. Moore  
12509 Buena Vista St.  
Leawood, Kansas 66209 $1,682.01

30. Lot 30, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Lawrence A. and Katherine M. Swain  
12516 Alhambra St.  
Leawood, Kansas 66209 $2,191.58

31. Lot 31, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
32. Lot 32, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Mark and Carol Chaykin
12508 Alhambra St.
Leawood, Kansas 66209 $1,472.40

33. Lot 33, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Stephen C. and Joanne E. Eisold
12504 Alhambra St.
Leawood, Kansas 66209 $2,058.04

34. Lot 34, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Ashner Construction Co., Inc.
Bodine-Ashner Bldrs. Inc.
9300 W. 110th St. # 225
Overland Park, Kansas 66210 $2,047.99

35. Lot 35, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Ashner Construction Co., Inc.
Bodine-Ashner Bldrs. Inc.
9300 W. 110th St. # 225
Overland Park, Kansas 66210 $1,902.25

36. Lot 36, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

James P. and Tina M. Mullinix
11659 Grant Drive.
Overland Park, Kansas 66210 $1,521.81

37. Lot 37, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Bristol Place Homes Assoc., Inc.
C/O Larry Swain
12516 Alhambra Street
Leawood, Kansas 66209 $1,801.99

38. Lot 38, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Ashner Construction Co., Inc.
Bodine-Ashner Builders, Inc.
9300 W. 110th Street, #225
Overland Park, Kansas 66210 $1,356.70

39. Lot 39, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
Dennis M. and Donna E. Wilcox  
3904 W. 125th Terrace  
Leawood, Kansas 66209  
$1,347.06

Lot 40, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Ashner Construction Co., Inc.  
Bodine-Ashner Builders, Inc.  
9300 W. 110th Street, #225  
Overland Park, Kansas 66210  
$1,477.45

Total Reassessment Cost  
$69,529.20
CERTIFICATE

State of Kansas )
County of Johnson)
City of Leawood )

I, Martha Heizer, City Clerk of the City of Leawood, Kansas, hereby
certify that the attached is a true and correct copy of Ordinance No.
1115 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the
seal of said city this 8th day of August, 1989.

[Signature]

[Seal]
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for ___________ consecutive week(s) as follows:

1st __________
2nd __________
3rd __________
4th __________
5th __________
6th __________

__John Lewis__
Business Manager
Subscribed and sworn to before me this __________ day of __________ 1989.

__Notary Public__
My commission expires: 3/30/91

Publication Fees: $ 99.29

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appr. Exp. 3/30/91
ORD. NO. 118

AN ORDER ENACTING RESERVATION OF RIGHTS AND TERMS AND CONDITONS OF SALE OF LANDS IN THE CITY OF LEAMINGTON, KENOSHA COUNTY, UNDER SUB-TITLE E, SECTION 21, OF ACT 23, AS IN THE MANNER OF THE CITY OF CONSTRUCTION CHARTS A SECURITY OF APPROPRIATION.

Pursuant to resolution of the City Council of the City of Leamington, Kenosha County, on the 12th day of July, 1939, the Mayor was selected to act as the City Attorney, and the City Mayor appointed as City Engineer, in accordance with the provisions of Act 23, Section 23, as amended, of the Laws of 1939, and personally appeared in court and caused the City Engineer to present this order to the County Clerk for filing and publication in the manner required by law.

APPROVED by the Mayor the 1st day of August, 1939.

[Signature]

MAYOR OF THE CITY OF LEAMINGTON, KENOSHA COUNTY

FINANCE DEPARTMENT

STATEMENT OF REASON

1. Lot 1, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $1,594.39.

2. Lot 2, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $1,413.20.

3. Lots 3 and 4, BEATTIE PLAT, subdivisions in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchasers, for the sum of $740.14.

4. Lot 5, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $775.26.

5. Lot 6, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $745.26.

6. Lot 7, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $1,400.71.

7. Lot 8, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $966.98.

8. Lot 9, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $1,420.71.

9. Lot 10, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $1,465.95.

10. Lot 11, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $1,611.26.

11. Lot 12, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $1,400.43.

12. Lot 13, BEATTIE PLAT, a subdivision in the City of Leamington, Kenosha County, Wisconsin, Comstock Construction Co., Inc. or its assigns, Purchaser, for the sum of $1,434.76.

Total Purchase Price $9,309.29.
ORDINANCE NO. 1114

AN ORDINANCE RELATING TO ZONING OF PROPERTY (HALLBROOK FARMS) IN THE CITY OF LEAWOOD, KANSAS, AND REPEAL OF EXISTING SECTION.

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

18-1414. Section 1. 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" of April 17, 1978, this property having been previously zoned RP-4, Planned Cluster Residential District:

This is a subdivision and survey of part of the south 1/2 of Fractional Section 14 and part of the southeast 1/4 of Section 15, all in Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the southeast corner of the southeast 1/4 of said Section 15; thence south 87°-47'-56" West, along the south line of said southeast 1/4, a distance of 25.00 feet to the southwest corner of Hallbrook Farms, First Plat, a subdivision of land in said City, County and State; thence northerly along the easterly line of said Hallbrook Farms, First Plat, the following bearings and distances:

North 1°-20'-08" West, a distance of 580.00 feet; thence North 11°-30'-00" West, a distance of 220.30 feet; thence south 84°-53'-35" West, a distance of 122.48 feet; thence North 82°-45'-09" West, a distance of 114.25 feet; thence north 69°-57'-06" West, a distance of 128.39 feet; thence North 61°-45'-10" West, a distance of 123.24 feet; thence North 15°-22'-28" East; a distance of 264.82 feet; thence North 2°-03'-18" West, a distance of 292.66 feet; thence North 10°-00'-00" East, a distance of 311.25 feet; thence departing the easterly line of said Hallbrook Farms, First Plat, south 46°-18'-07" East, a distance of 139.42 feet; thence North 77°-28'-16" East, a distance of 216.57 feet; thence south 30°-36'-44" East, a distance of 154.86 feet; thence south 7°-47'-17" West, a distance of 324.10 feet; thence south 63°-34'-35" East, a distance of 596.68 feet; thence northerly along a curve to the left having an initial tangent bearing of north 26°-25'-25" East, with a radius of 682.50 feet, a central angle of 2°-11'-55", and an arc distance of 26.19 feet; thence south 65°-46'-30" East, a distance of 85.00 feet; thence southwesterly along a curve to the right having an initial tangent bearing of south 24°-13'-30" West, with a radius of 767.50 feet, a central angle of 2°-11'-55" and an arc distance of 29.45 feet; thence south 63°-34'-35" East, a distance of 160.00 feet; thence north 87°-41'-58" East, a distance of 386.38 feet to a point on the east line of the aforesaid south 1/2 of Fractional Section 14; thence south 2°-21'-12" East, along said east line, a distance of 582.34 feet to the southwest corner of the northwest 1/4 of Fractional Section 7, Township 47 North, Range 33 West, in Kansas City, Jackson County, Missouri; thence south 2°-05'-34"
East along said east line, a distance of 272.37 feet to the southeast corner of said south 1/2; thence south 87°-59'-25" West along the south line of said south 1/2, a distance of 1088.34 feet to the point of beginning. Except that part previously dedicated for street right-of-way. Containing 33.691 acres, more or less.

18-1008. 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" of April 17, 1978; this property having been previously zoned RP-4:

All that part of Fractional Section 14 and all that part of the east 1/2 of Section 15, all in Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southeast corner of the north 1/2 of said Fractional Section 14; thence south 87°-53'-23" West along the south line of the north 1/2 of said Fractional Section 14, a distance of 420.35 feet; thence north 2°-36'-36" West, a distance of 288.01 feet; thence north 87°-53'-23" East, a distance of 421.50 feet to a point on the east line of said north 1/2; thence north 2°-22'-55" West, along said east line, a distance of 328.00 feet; thence south 87°-53'-23" West, a distance of 632.80 feet; thence north 53°-44'-52" West, a distance of 377.13 feet; thence south 16°-11'-09" West, a distance of 725.33 feet; thence south 2°-21'-24" West, a distance of 590.66 feet; thence south 4°-40'-46" East, a distance of 147.63 feet; thence south 23°-39'-57" East, a distance of 127.24 feet; thence south 3°-29'-26" East, a distance of 93.68 feet; thence south 8°-20'-51" East, a distance of 88.69 feet; thence south 5°-02'-39" West, a distance of 68.19 feet; thence south 30°-36'-44" East, a distance of 154.86 feet; thence south 7°-47'-17" West, a distance of 324.10 feet; thence south 63°-34'-35" East, a distance of 596.68 feet; thence north-easterly along a curve to the left having an initial tangent bearing of north 26°-25'-25" East, with a radius of 682.50 feet, a central angle of 2°-11'-55" and an arc distance of 26.19 feet; thence south 65°-46'-30" East, a distance of 85.00 feet; thence southwesterly along a curve to the right having an initial tangent bearing of south 24°-13'-30" West, with a radius of 767.50 feet, a central angle of 2°-11'-55" and an arc distance of 29.45 feet; thence south 63°-34'-35" East, a distance of 160.00 feet; thence north 87°-41'-53" East, a distance of 386.38 feet to a point on the east line of the aforesaid south 1/2 of Fractional Section 14; thence north 2°-21'-12" West along said east line, a distance of 1675.36 feet to the southwest corner of the southwest 1/4 of Fractional Section 6, Township 47 North, Range 33 West,
in Kansas City, Jackson County, Missouri; thence north 2°-22'55" West along the east line of said south 1/2, a distance of 127.40 feet to the point of beginning. Containing 57.449 acres, more or less.

Section 3. Section 18-1008 of Ordinance No. 993 is hereby repealed.

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

Passed by the Council the 7th day of August, 1989.

Approved by the Mayor the 7th day of August, 1989.

(S.E.A.L)

Martha Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Metzler
City Attorney
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF RENEWAL TEMPORARY NOTES, SERIES L.I.D. 86-1-89G, PROJECT 107, (ROE AVENUE, 112TH TO 121ST STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $260,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF ROE AVENUE (112TH TO 121ST STREET) INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER APPURTENANCES THEREOF.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the Governing Body of the City of Leawood entered into a joint agreement, dated February 4, 1985, with the City of Overland Park and Johnson County, Kansas, to make improvements to Roe Avenue from 112th to 121st Street in the total estimated cost of $1,500,000.00 with each entity to pay a portion of said costs; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

20-1,484. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 Renewal Temporary Notes, Series L.I.D. 86-1-89G, Project 107 (Roe Avenue, 112th to 121st Street), in the aggregate principal amount of Two Hundred and Sixty Thousand Dollars ($260,000), which amount does not exceed the total estimated costs of said improvements.

20-1,485. Section Two: Said issue of Temporary Notes, Series L.I.D. 86-1-89G, Project 107, shall consist of bearer notes numbered from 1 through 3 inclusive, with numbers 1 and 2 each in the denomination of $100,000.00 and number 3 in the
denomination of $60,000.00. Each of said notes shall be dated July 25, 1989, and shall have the stated maturity date of January 24, 1990. The notes shall bear interest from their date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.23% per annum.

The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. 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 redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,486. **Section Three:** The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, 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.

20-1,487. **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 as provided by law 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 United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,488. **Section Five:** The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.
The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>DATE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
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<tbody>
<tr>
<td>(a)</td>
<td>April 21, 1989</td>
<td>$500,000</td>
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<tr>
<td>Temporary Notes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Series 89D, Project 116, 95th Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b)</td>
<td>April 21, 1989</td>
<td>$300,000</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Series L.I.D. 88-1-89E</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project 113</td>
<td></td>
<td></td>
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<tr>
<td>Tomahawk Creek Parkway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c)</td>
<td>April 21, 1989</td>
<td>$100,000</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Series 89F, Project 117</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lee Boulevard</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be “qualified tax-exempt obligations” within the meaning and for the purposes of Section 265 of
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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for __ consecutive week(s) as follows:

1st __
2nd __
3rd __
4th __
5th __
6th ___

Business Manager
Subscribed and sworn to before me this 18 day of July, 1981.

Notary Public
My commission expires: 3/30/91

Publication Fees: $0.73

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91
...
ORDINANCE NO. 1112

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89J, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 REMODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $400,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF REMODELING, ADDITION AND EQUIPPING OF THE POLICE/COURTS BUILDING AND FIRE STATION #1.

WHEREAS, the Governing Body authorized the improvement or remodel of the Police/Courts Building and Fire Station #1 by the approval of Resolution No. 937 on December 5, 1988; and

WHEREAS, total cost of improvement and remodeling is estimated to be $1,200,000.00; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-1737 and all acts amendatory thereto and by Resolution No. 937.

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

24-307. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary design, legal and incidental costs, 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 89J, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of Four Hundred Thousand Dollars ($400,000.00) which amount does not exceed the total estimated costs of said improvements.

24-308. Section Two: Said issue of Temporary Notes, Series 89J, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 4 inclusive, each in the denomination of $100,000.00. Said notes shall be dated July 25, 1989, and shall have the stated maturity date of July 24, 1990. The note shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 6.24% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-1737 and all acts amendatory thereto.
Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

24-309. **Section Three:** The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, 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.

24-310. **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 as provided by law 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 note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

24-311. **Section Five:** The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax-Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the pro-
visions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE DATE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) April 21, 1989</td>
<td>$500,000</td>
</tr>
<tr>
<td>April 21, 1989</td>
<td>$300,000</td>
</tr>
<tr>
<td>Series 89F, Project 117</td>
<td></td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

24-312. 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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.
PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for ____ consecutive week(s) as follows:

1st __________ 
2nd __________ 
3rd __________ 
4th __________ 
5th __________ 
6th __________

Business Manager

Subscribed and sworn to before me this ___ day of _____, 19__

Notary Public

My commission expires:

3/30/91

Publication Fees: 45.79
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89I, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $300,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be $1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,478. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 89I, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000.00) which amount does not exceed the total estimated costs of said improvements.
Section Two: Said issue of Temporary Notes, Series 891, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 3 inclusive, each in the denomination of $100,000.00. Said notes shall be dated July 25, 1989, and shall have the stated maturity date of July 24, 1990. The note shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 6.28% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, 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.

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 as provided by law 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 note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.
Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>DATE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Temporary Notes</td>
<td>April 21, 1989</td>
<td>$500,000</td>
</tr>
<tr>
<td>Series 89D, Project 116, 95th Street</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| (b) Temporary Notes | April 21, 1989 | $300,000 |
| Series L.I.D. 88-1-89E |
| Project 113 |
| Tomahawk Creek Parkway |

| (c) Temporary Notes | April 21, 1989 | $100,000 |
| Series 89F, Project 117 |
| Lee Boulevard |

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;
4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS:
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.
Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.
That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st 7/18
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 18 day of
January, 1989

Notary Public
My commission expires:
3/30/91

Publication Fees: $1.49

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91
ORDINANCE NO. 1065

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 891, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $300,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or re-improvement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, the total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be $1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes

See page 3
both principal of said interest or said rents shall be payable at the office of the City Treasurer of the City of Lawrence, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to reduce and retire said note. The City of Lawrence, Kansas, reserves the right to redeem and pay said note, in whole or in part (but to no extent in the full face amount) at any time prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notice of intention of redemption in the last known holder to be at least two days prior to the redemption date to be fixed in such notice.

10-1-480. SESSION 394: The date of delivery of said note shall be for all purposes the date of issuance restructuring the dated date. Said note shall be in no manner as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Lawrence, Kansas, and shall have the seal of said City affixed thereon.

10-1-480. SESSION 394: The Mayor and City Clerk of Lawrence, Kansas, are hereby authorized and directed to prepare and execute said temporary notes hereinafter authorized to be issued in the form and substance hereinafter described and as provided by law and to proceed 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 note shall be countersigned by the City Clerk and delivered in United States bonds, the original purchase thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

10-1-480. SESSION 394: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinafter described.

The City further covenants and agrees that it will comply with such and any provision of the Tax Reform Act of 1969 that is or may become applicable to the notes, including but not limited to any provisions requiring the remittance of accrued earnings on bonds or amounts required with respect to the notes.11

However, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an apportionment nationally-reconciled bond premium which includes that component with the foregoing covenant and the provisions of the Tax Reform Act of 1969 as provided in this section shall not be required to retain and continue the tax exempt status of the Interest Income on the notes.

The Governing body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-organized and validly-existing political subdivision in existence since 1854.
2. Prior to January 1, 1969, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>Type</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Series A</td>
<td>April 21, 1969</td>
<td>$500,000</td>
</tr>
<tr>
<td>Series B</td>
<td>April 21, 1969</td>
<td>$500,000</td>
</tr>
<tr>
<td>Series C</td>
<td>April 21, 1969</td>
<td>$500,000</td>
</tr>
</tbody>
</table>

The City has not heretofore anticipates issuing qualified tax-exempt obligations during calendar year 1969 in an aggregate amount in excess of $10,000,000.00.

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvement, other than temporary notes to be entered into the proceeds of said temporary notes and bonds to retire said temporary notes.

4. We, in the City and in the holders of the notes, shall be deemed to have executed and delivered the notes hereinafter described and as provided by law and shall be deemed to have executed and delivered the notes hereinafter described and as provided by law.

The Governing body of the City hereby designates the notes to be "qualified tax-exempt obligations" as defined in the law and for the purpose of Section 260 of the Tax Reform Act of 1969.

10-1-480. SESSION 394: The City Clerk, the Mayor, and the City Treasurer, shall be given and be in form and character as provided by law.

City of Lawrence, Kansas, this 23rd day of July, 1969.

Approved as to form:

A. R. Miller,

City Treasuror.

A. R. Miller,

Mayor.

Martha M. Dierenfeld, City Attorney.
ORDINANCE NO. 1110

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89H, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY’S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTEMENTS TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be $3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

20-1,472. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 L.I.D. 88-1-89H, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Five Hundred Thousand Dollars ($500,000), which amount does not exceed the total estimated costs of said improvements.

20-1,473. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89H, Project 113, shall consist of bearer notes numbered from 1 through 5 inclusive, each in the denomination of $100,000. Each of said notes shall be dated July 25, 1989, and shall have the stated maturity date of July 24, 1990. The notes shall bear interest from their date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.31% per
annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. 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 redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,474. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, 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.

20-1,475. 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 as provided by law 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 United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,476. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.
The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, that the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE DATE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Temporary Notes&lt;br&gt;Series 89D, Project 116, 95th Street</td>
<td>April 21, 1989 $500,000</td>
</tr>
<tr>
<td>(b) Temporary Notes&lt;br&gt;Series L.I.D. 88-1-89E&lt;br&gt;Project 113&lt;br&gt;Tomahawk Creek Parkway</td>
<td>April 21, 1989 $300,000</td>
</tr>
<tr>
<td>(c) Temporary Notes&lt;br&gt;Series 89F, Project 117&lt;br&gt;Lee Boulevard</td>
<td>April 21, 1989 $100,000</td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade
or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,477. 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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. J. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, SS:
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 18 day of July, 1984

Notary Public
My commission expires: 3/30/91

Publication Fees: $1.87
or business of any person, firm or corporation other than a governmental agency. The governing body of the city hereby designates the terms to be "quinquennial tax-reimbursement obligations" without any meaning and for the purpose of Section 304 of the city charter of 1906.

Section 2. The full faith, credit and revenue of the city of Kamloops, hereinafter mentioned, shall be the property of the city's intended for the purpose of Section 304 of the city charter of 1906.

Section 3. The city council shall make all other legislative acts to carry out the provisions of said city charter and to extend the time of the city charter.

Section 4. This act shall take effect and be in force from and after the publication as provided in this section.
ORDINANCE NO. 1109C

AN ORDINANCE AMENDING SECTION 15-101 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE LEAWOOD SANITARY SEWER SYSTEM, AND REPEAL OF EXISTING SECTION.

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

Section 1. Section 15-101 of the Code of the City of Leawood is hereby amended to read as follows:

15-101. APPLICATION. (a) The provisions of this article shall apply to all property within the City limits which lies north of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 226, passed by the Governing Body on January 20, 1964.

(b) The provisions of this article shall also apply to all property within the City limits which lies south of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 1108, passed by the Governing Body on July 17, 1989.

(c) For purposes of administering the Leawood Sewer System, the System shall be divided into sewer districts. Each district shall be comprised of the sanitary sewer network for a natural drainage area. The existing System is hereby divided into the Dykes Branch Sewer District and the James Branch Sewer District as shown on that certain map of the Leawood Sewer System adopted by the Governing Body, and the Hallbrook Farms Sewer District as described in Ordinance No. 1108, passed by the Governing Body on July 17, 1989.

Section 2. Section 15-101 of the Code of the City of Leawood is hereby repealed.

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

Passed by the Council the 17th day of July, 1989.

Approved by the Mayor the 18th day of July, 1989.

(S E A L)

Marcia Rinehart
Mayor
ORDINANCE NO. 1109C

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached; and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for one consecutive week(s) as follows:

1st
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 2nd day of January, 1989.

Notary Public
My commission expires: 3/30/91

Publication Fees: $ 13.68

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3/30/11
ORDINANCE NO. 1108

AN ORDINANCE ENLARGING THE LEAWOOD SEWER SYSTEM TO PROVIDE SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS, A SUBDIVISION WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the City of Leawood has previously approved final plans and plats for certain portions of a mixed-use development within the City of Leawood known as Hallbrook Farms; and

WHEREAS, prior to filing of final plats, the owners and developers of said subdivision constructed a sewer system to serve said subdivision; and

WHEREAS, prior to construction of said sewer system, the owners and developers agreed to construct said system according to the standards of the Leawood Sewer System; and

WHEREAS, the City of Leawood has previously agreed that upon completion of said sewer system in accordance with the standards of the Leawood Sewer System, the City would accept conveyance of said system from the owners and developers of Hallbrook Farms; and

WHEREAS, any expansion of the Leawood Sewer System requires the approval and acceptance of the City of Kansas City, Missouri; and

WHEREAS, the City of Kansas City, Missouri has agreed to permit expansion of the Leawood Sewer System to serve the area known as Hallbrook Farms, and has further agreed to accept such additional flows of sewerage as may be generated by said development; and

WHEREAS, a portion of the subdivision known as Hallbrook Farms, the precise description of which is set forth hereinafter, should now be included within the Leawood Sewer System in accordance with the foregoing;

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

Section 1. SEWER DISTRICT ENLARGED. The City of Leawood does hereby accept into the Leawood Sewer System the property described in Exhibit A attached hereto.

Section 2. RECORDING OF ORDINANCE. The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Johnson County, Kansas.
ORDINANCE NO. 1108
re Enlargement of the Leawood Sewer System

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

Passed by the Council the 17th day of July, 1989.
Approved by the Mayor the 18th day of July, 1989.

(S-E A L)

Margia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Metzler
City Attorney
ON THE EASTERN LINE OF THE SOUTHEAST BLOCK 26, W H 2 1'-44'' WEST, A DISTANCE OF SAID SECTION 15, ORD S O N D I N G E O H I R I D LOT 25, A DISTANCE OF 185.51 FEET WEST ALONG THE SOUTHEAST CORNER THEREOF; THEN E 7'-52''-17'' WEST ALONG THE SOUTHEAST LINE OF LOT 6, IN SAID BLOCK 2, A DISTANCE OF 130.86 FEET TO THE SOUTHWEST CORNER THEREOF; THEN E 17'-18''-42'' EAST ALONG THE SOUTHEAST LINE OF SAID BLOCK 6, AND THE SOUTHEAST LINE THEREOF, A DISTANCE OF 200.00 FEET TO A POINT ON THE CENTERLINE OF 118TH STREET, THEREFROM E 17'-41''-18'' ALONG SAID CENTERLINE 320.50 FEET TO THE INTERSECTION OF THE CENTERLINES OF 118TH STREET AND THE CENTERLINE OF BROOKWOOD; THEN N 82'-43''-43'' WEST ALONG THE CENTERLINE OF SAID 118TH STREET, A DISTANCE OF 103.55 FEET; THEN WESTERLY ALONG A CURVE TO THE END BEING TANGENT TO THE LAST DESCRIBED CENTERLINE, A RADIUS OF 790.00 FEET, A CENTRAL ANGLE OF 9'-31''-23'' EAST AND AN ARC DISTANCE OF 78.95 FEET; THEN N 42'-50'' EAST, A DISTANCE OF 42.50 FEET TO THE SOUTHWEST CORNER OF LOT 6, IN SAID BLOCK 4, IN "HALLBROOK FARM, FIRST PLAT"; THEN CONTINUE N 7'-52''-17'' WEST ALONG THE WESTERLY LINE OF LOT 6, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THEN N 7'-52''-41'' EAST ALONG THE WESTERLY LINE OF LOT 7, A DISTANCE OF 322.30 FEET TO THE NORTHWEST CORNER THEREOF; THEN E 42'-59''-05'' EAST, A DISTANCE OF 2.43 FEET TO A POINT ON A LINE DRAWN FROM A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4, THAT IS 275.05 FEET WEST OF THE SOUTHEAST CORNER THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID BLOCK 15; THAT IS 765.00 FEET EAST OF THE CENTERLINE OF SAID SOUTHEAST 1/4, AS MEASURED AT RIGHT ANGLES THERETO; THEN N 9'-29''-16'' EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 126.41 FEET TO THE NORTHWEST CORNER THEREOF; THEN N 16'-23''-50'' EAST ALONG THE WESTERLY LINE
OF LOT 10 AND LOT 9, IN SAID BLOCK 2, A DISTANCE OF 231.31 FEET TO A POINT IN THE NORTHEASTERLY LINE OF SAID LOT 9, THEREFROM 9'-27'-40" EAST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 2 AND THE NORTHEASTERLY EXTENSION THEREOF, A DISTANCE OF 108.52 FEET TO A POINT IN THE CENTERLINE OF 114TH STREET, THENCE NORTH 83°-25'-50" WEST ALONG SAID CENTERLINE AND ALONG THE CENTERLINE OF SAID HIGHWAY CIRCULAR DIAMETER, A DISTANCE OF 525.65 FEET TO THE WESTERLY LINE OF SAID "HALLOOK FARMS, SECOND PLAT"; THENCE SOUTH 64°-28'-11" WEST ALONG SAID WESTERLY LINE OF 212.65 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4, IN SAID "HALLOOK FARMS, SECOND PLAT"; THENCE SOUTH 59°-53'-47" WEST ALONG THE NORTH bounding LINE OF SAID LOT 1, A DISTANCE OF 196.52 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 57°-54'-23" EAST ALONG SAID NORTHEASTERLY LINE OF SAID LOT 1, A DISTANCE OF 4872.75 FEET TO A POINT ON A LINE DRAWN 90.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 1°-20'-12" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 178.61 FEET; THENCE NORTH 24°-17'-07" WEST, A DISTANCE OF 1023.59 FEET TO A POINT 500.00 FEET SOUTH OF AND 300.00 FEET EAST OF THE NORTHWEST CORNER THEREOF, AS MEASURED PARALLEL TO THE NORTH AND WEST LINES THEREOF; THENCE NORTH 1°-20'-12" WEST, A DISTANCE OF 376.27 FEET TO A POINT ON A LINE DRAWN 700.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 1°-20'-12" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 178.61 FEET; THENCE NORTH 24°-17'-07" WEST, A DISTANCE OF 1023.59 FEET TO A POINT 500.00 FEET SOUTH OF AND 300.00 FEET EAST OF THE NORTHWEST CORNER THEREOF, AS MEAS...
ORDINANCE NO. 1108

AN ORDINANCE ENLARGING THE LEAWOOD SEWER SYSTEM TO PROVIDE SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS, A SUBDIVISION WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the City of Leawood has previously approved final plans and plats for certain portions of a mixed-use development within the City of Leawood known as Hallbrook Farms; and

WHEREAS, prior to filing of final plats, the owners and developers of said subdivision constructed a sewer system to serve said subdivision; and

WHEREAS, prior to construction of said sewer system, the owners and developers agreed to construct said system according to the standards of the Leawood Sewer System; and

WHEREAS, the City of Leawood has previously agreed that upon completion of said sewer system in accordance with the standards of the Leawood Sewer System, the City would accept conveyance of said system from the owners and developers of Hallbrook Farms; and

WHEREAS, any expansion of the Leawood Sewer System requires the approval and acceptance of the City of Kansas City, Missouri; and

WHEREAS, the City of Kansas City, Missouri has agreed to permit expansion of the Leawood Sewer System to serve the area known as Hallbrook Farms, and has further agreed to accept such additional flows of sewerage as may be generated by said development; and

WHEREAS, a portion of the subdivision known as Hallbrook Farms, the precise description of which is set forth hereinafter, should now be included within the Leawood Sewer System in accordance with the foregoing;

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

Section 1. SEWER DISTRICT ENLARGED. The City of Leawood does hereby accept into the Leawood Sewer System the property described in Exhibit A attached hereto.

Section 2. RECORDING OF ORDINANCE. The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Johnson County, Kansas.

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1939 JUL 21 A 11: 10.9
SARA F. ULLMANN
REGISTER OF DEEDS

VOL 3020 PAGE 819
Section 3. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 17th day of July, 1989.

Approved by the Mayor the 18th day of July, 1989.

Appended for Form:

R.S. Wetzler City Attorney
DESCRIPTION: ALL THAT PART OF FRACTIONAL SECTION 11, FRACTIONAL SECTION 14, SECTION 15, AND SECTION 16, "ALL IN TOWNSHIP 13, RANGE 22, LAGRO, JOHNSON COUNTY, KANSAS, DESCRIBED AS OF SAID FRACTIONAL SECTION 14; THENCE NORTH 2°-05'-34" WEST OF 272.37 FEET; THENCE NORTH 2°-21'-12" WEST CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 77.63 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 60°-06'-04" WEST ALONG THE NORTHERLY LINE OF SAID FRACTIONAL SECTION 14, AS MEASURED AT RIGHT ANGLES TO THE SOUTH AND EAST LINES THEREOF; THENCE SOUTH 44°-20'-44" WEST ALONG SAID NORTHERLY LINE AND ALONG THE TRUE LINE THEREOF THAT IF EXTENDED WOULD PASS THROUGH A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, THAT IS 275.66 FEET WEST OF THE SOUTHEAST CORNER THEREOF, A DISTANCE OF 180.00 FEET TO A POINT ON A LINE, DRAWN 20.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, SAID POINT ALSO BEING ON THE TRUE LINE OF SAID EAST SUB-DISTRICT THE FOLLOWING BEINGS AND DISTANCES: NORTH 10'-00" WEST ALONG THE EASTERLY LINE OF LOT 22, A DISTANCE OF 32.61 FEET TO THE CONVERGENCE AT THE INTERSECTION OF THE CENTERLINE BETWEEN SAID LOT 22 AND THE NORTH SUBDIVIDING LINE BETWEEN SAID LOT 6 AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 200.00 FEET TO A POINT OF THE INTERSECTION OF THE CENTERLINE OF SAID LOT 19 AND THE TRUE LINE OF THE CENTERLINE OF SAID BLOCK 4; THENCE NORTH 72°-49'-24" WEST ALONG THE NORTHERLY LINE OF LOT 21, IN SAID BLOCK 2, A DISTANCE OF 165.40 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREBY DESCRIBED; THENCE NORTH 59°-36'-34" WEST, A DISTANCE OF 85.35 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8, IN SAID BLOCK 2; THENCE NORTH 64°-45'-50" WEST ALONG THE NORTHERLY LINE OF SAID LOT 8, IN SAID BLOCK 2, A DISTANCE OF 120.81 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 71°-52'-17" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 6, IN SAID BLOCK 2, A DISTANCE OF 130.80 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE 17°-00'-00" SOUTH EAST ALONG THE WESTERLY LINE OF SAID LOT 6, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 220.00 FEET TO A POINT ON THE CENTERLINE OF SAID BLOCK 4, THENCE NORTH 72°-41'-18" EAST ALONG SAID CENTERLINE, A DISTANCE OF 232.65 FEET TO THE INTERSECTION OF THE CENTERLINE OF SAID 118TH STREET WITH THE CENTERLINE OF BROOKWOOD; THENCE NORTH 86°-03'-10" WEST ALONG THE CENTERLINE OF SAID 118TH STREET, A DISTANCE OF 103.55 FEET; THENCE WESTERLY ALONG A CURVE, THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 4°-31'-23" EAST AND AN ARC DISTANCE OF 78.95 FEET; THENCE NORTH 2°-44'-45" WEST, A DISTANCE OF 42.50 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 4, IN SAID "HALLBROOK FARMS, FIRST PLAT"; THENCE CONTINUING NORTH 2°-44'-53" EAST A DISTANCE OF 157.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 73°-14'-57" EAST ALONG THE NORTHERLY LINE OF SAID LOT 6, IN SAID BLOCK 4, A DISTANCE OF 31.47 FEET TO THE SOUTHWEST CORNER OF LOT 7, IN SAID BLOCK 4; THENCE NORTH 2°-02'-08" EAST ALONG THE WESTERLY LINE OF SAID LOT 7, A DISTANCE OF 135.90 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 20°-24'-17" EAST A DISTANCE OF 26.26 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 17°-00'-27" WEST ALONG THE WESTERLY LINE OF SAID LOT 8, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 21°-40'-23" WEST ALONG THE WESTERLY LINE OF SAID LOT 8, IN SAID BLOCK 4, A DISTANCE OF 120.28 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 42°-37'-23" WEST ALONG THE WESTERLY LINE OF SAID LOT 25, IN BLOCK 2, A DISTANCE OF 86.37 FEET TO THE NORTHWEST CORNER OF LOT 25, IN BLOCK 2, THENCE NORTH 42°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 25, A DISTANCE OF 61.41 FEET TO AN ANGLE POINT IN THE NORTHERLY LINE OF SAID LOT 3; THENCE NORTH 41°-42'-41" WEST, A DISTANCE OF 91.10 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 8°-10'-18" EAST ALONG THE WESTERLY LINE OF SAID LOT 3, IN SAID BLOCK 2, A DISTANCE OF 269.32 FEET TO A POINT IN THE CENTERLINE OF A FORECLOSED BROOKWOOD; THENCE SOUTH 60°-25'-20" EAST ALONG THE CENTERLINE OF SAID LOT 3, IN SAID BLOCK 2, A DISTANCE OF 134.53 FEET; THENCE NORTH 43°-59'-05" EAST, A DISTANCE OF 2.43 FEET TO A POINT ON A LINE DRAWN FROM A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID BLOCK 2, A DISTANCE OF 275.36 FEET WEST OF THE SOUTHEAST CORNER THEREOF, TO A POINT ON THE SOUTH LINES OF THE SOUTHEAST 1/4 OF SAID BLOCK 15, THAT IS 700.00 FEET EAST OF THE WEST LINE OF SAID BLOCK 14, AS MEASURED AT RIGHT ANGLES THERETO; THENCE NORTH 60°-05'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 167.50 FEET TO THE WEST SUBDIVIDING LINE BETWEEN SAID LOT 1 AND SAID EASTERLY LINE; THENCE SOUTH 45°-45'-05" WEST ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 152.20 FEET TO THE NORTHEAST CORNER THEREOF; THENCE WEST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 75.95 FEET TO THE SOUTHWEST CORNER OF LOT 11, IN SAID BLOCK 2; THENCE NORTH 12°-08'-34" WEST ALONG THE WESTERLY LINE OF SAID LOT 11, IN SAID BLOCK 2, A DISTANCE OF 166.16 FEET; THENCE SOUTH 45°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 11, A DISTANCE OF 152.20 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 28°-16'-16" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 170.41 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREBY DESCRIBED, THENCE NORTH 74°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 11, IN SAID BLOCK 2; THENCE NORTH 28°-16'-16" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 170.41 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREBY DESCRIBED, THENCE NORTH 74°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 11, IN SAID BLOCK 2; THENCE NORTH 28°-16'-16" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 170.41 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREBY DESCRIBED, THENCE NORTH 74°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 11, IN SAID BLOCK 2; THENCE NORTH 28°-16'-16" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 170.41 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREBY DESCRIBED.
OF LOT 10 AND LOT 9, IN SAID BLOCK 2; A DISTANCE OF 321.31 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; Thence NORTH 9°-54'-00" WEST ALONG THE WESTERLY LINE OF WESTERN AVE AND THE NORTHERLY EXTENSION OF THEREOF, A DISTANCE OF 173.22 FEET TO A POINT IN THE CENTERLINE OF 114TH STREET; Thence NORTH 83°-56'-50" WEST ALONG THE CENTERLINE AND THE WESTERLY LINE OF CANTERBURY CIRCLE, A DISTANCE OF 525.65 FEET TO A POINT ON THE WESTERNLY CENTERLINE OF SAID "HALLBROOK FARMS, SECOND PLAT"; Thence SOUTH 83°-56'-50" EAST ALONG THE WESTERLY LINE OF SAID LOT 9, A DISTANCE OF 521.56 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4, IN SAID "HALLBROOK FARMS, SECOND PLAT"; Thence SOUTH 85°-17'-35" EAST ALONG THE NORTHERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT"; Thence SOUTH 85°-17'-35" EAST AS A POINT TO THE DISTANCE OF 95.00 FEET TO THE NORTHWEST CORNER OF LOT 3, BLOCK 3, IN SAID "HALLBROOK FARMS, SECOND PLAT"; Thence SOUTH 87°-04'-47" EAST ALONG THE NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 700.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF APORESE AID SECTION 15; Thence NORTH 1°-30'-45" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 391.82 FEET TO A POINT ON THE EASTERLY LINE OF TRACT "A" OF "LEAWOOD GREENWAY AND PARKS," A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; Thence LEAVING THE EASTERLY END OF SAID TRACT "A" OF "LEAWOOD GREENWAY AND PARKS" SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; Thence ALONG THE EASTERLY LINE OF SAID TRACT "A," THE FOLLOWING BEARINGS AND DISTANCES; NORTH 1°-35'-17" EAST, A DISTANCE OF 256.33 FEET; Thence NORTH 13°-03'-17" EAST, A DISTANCE OF 150.00 FEET; Thence NORTH 1°-35'-17" EAST, A DISTANCE OF 160.00 FEET; Thence NORTH 19°-49'-17" EAST, A DISTANCE OF 309.30 FEET TO A POINT ON THE NORTH EAST CORNER OF THE SOUTHEAST 1/4 OF APORESE AID SECTION 10; Thence NORTH 65°-31'-23" EAST, A DISTANCE OF 401.84 FEET; Thence SOUTH 5°-03'-34" EAST, A DISTANCE OF 75.46 FEET; Thence SOUTH 27°-21'-17" EAST, A DISTANCE OF 32.48 FEET; Thence SOUTH 36°-44'-46" EAST, A DISTANCE OF 81.99 FEET; Thence SOUTH 17°-16'-10" EAST, A DISTANCE OF 107.73 FEET; Thence SOUTH 35°-50'-24" EAST, A DISTANCE OF 82.47 FEET; Thence SOUTH 28°-47'-24" EAST, A DISTANCE OF 204.26 FEET; Thence SOUTH 50°-32'-24" EAST, A DISTANCE OF 310.21 FEET; Thence SOUTH 10°-48'-12" EAST, A DISTANCE OF 126.13 FEET; Thence SOUTH 06'-52'-24" EAST, A DISTANCE OF 83.32 FEET; Thence SOUTH 19°-49'-55" EAST, A DISTANCE OF 59.22 FEET; Thence SOUTH 00'-00'-24" EAST, A DISTANCE OF 76.54 FEET; Thence SOUTH 46°-00'-24" EAST, A DISTANCE OF 355.22 FEET; Thence SOUTH 49°-48'-33" EAST, A DISTANCE OF 46.56 FEET; Thence SOUTH 95°-50'-35" EAST, A DISTANCE OF 74.48 FEET; Thence SOUTH 0°-48'-20" EAST, A DISTANCE OF 125.05 FEET; Thence SOUTH 45°-30'-55" EAST, A DISTANCE OF 25.76 FEET; Thence SOUTH 00'-00'-24" EAST, A DISTANCE OF 40.83 FEET; Thence SOUTH 06°-00'-10" EAST, A DISTANCE OF 77.57 FEET; Thence SOUTH 54°-50'-50" EAST, A DISTANCE OF 125.78 FEET; Thence SOUTH 00'-00'-24" EAST, A DISTANCE OF 81.50 FEET; Thence SOUTH 09°-08'-08" EAST, A DISTANCE OF 54.29 FEET; Thence SOUTH 58°-56'-17" EAST, A DISTANCE OF 202.07 FEET; Thence SOUTH 42°-22'-22" EAST, A DISTANCE OF 854.83 FEET; Thence SOUTH 36°-42'-50" EAST, A DISTANCE OF 327.35 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF APORESE AID SECTION 10; Thence NORTH 2°-08'-44" EAST ALONG SAID EAST LINE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF APORESE AID SECTION 10; Thence NORTH 2°-06'-10" EAST ALONG THE WEST LINE OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11, TO THE SECOND PLAT OR LESS OF THE WEST FRACTIONAL PART IN THE CENTERLINE OF 14TH STREET. EXHIBIT A (page 2 of 2)
CERTIFICATE

I, Martha Heizer, City Clerk of the City of Leawood, Kansas, hereby certify that the attached is a true and correct copy of Ordinance No. 1108, as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the Seal of said City this 20th day of July, 1989.

[Signature]

(City Seal)

Martha Heizer
ORDINANCE NO. 1107

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

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

18-130. 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" of April 17, 1978, this property having been previously zoned A, Agricultural:

Beginning at a point on the South line of the Southeast Quarter of Section 34, Township 13, Range 25, Johnson County, Kansas, said point being 982.83 feet East of the Southwest corner of said Southeast Quarter; thence North 0 degrees 00 minutes 56 seconds West a distance of 493.05 feet; thence North 73 degrees 54 minutes 11 seconds East a distance of 35.85 feet; thence South 53 degrees 28 minutes 26 seconds East a distance of 99.75 feet; thence North 89 degrees 47 minutes 15 seconds East a distance of 858.70 feet; thence South 0 degrees 00 minutes 56 seconds East a distance of 443.14 feet to a point on the South line of said Southeast Quarter; thence South 89 degrees 47 minutes 03 seconds West a distance of 973.29 feet to the Point of Beginning, except that part in streets or roads.

(143rd St. west of Kenneth Rd.; Willow Lake Estates)

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

Passed by the Council the 17th day of July, 1989.

Approved by the Mayor the 18th day of July, 1989.

(S.E.A.L.)

Attest:

Martha Heizer, City Clerk

APPROVED FOR FORM:

R.S. Metzler, City Attorney

Marcia Rinehart, Mayor
STATE OF KANSAS, JOHNSON COUNTY, SS.

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for ______ consecutive week(s) as follows:

1st __________
2nd __________
3rd __________
4th __________
5th __________
6th __________

[Signature]
[Name]
[Title]
[Notary Public]
My commission expires 3/30/91

[Signature]
[Name]
[Title]
SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

Publication Fees: $1,157

ORD. 1107
143rd St. W. of
Kenneth Rd.

First published in The Weekly
Johnson County Legal Record, Tuesday, July 25, 1989.

ORDINANCE NO. 1107
AN ORDINANCE RELATING TO
ZONING OF PROPERTY IN THE
CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:
18-190. 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" of April 17, 1978, this property having been previously zoned A Agricultural:

Beginning at a point on the South line of the Southeast Quarter of Section 34, Township 13, Range 25, Johnson County, Kansas, said point being 582.63 feet East of the Southwest corner of said Southeast Quarter; thence North 0 degrees 00 minutes 56 seconds West a distance of 408.10 feet; thence North 73 degrees 54 minutes 11 seconds East a distance of 35.85 feet; thence South 53 degrees 28 minutes 26 seconds East a distance of 65.75 feet; thence North 89 degrees 47 minutes 15 seconds East a distance of 858.70 feet; thence South 0 degrees 00 minutes 56 seconds East a distance of 443.14 feet to a point on the South line of said Southeast Quarter; thence South 89 degrees 47 minutes 03 seconds West a distance of 973.28 feet to the Point of Beginning, except that part in streets or roads, (143rd St. west of Kenneth Rd., Willow Lake Estates)

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

Passed by the Council the 17th day of July, 1989.

Approved by the Mayor the 22nd day of July, 1989.

By/ Martha Rinehart, Mayor
(SEAL)

Attest:
By/ Martha Helzer, City Clerk
APPROVED FOR FORM: 1/2 R.S.

Wettler, City Attorney
ORDINANCE NO. 1106

AN ORDINANCE ACCEPTING DEEDS FOR STREET PURPOSES; PROVIDING FOR THE CORRECTION OF A LEGAL DESCRIPTION; AND REPEAL OF EXISTING ORDINANCE.

WHEREAS, the Leawood City Council passed Ordinance No. 915 on July 7, 1986, accepting three deeds for land to be used for improvements to Kenneth Road; and

WHEREAS, two deeds from Bi-State Development Co., and one deed from G. & K. Allen and W. & P. Fohey were recorded in the Office of the Register of Deeds of Johnson County, Kansas; and

WHEREAS, in December, 1988, staff determined that the legal description attached to and a part of the deed from Allen/Fohey was incorrect; and

WHEREAS, Allen/Fohey have given the City a recorded "corrected" deed; and

WHEREAS, it is necessary to accept the "corrected" deed by ordinance to correct the record;

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

19-577. ACCEPTANCE OF DEEDS. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept three deeds for land to be used for street purposes, the legal descriptions of which are as follows:

From G. & K. Allen and W. & P. Fohey - All that part of Frac. Section 35, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the N 1/2 of said Frac. Section 35; thence N 1° 59'26" W, along the West line of the N 1/2 of said Frac. Section 35, a distance of 604.13 feet; thence S 88° 58'01" E, a distance of 41.71 feet; thence S 0° 00'56" E, a distance of 48.04 feet, to a point 40 feet East of the West line of the N 1/2 of said Frac. Section 35; thence S 1° 59'26" E, along a line 40 feet East of and parallel to the West line of the N 1/2 of said Frac. Section 35, a distance of 555.97 feet, to a point on the North line of the S 1/2 of said Frac. Section 35; thence S 2° 01' 08" E, along a line 40 feet East of and parallel to the West line of the S 1/2 of said Frac. Section 35, a distance of 268.67 feet, to a point of curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 460 feet and a central angle of 11° 28'42", a distance of 92.15 feet, to a point of reverse curvature; thence Southeasternly and Southerly, along a curve to the right, having a radius of 540 feet, a central angle of 11° 28'42", and whose initial tangent bearing is S 13° 29'50" E, a distance of 108.18 feet, to a point of tangency; thence S 2° 01'08" E, a distance of 198.89 feet; thence N 88° 42'47" W, a distance of 60.10 feet, to a point on the West line of the S 1/2 of said Frac. Section 35; thence N 2° 01'08" W, along the...
West line of the S 1/2 of said Frac. Section 35, a distance of 665.17 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes (31,438 sq. ft., more or less).

From Bi-State Development Co. - All that part of the N 1/2 of Section 2, Township 14, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the N 1/2 of said Frac. Section 2; thence S 2°18'12" E, along the West line of the N 1/2 of said Frac. Section 2, a distance of 862.81 feet; thence N 87°47'27" E, a distance of 40 feet, to a point 40 feet East of the West line of the N 1/2 of said Frac. Section 2, a distance of 862.76 feet, to a point on the North line thereof; thence S 87°52'01" W, along the North line of the N 1/2 of said Frac. Section 2, a distance of 40 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes (16,855 sq. ft., more or less).

From Bi-State Development Co. - All that part of the S 1/2 of Frac. Section 35, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the S 1/2 of said Frac. Section 35; thence N 2°01'08" W, along the West line of the S 1/2 of said Frac. Section 35, a distance of 1994.09 feet; thence S 88°42'47" E, a distance of 60.10 feet; thence S 2°01'08" E, a distance of 950.62 feet, to a point of curvature; thence Southerly and Southwesterly, along a curve to the right, having a radius of 540 feet and a central angle of 11°28'42"", a distance of 108.18 feet, to a point of reverse curvature; thence Southwesterly and Southerly, along a curve to the left, having a radius of 460 feet, a central angle of 11°28'42"", and whose initial tangent bearing is S 9°27'34" W, a distance of 92.15 feet, to a point of tangency; thence S 2°01'08" E, a distance of 840.92 feet, to a point on the South line of the N 1/2 of said Frac. Section 35; thence S 87°52'01" W, along the South line of the S 1/2 of said Frac. Section 35, a distance of 40 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes (60,513 sq. ft., more or less).

19-578. INCORPORATION BY REFERENCE. Section 2. Copies of said deeds are attached hereto and thereby incorporated by reference.
ORDINANCE NO. 1106
re repeal of Ord. 915

REPEAL OF ORDINANCE. Section 3. Ordinance No. 915, passed by the Leawood City Council July 7, 1986, is hereby repealed.

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

Passed by the Council the 3rd day of July, 1989.
Approved by the Mayor the 5th day of July, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R. S. Wetzel
This corrected Deed of Dedication is being filed to correct the legal Description of Deed of Dedication filed on May 12, 1986 in Book 2333 at Page 809.

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD
1988 DEC 23 P 12:47 D
RUBIE H. SCOTT
REGISTER OF DEEDS

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 Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns do hereby convey, 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 those of record.

and that First Parties 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 whosoever. 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 Parties hereby agree that First Parties 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 Parties 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 Parties of the First Part have hereunto set their hand this day of __________________, 19______, by and between C. Rex Allen and Kay Allen a/k/a Kay A. Allen, husband and wife, as to an undivided one-half interest and William L. Fohey, Jr. and Patricia Fohey a/k/a Patricia D. Fohey, husband and wife, as to an undivided one-half interest.

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 Parties of the First Part, in consideration of the sum of ____________________________ Dollars ($1.00) to $1.00 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:

See Attached Legal Description for Tract No. 2.
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Kansas: SS.
COUNTY OF Johnson:

BE IT REMEMBERED, That on the 22nd day of December, 1988, before me, the undersigned, a Notary Public in and for said County and State, came G. Rex Allen and Kay Allen a/k/a Kay A. Allen, husband and wife, and William J. Fohey, Jr. and Patricia Fohey a/k/a Patricia D. Fohey, husband and wife, 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.

Carol A. Stephenson
Notary Public

My Commission Expires: 8/25/91
CAROL A. STEPHENSON
Notary Public - State of Kansas
My Appt. Exp. 7/25/91

VOL 2916 PAGE 846

CORPORATE ACKNOWLEDGEMENT

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 above mentioned, 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
Tract No. 2

Owner:  G. Rex Allen & Kay A. Allen, H/W
         William L. Fohey & Patricia D. Fohey, H/W

Right-of-Way Grant

All that part of Frac. Section 35, Township 13, Range 25, now in the City of Leawood,
Johnson County, Kansas, more particularly described as follows: Beginning at the
Southwest corner of the N½ of said Frac. Section 35; thence N 1° 59' 26" W, along the
West line of the N½ of said Frac. Section 35, a distance of 604.13 feet; thence
S 88° 58' 01" E, a distance of 41.71 feet; thence S 0° 00' 56" E, a distance of 48.04
feet, to a point 40 feet East of the West line of the N½ of said Frac. Section 35;
then thence S 1° 59' 26" E, along a line 40 feet East of and parallel to the West line of
the N½ of said Frac. Section 35, a distance of 555.97 feet, to a point on the North
line of the S½ of said Frac. Section 35; thence S 2° 01' 08" E, along a line 40 feet
East of and parallel to the West line of the S½ of said Frac. Section 35, a distance
of 268.67 feet, to a point of curvature; thence Southerly and Southeasterly, along a
curve to the left, having a radius of 460 feet and a central angle of 11° 28' 42", a
distance of 92.15 feet, to a point of reverse curvature; thence Southeasterly and
Southerly, along a curve to the right, having a radius of 540 feet, a central angle of
11° 28' 42", and whose initial tangent bearing is S 13° 29' 50" E, a distance of
108.18 feet, to a point of tangency; thence S 2° 01' 08" E, a distance of 198.89 feet;
then thence N 88° 42' 47" W, a distance of 60.10 feet, to a point on the West line of the
S½ of said Frac. Section 35; thence N 2° 01' 08" W, along the West line of the S½ of
said Frac. Section 35, a distance of 665.17 feet, to the point of beginning, all
subject to that part thereof dedicated for street purposes.

The above described tract of land contains 31,438 Square Feet, more or less.
KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this 1st day of May, 1980, by and between Bi-State Development Company, a Kansas General Partnership 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 Party of the First Part, in consideration of the sum of One Hundred Dollars ($1.00) paid in hand to Party of the First Part 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:

See attached legal description for Tract No. 4-B

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 or 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 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 encumbrance whatsoever, except those of record, 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 whatsoever. Party of the First Part, for its heirs, executors, administrators, 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 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 hand and seal the day and year first above written.

Bi-State Development Company, a Kansas General Partnership

By: ________________________________
   Richard L. Shaw

By: ________________________________
   John A. Meier

Vol. 2335 Page 801
My appointment expires:  January 20, 1980

IN WITNESS WHEREOF, I have hereunto set my hand and attested my official

a. The day and year last above written.

b. The person who executed the foregoing instrument of writing and duty accepted the execution of the foregoing instrument of writing and duty accepted the execution of the foregoing instrument.

c. The person who executed the foregoing instrument of writing and duty accepted the execution of the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and attested my official

a. The day and year last above written.

b. The person who executed the foregoing instrument of writing and duty accepted the execution of the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and attested my official

a. The day and year last above written.

b. The person who executed the foregoing instrument of writing and duty accepted the execution of the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and attested my official

a. The day and year last above written.
Tract No. 4 - B

Owner: Bi-State Development Company, a Kansas General Partnership

Right-of-Way Grant

All that part of the N½ of Section 2, Township 14, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the N½ of said Frac. Section 2; thence S 2° 18' 12" E, along the West line of the N½ of said Frac. Section 2, a distance of 862.81 feet; thence N 87° 47' 27" E, a distance of 40 feet, to a point 40 feet East of the West line of the N½ of said Frac. Section 2; thence N 2° 18' 12" E, along a line 40 feet East of and parallel to the West line of the N½ of said Frac. Section 2, a distance of 862.76 feet, to a point on the North line thereof; thence S 87° 52' 01" W, along the North line of the N½ of said Frac. Section 2, a distance of 40 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

The above described tract of land contains 16,855 Square Feet, more or less.
KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this 1st day of May, 1986, by and between Bi-State Development Co., a Kansas General Partnership 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 Party of the First Part, in consideration of the sum of One Hundred Thousand Dollars ($100,000) paid in hand to Party of the First Part 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:

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 or 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 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 encumbrance whatsoever, except those of record, 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 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 premise 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 hand and seal the day and year first above written.

Bi-State Development Company,
a Kansas General Partnership

By: ________________

Richard L. Shaw

By: ________________

John A. Meier

See attached legal description for Tract No. 4-A
My appointment expires: 

NORWAY PUBLIC

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

same to be the voluntary act and deed of said

within instrument of writing and duly acknowledgment of the

made by person now executed the

same person who executed the instrument now known to me to be the

before me, the undersigned Deputy, on the day and place

BE IT KNOWED, THAT on the 1st day of July, 1998,

COUNTY OF

STATE OF

INDIVIDUAL ACOIMENDENT


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

same to be the voluntary act and deed of said

within instrument of writing and duly acknowledgment of the

made by person now executed the

same person who executed the instrument now known to me to be the

before me, the undersigned Deputy, on the day and place

BE IT KNOWED, THAT on the 1st day of July, 1998,

COUNTY OF

STATE OF

INDIVIDUAL ACOIMENDENT
Tract No. 4-A

Owner: Bi-State Development Company, a Kansas General Partnership

Right-of-Way Grant

All that part of the S½ of Frac. Section 35, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the S½ of said Frac. Section 35; thence N 2° 01' 08" W, along the West line of the S½ of said Frac. Section 35, a distance of 1994.09 feet; thence S 88° 42' 47" E, a distance of 60.10 feet; thence S 2° 01' 08" E, a distance of 950.62 feet, to a point of curvature; thence Southerly and Southwesterly, along a curve to the right, having a radius of 540 feet and a central angle of 11° 28' 42", a distance of 108.18 feet, to a point of reverse curvature; thence Southwesterly and Southerly, along a curve to the left, having a radius of 460 feet, a central angle of 11° 28' 42", and whose initial tangent bearing is S 9° 27' 34" W, a distance of 92.15 feet, to a point of tangency; thence S 2° 01' 08" E, a distance of 840.92 feet, to a point on the South line of the N½ of said Frac. Section 35; thence S 87° 52' 01" W, along the South line of the S½ of said Frac. Section 35, a distance of 40 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

The above described tract of land contains 60,513 Square Feet, more or less.
PROOF OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of said publication containing a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, as has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereeto attached, was published in the regular and entire issue of said newspaper for __ consecutive week(s) as follows:

1st __________ 69
2nd ____________
3rd __________
4th __________
5th __________
6th __________

Business Manager
Subscribed and sworn to before me this day of July, 1989.

Notary Public
My commission expires: 3/30/91

Publication Fees: $4.00

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp: 3-30-91

FROM BI-STATE DEVELOPMENT CO.,
All that part of the N 1/2 of Section 2, 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 N 1/2 of said frac. Section 2, thence S 2 degrees 18'12" E., along the West line of the N 1/2 of said frac. Section 2, a distance of 862.81 feet; thence N 87 degrees 47'23" E., a distance of 40 feet, to a point 40 feet East of the West line of the N 1/2 of said frac. Section 2, thence N 2 degrees 18'12" E., along a line 40 feet East of and parallel to the West line of the N 1/2 of said frac. Section 2, a distance of 40 feet, to the point of beginning; all subject to that part thereof dedicated for street purposes.

ORD. 1106
First published in The Weekly Johnson County Legal Record, Tuesday, July 11, 1889.

AN ORDINANCE ACCEPTING DEEDS FOR STREET PURPOSES; PROVIDING FOR CORRECTION OF A LEGAL DESCRIPTION; AND REPEAL OF EXISTING ORDINANCE.

WHEREAS, the Leawood City Council, passed Ordinance No. 915 on July 7, 1988, accepting the deeds for land to be used for improvements to Kenneth Road; and

WHEREAS, two deeds from Bi-State Development Co., and one deed from G.K. Allen and W.A. P. Foshey were recorded in the Office of the Register of Deeds of Johnson County, Kansas, and

WHEREAS, in December, 1988, staff determined that the legal description attached to and a part of the deed from G.K. Allen/Foshey was incorrect; and

WHEREAS, Allen/Foshey have given the City a recorded "corrected" deed; and

WHEREAS, it is necessary to accept the "corrected" deed by ordinance to correct the record;

NOW, THEREFORE, BE IT ORDAINED by the GOVERNING BODY of the CITY OF LEAWOOD:

19-577. ACCEPTANCE OF DEEDS. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept the three deeds for land to be used for street purposes, the legal descriptions of which are as follows:

From G.K. Allen and W.A. P. Foshey - All that part of Section 25, 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 N 1/2 of said frac. Section 25, thence N 1 degree 59'28" W., along the West line of the N 1/2 of said frac. Section 25, a distance of 604.13 feet; thence S 88 degrees 56'01" E., a distance of 60.01 feet; thence S 0 degrees 00'59", a distance of 48.04 feet, to a point on the West line of the N 1/2 of said frac. Section 25, a distance of 198.76 feet, to a point on the North line of the S 1/2 of said frac. Section 25, thence E 9 degrees 24'42", a distance of 108.19 feet, to a point of reverse curvature; thence Southerly and Westsoutherly, along a curve to the right, having a radius of 560 feet and a central angle of 11 degrees 24'42", for the purpose of correcting the legal description of the same.

19-578. INCORPORATION BY REFERENCE. Section 2. Copies of said deeds are attached hereto and made a part hereof by reference.

REPEAL OF ORDINANCE. Section 3. Ordinance No. 915, passed by the Leawood City Council July 7, 1988, is hereby repealed.

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

Passed by the Council the 3rd day of July, 1988.

Approved by the Mayor the 5th day of July, 1989.

Marcia M.inent Mayor

(Seal)

Notary Public - State of Kansas
My Appt. Exp: 3-30-91

Johnson County, Kansas, more particularly described as follows; beginning at the Northwest corner of the N 1/2 of said frac. Section 2, thence S 2 degrees 18'12" E., along the West line of the N 1/2 of said frac. Section 2, a distance of 862.81 feet; thence N 87 degrees 47'23" E., a distance of 40 feet, to a point 40 feet East of the West line of the N 1/2 of said frac. Section 2, thence N 2 degrees 18'12" E., along a line 40 feet East of and parallel to the West line of the N 1/2 of said frac. Section 2, a distance of 40 feet, to the point of beginning; all subject to that part thereof dedicated for street purposes (16,855 sq. ft., more or less).
ORDINANCE NO. 1105 C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD BY ADDING ARTICLE 9 TO CHAPTER 4 (BUILDINGS AND CONSTRUCTION) TO ADOPT THE 1988 EDITION OF THE "UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE".

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

Section 1. The Code of the City of Leawood is hereby amended by adding an article which reads as follows:

ARTICLE 9. UNIFORM SWIMMING POOL, SPA & HOT TUB CODE

4-901. UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE INCORPORATED. The "Uniform Swimming Pool, Spa and Hot Tub Code", 1988 Edition, as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted and incorporated in this chapter as fully as if set forth herein, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Code shall be marked or stamped "Official Copy", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

4-902. UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE AMENDED; SEC. 1.7 VIOLATION AND PENALTIES. Sec. 1.7 Violation and Penalties is hereby changed to read as follows: Any person, firm or corporation violating any provision of this Code shall be deemed guilty of a public offense, punishable by a fine of not more than $500 or by imprisonment not exceeding 30 days or both such fine and imprisonment. Each day that violation continues shall be deemed a separate offense.

4-903. SAME; SEC. 1.11 COST OF PERMIT. Sec. 1.11 Cost of Permit is hereby deleted.

Section 2. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Governing Body of the City of Leawood hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared
unconstitutional.

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

Passed by the Council the 3rd day of July, 1989.

Approved by the Mayor the 5th day of July, 1989.

(Signed)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzel
City Attorney
ORDINANCE NO. 1104

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

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

18-1703. 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" of April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the W¼ of the NW¼ of Section 34, Township 13s, Range 25e, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the NW corner of the NW¼ of said Section 34; thence Southerly, along the West line of the NW¼ of the NW¼ of said Section 34, to the SW corner thereof; thence Easterly, along the North line of the S½ of the NW¼ of the NW¼ of said Section 34, a distance of 450 feet, to the True Point of Beginning of subject tract; thence Southerly, along a line parallel to the West line of the NW¼ of said Section 34, a distance of 70 feet; thence Southerly, along a line that deflects 6° 06' 20" to the right from the last described course, a distance of 235 feet; thence Southeasterly, along a line that deflects 24° 49' 16" to the left from the last described course, a distance of 129.26 feet; thence Northeasterly, along a line that deflects 86° 34' 03" to the left from the last described course, a distance of 130 feet; thence Southeasterly, along a line that deflects 90° 03' 22" to the right from the last described course, a distance of 119.39 feet; thence Southeasterly, along a line that deflects 90° 33' 02" to the left from the last described course, a distance of 145 feet; thence Northeasterly, along a line that deflects 90° to the right from the last described course, a distance of 65 feet; thence Southeasterly, along a line that deflects 42° 30' 36" to the right from the last described course, a distance of 130 feet; thence Southeasterly, along a line that deflects 8° 03' 22" to the left from the last described course, a distance of 264 feet, to a point of the East line of the W½ of the NW¼ of said Section 34 and 925 feet South of the Northeast corner of the S½ of the NW¼ of said Section 34, as measured along the East line of the W½ of the NW¼ of said Section 34; thence Northerly, along the East line of the W½ of the NW¼ of said Section 34, a distance of 925 feet, to the Northeast corner of the S½ of the NW¼ of said Section 34; thence Westerly, along the North line of the S½ of the NW¼ of said Section 34, to the True Point of Beginning of subject tract, containing 15.38 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.)

Passed by the Council the 3rd day of July, 1989.

Approved by the Mayor the 5th day of July, 1989.

(S.E.A.L.)

Marcia Rinehart Mayor
ORDINANCE NO. 1104
re rezoning A to RP-3, Pine Lake Apartments,
137th & Mission Rd.

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.G. Wetzel
STATE OF KANSAS, JOHNSON COUNTY, KS.
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for / consecutive week(s) as follows:

1st 7/11/87
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 11 day of July, 1987.

Notary Public
My commission expires: 3/30/91

Publication Fees: $23.50

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Abpt. No. 3-257-71

ORD. 1104
First advertised in The Weekly - Johnson County Legal Record, Tuesday, July 11, 1989
ORDINANCE NO. 1104
AN ORDINANCE RELATING TO ZONING OF PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

BE IT ORDAINED by the Governing Body of the City of Leawood:
19-1705, Section 1. The following describes the lot property is hereby designated as being zoned R-3, Planned Garden Apartment District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1979, this property having been previously zoned A, Agricultural.

All that part of the W 1/2 of the NW 1/4 of Section 32, Township 33T, Range 25E, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows:

Commencing at the NW corner of the NW 1/4 of said Section 32; thence Southerly, along the West line of the S 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, a distance of 400 feet, to the True Point of Beginning of said Section 34, thence Southerly, along the 90 degree line of the W 1/2 of the NW 1/4 of said Section 34, a distance of 170 feet, thence Southerly, along a line that deflects 6 degrees 90' 20" to the right from the last described course, a distance of 225 feet, thence Southwesterly, along a line that deflects 24 degrees 49' 14" to the left from the last described course, a distance of 120.26 feet, thence Northwesterly, along a line that deflects 90 degrees 59' 5" to the left from the last described course, a distance of 150 feet, thence Southwesterly, along a line that deflects 53 degrees to the right from the last described course, a distance of 119.30 feet, thence Southwesterly, along a line that deflects 8 degrees 22' 52" to the left from the last described course, a distance of 430 feet, thence Southerly along a line that deflects 45 degrees 29' 52" to the left from the last described course, a distance of 145 feet, thence Northwesterly, along a line that deflects 80 degrees to the left from the last described course, a distance of 505 feet, thence Southwesterly, along a line that deflects 90 degrees to the right from the last described course, a distance of 85 feet; thence Southwesterly, along a line that deflects 43 degrees 36' 25" to the left from the last described course, a distance of 60.23 feet, thence Eastwardly, along a line that deflects 54 degrees 26' 87" to the left from the last described course, a distance of 204.49 feet, to a point on the East line of the W 1/2 of the NW 1/4 of said Section 34, a distance of 925 feet, to the Northeast corner of the E 1/2 of the NW 1/4 of said Section 34, thence Southwardly, along the North line of the S 1/2 of the NW 1/4 of said Section 34, a distance of 1250 feet, to the True Point of Beginning, thence Westwardly, containing 15.62 acres, more or less.

(137th & Mission, Pine Lake Apartments)

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

Passed by the Council the 3rd day of July, 1989
Approved by the Mayor the 5th day of July, 1989
Re Martial Chewatt
Mayor

(Seal)
Attest: Air Martha Helper
City Clerk
APPROVED FOR TOWN:

(Seal)
ORDINANCE NO. 1103

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

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

18-1305. 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" of April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the W½ of the NW¼ of Section 34, Township 13s, Range 25e, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the NW corner of the NW¼ of said Section 34; thence Southerly, along the West line of the NW¼ of the NW¼ of said Section 34, to the SW corner thereof, said point being the True Point of Beginning of subject tract; thence Easterly, along the North line of the 5½ of the NW¼ of the NW¼ of said Section 34, a distance of 450 feet; thence Southerly, along a line parallel to the West line of the NW¼ of said Section 34, a distance of 70 feet; thence Southerly, along a line that deflects 6° 06' 20" to the right from the last described course, a distance of 235 feet; thence Southeasterly along a line that deflects 24° 49' 14" to the left from the last described course, a distance of 129.26 feet; thence Northwesterly, along a line that deflects 86° 30° 09" to the left from the last described course, a distance of 109.39 feet; thence Southeasterly, along a line that deflects 9° 03' 22" to the left from the last described course, a distance of 145 feet; thence Northwesterly, along a line that deflects 90° to the left from the last described course, a distance of 205 feet; thence Southeasterly, along a line that deflects 90° to the right from the last described course, a distance of 65 feet; thence Southeasterly, along a line that deflects 42° 30' 36" to the right from the last described course, a distance of 90.53 feet; thence Southwesterly, along a line that deflects 49° 32' 07" to the right from the last described course, a distance of 270 feet; thence Northwesterly, along a line that deflects 67° 57' 17" to the right from the last described course, a distance of 320 feet; thence Northwesterly, along a line that deflects 45° 33' 02" to the right from the last described course, a distance of 308.60 feet, to a point 25.12 feet South of, as measured perpendicular to, the North line of the SW¼ of the NW¼ of said Section 34; thence Westerly, along a line 25.12 feet South of and parallel to the North line of the SW¼ of the NW¼ of said Section 34, a distance of 549.30 feet, to a point on the West line of the NW¼ of said Section 34; thence Northerly, along the West line of the NW¼ of said Section 34, a distance of 688 feet, to the True Point of Beginning of subject tract, containing 10.37 acres of land, more or less.

(137th & Mission Rd.; Pine Lake Apartments)

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

Passed by the Council the 3rd day of July, 1989.

Approved by the Mayor the 5th day of July, 1989.
ORDINANCE NO. 1103
re rezoning A to RP-2, Pine Lake Apartments,
137th & Mission Rd.

(Marcia Rinehart)
Mayor

Attest:

(Martha Heizer)
City Clerk

APPROVED FOR FORM:

(R.S. Wetzler)
PROOF OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereunto attached, was published in the regular and entering issue of said newspaper for 7 consecutive week(s) as follows:

1st
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this day of 19... (Signature)

Notary Public
My commission expires: 3/30/91

Publication Fees: $24.12

SUSAN G. NETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-3-91

ORD. 1103
First published in The Weekly Johnson County Legal Record.
Tuesday, July 11, 1995.

AN ORDNANCE RELATING TO ZONING OF PROPERTY IN THE CITY OF LEAWOOD, KANSAS

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

19-1205. Section 1. The following described real property is hereby designated as being zoned R-2, Residential Two-Family Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1979, this property having been previously zoned A, A-1, Agricultural.

All that part of the W 1/2 of the NW 1/4 of Section 34, Township 15s, Range 23w, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the NW corner of the NW 1/4 of said Section 34; thence Southwesterly, along the West line of the W 1/2 of the NW 1/4 of said Section 34, to the SW corner thereof, said point being the True Point of Beginning of said tract; thence Southwesterly, along the North line of the W 1/2 of the NW 1/4 of said Section 34, a distance of 450 feet; thence Southwesterly, along a line parallel to the West line of the NW 1/4 of said Section 34, a distance of 70 feet; thence Southwesterly, along a line that deflects 6 degrees 00' 30" to the right from the last described course, a distance of 235 feet; thence Southwesterly along a line that deflects 24 degrees 00' 14" to the left from the last described course, a distance of 128.26 feet; thence Southwesterly, along a line that deflects 86 degrees 00' 00" to the left from the last described course a distance of 130 feet; thence Southwesterly, along a line that deflects 93 degrees to the right from the last described course, a distance of 119.36 feet; thence Southwesterly, along a line that deflects 8 degrees 00' 25" to the left from the last described course, a distance of 400 feet; thence Southwesterly, along a line that deflects 45 degrees 30' 00" to the right from the last described course, a distance of 145 feet; thence Southwesterly, along a line that deflects 90 degrees to the left from the last described course, a distance of 205 feet; thence Southwesterly, along a line that deflects 90 degrees to the right from the last described course, a distance of 65 feet; thence Southwesterly, along a line that deflects 42 degrees 50' 30" to the right from the last described course, a distance of 60.53 feet; thence Southwesterly, along a line that deflects 49 degrees 52' 07" to the right from the last described course, a distance of 270 feet; thence Northwesterly, along a line that deflects 67 degrees 57' 17" to the right from the last described course, a distance of 330 feet; thence Northwesterly, along a line that deflects 45 degrees 37' 00" to the right from the last described course, a distance of 506.60 feet, to a point 25.12 feet South of an northeasternly perpendicular to the North line of the SW 1/4 of said Section 34; thence Northwesterly, along a line 25.12 feet South of and parallel to the North line of the SW 1/4 of said Section 34, a distance of 544.30 feet, to a point on the West line of the NW 1/4 of said Section 34, thence Northwesterly, along the West line of the NW 1/4 of said Section 34, a distance of 888 feet, to the True Point of Beginning of subject tract, containing 10.37 acres of land, more or less.

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

Passed by the Council the 3rd day of July, 1995.

Approved by the Mayor the 5th day of July, 1995.

In Witness Whereof, the Mayor has hereunto set his hand.

MARCIA MOKHARI
Mayor
(Seal)

Attested: MURTHA HENRY
City Clerk
APPROVED FOR FORM:

(Seal)
AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD BY ADDING ARTICLE 4 (COST RECOVERY FROM ENVIRONMENTAL RELEASES) TO CHAPTER 8 (HEALTH AND WELFARE) TO PROVIDE FOR RECOVERY OF EXPENSES OF THE CITY OF LEAWOOD INCURRED IN EMERGENCY ACTIONS IN RESPONSE TO RELEASES OR THREATENED RELEASES OF MATERIAL INTO OR UPON THE ENVIRONMENT.

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

Section 1. The Code of the City of Leawood is hereby amended by adding an article which reads as follows:

ARTICLE 4. COST RECOVERY FROM ENVIRONMENTAL RELEASES

8-401. DEFINITIONS. (a) Emergency action. Emergency action shall mean all exigent activities conducted in order to prevent or mitigate harm to the public health and safety and the environment from a release or threatened release of any material into or upon land, water or air.

(b) Person. Person shall include any individual, corporation, association, partnership, firm, trustee, legal representative, or any combination thereof.

(c) Recoverable expenses. Recoverable expenses shall include those expenses of the City of Leawood that are reasonable, necessary and allocable to an emergency action. Recoverable expenses shall not include normal budgeted expenditures that are incurred in the course of providing what are traditionally city services and responsibilities, such as routine firefighting protection. Expenses allowable for recovery may include, but are not limited to:

1. Disposable materials and supplies consumed and expended specifically for the purpose of the emergency action.

2. Compensation of employees for the time and efforts devoted specifically to the emergency action.

3. Rental or leasing of equipment used specifically for the emergency action (e.g., protective equipment or clothing, scientific and technical equipment).

4. Replacement costs for equipment owned by the City that is contaminated beyond reuse or repair, if the equipment was a total loss and the loss occurred during the emergency action (e.g., self-contained breathing apparatus irrevocably contaminated during the response).

5. Decontamination of equipment contaminated during the response.

6. Special technical services specifically required
for the response (e.g., costs associated with the
time and efforts of technical experts or
specialists not otherwise provided for by the
City).

(7) Other special services specifically required for
the emergency action.

(8) Laboratory costs of analyzing samples taken during
the emergency action.

(9) Any costs of cleanup, storage, or disposal of the
released material.

(10) Costs associated with the services, supplies and
equipment procured for a specific evacuation of
persons or property.

(11) Medical expenses incurred as a result of response
activities.

(12) Legal expenses that may be incurred as a result of
the emergency action, including efforts to recover
expenses pursuant to this ordinance.

(d) Release. Release shall mean any spilling, leaking,
pumping, pouring, emitting, emptying, discharging, injecting,
escaping, leaching, dumping or disposing into or upon land,
water or air, of any material.

(e) Threatened Release. Threatened release shall mean
any imminent or impending event potentially causing but not
resulting in a release, but causing the City to undertake an
emergency action.

8-402. STRICT LIABILITY. Any person causing or responsible
for a release or threatened release resulting in an emergency
action shall be strictly liable to the City for the
recoverable expenses resulting from the emergency action.
There shall be a rebuttable presumption that any person
owning or controlling property causing a release or
threatened release is responsible for such release or
threatened release.

8-403. RECOVERY OF EXPENSES. (a) Itemization of Recoverable
Expenses. City personnel and departments involved in an
emergency action shall keep an itemized record of recoverable
expenses resulting from an emergency action. Promptly after
completion of emergency action, the appropriate City
department shall certify those expenses to the City
Administrator.

(b) Submission of Claim. The City shall submit a
written itemized claim for the total expenses incurred by the
City for the emergency action to the responsible person and a
written notice that unless the amounts are paid in full to
the City within thirty (30) days after the date of the
mailing of the claim and notice, the City will file a civil
action seeking recovery for the stated amount.

(c) Lien on Property. The City may cause a lien in the
amount of the recoverable expenses to be placed on any real property located with the City owned by the person causing or responsible for the emergency action.

(d) Civil Suit. The City may bring a civil action for recovery of the recoverable expenses against any and all persons causing or responsible for the emergency action.

Section 2. Nothing in this ordinance shall be construed to conflict with state or federal laws requiring persons causing or responsible for releases or threatened releases from engaging in remediation activities and/or paying the costs thereof.

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

Passed by the Council the 19th day of June, 1989.

Approved by the Mayor the 20th day of June, 1989.

(Martha Heizer)

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzler
City Attorney

Marcia Rinehart
Mayor
STATE OF KANSAS, JOHNSON COUNTY, SS.

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st
2nd
3rd
4th
5th
6th

Business Manager
Subscribed and sworn to before me this 20 day of June 1989.

Notary Public
My commission expires: 3/30/91

Publication Fees: $3.48

ORD. 1102

First published in The Weekly Johnson County Legal Record, Tuesday, June 20, 1989.

ORD. 1102 (AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD BY ADDING ARTICLE 4 (COST RECOVERY FROM ENVIRONMENTAL RELEASES) TO CHAPTER 8 (HEALTH AND WELFARE) TO PROVIDE FOR RECOVERY OF EXPENSES OF THE CITY OF LEAWOOD INCURRED IN EMERGENCY ACTIONS IN RESPONSE TO RELEASES OR THREATENED RELEASES OF MATERIAL INTO OR UPON THE ENVIRONMENT."

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

Section 1. The Code of the City of Leawood is hereby amended by adding an article which reads as follows:

ARTICLE 4. COST RECOVERY FROM ENVIRONMENTAL RELEASES

8-401. Definitions. (a) Emergency action. Emergency action means all activities conducted in order to prevent or mitigate harm to the public health and safety and the environment from a release or threatened release of any material into air, water, land or property.

(b) Person. Person shall include any individual, corporation, association, partnership, or trust, joint trust, legal representative, or any combination thereof.

(c) Recoverable expenses. Recoverable expenses shall include those expenses of the City of Leawood that are reasonable, necessary and allocable to an emergency action. Recoverable expenses shall not include normal budgeted expenditures that are incurred in the course of providing what are traditionally city services and responsibilities, such as routine firefighting protection. Expenses allowable for recovery may include, but are not limited to:

(1) Disposal materials and supplies consumed and expended specifically for the purposes of the emergency action;

(2) Compensation of employees for the time and efforts devoted specifically to the emergency action;

(3) Rental or leasing of equipment used specifically for the emergency action (e.g., protective equipment or clothing, scientific and technical equipment);

(4) Replacement costs for equipment owned by the City that is contaminated beyond reuse or repair, if the contamination total loss and the loss occurred during the emergency action (e.g., self-contained breathing apparatus irreparably contaminated during the response);

(5) Decontamination of equipment during the response;

(6) Special technical services specifically required for the response (e.g., costs associated with the time and efforts of technical experts or specialists not otherwise provided for by the City);

(7) Other special services specifically required for the emergency action;

(8) Laboratory costs of analyzing samples taken during the emergency action;

(9) Any costs of cleanup, storage, or disposal of the released material;

(10) Costs associated with the supplies, services and equipment procured for a specific evacuation of persons or property;

(11) Medical expenses incurred as a result of the emergency activities;

(12) Legal expenses that may be incurred as a result of the emergency action (e.g., expenses to recover expenses pursuant to this ordinance);

(d) Release. Release shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into or upon land, water or air, of any material;

(e) Threatened Release. Threatened release shall mean any imminent or impending event potentially causing but not resulting in a release, but causing the City to undertake an emergency action;

8-402. LIABILITY. Any person causing or responsible for a release or threatened release resulting in an emergency action shall be strictly liable to the City for the recoverable expenses resulting from the emergency action. There shall be a rebuttable presumption that any person owning or controlling property causing a release or threatened release is responsible for such release or threatened release.

8-403. RECOVERY OF EXPENSES. (a) Immolation of Recoverable Expenses. City shall file a claim or an action for recovery of recoverable expenses resulting from an emergency action. Properly after completion of an emergency action, the appropriate City department shall certify to the City Administrator:

(i) Submission of Claim. The City shall submit a written itemized claim for the total expenses incurred by the City for the emergency action to the responsible person and a written notice that the amounts are paid in full to the City within thirty (30) days after the date of the mailing of the claim and notice, the City will file a civil action seeking recovery for the stated amount.

(b) Lien on Property. The City may file a lien in the amount of recoverable expenses to be placed on any real property located with the City owned by the person causing or responsible for the emergency action.

(c) Civil Suit. The City may bring an action to recover recoverable expenses against any and all persons causing or responsible for the emergency action.

Section 2. Nothing in the ordinance shall be construed to conflict with state or federal laws requiring persons causing or responsible for releases or threatened releases from engaging in remediation activities and/or paying the costs thereof.

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

Approved by the Council the 19th day of June, 1989.

MARCIA RINEHART
Mayor

SEAL

MARTHA HETZER
Attty.

APPROVED FOR FORM:

R.B. Weitzel
City Attorney
6/20
AN ORDINANCE RELATING TO ZONING OF PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

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

18-1808. Section 1. The following described real property is hereby designated as being zoned CP-O, Planned Office Building District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural:

A tract of land situated in the East half of the Northwest quarter of Section 34, Township 13 South, Range 25 East of the 6th Principal Meridian, in Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast corner of said East half of the Northwest quarter; thence on a bearing of South 00° 20' 52" West, along the East line of said East half of the Northwest quarter, a distance of 60.00 feet to a point on the South right-of-way line of Kansas Highway No. 150 and the POINT OF BEGINNING; thence continuing on a bearing of South 00° 20'52" West, along said East line, a distance of 871.22 feet; thence on a bearing of South 90° 00' 00" West, parallel with the North line of said East half of the Northwest quarter, a distance of 550.00 feet; thence on a bearing of North 00° 20' 52" East, parallel with the East line of said East half of the Northwest quarter, a distance of 871.22 feet to a point on the South right-of-way line of Kansas Highway No. 150; thence on a bearing of North 90° 00' 00" East, along said South right-of-way line and parallel with the North line of said East half of the Northwest quarter, a distance of 550.00 feet to the POINT OF BEGINNING.

The above described tract of land contains 11.000 acres, more or less; approximately 135th & Aberdeen; Lord of Life Lutheran Church.

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

Passed by the Council the 5th day of June, 1989.

Approved by the Mayor the 6th day of June, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

City Attorney
AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Diana Marteth 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 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 aforesaid on the day of , 19 . , with subsequent publications being made on the following dates:

[List of dates]

Subscribed and sworn to before me this day of , 19 .

[Signature]

NOTARY PUBLIC

My Commission expires: 3-14-92

Printer’s Fee $ 45.50

Additional copies $
ORDINANCE NO. 1089

AN ORDINANCE GRANTING AN EASEMENT TO JOHNSON COUNTY WASTEWATER DISTRICT FOR CONSTRUCTION OF SANITARY SEWERS; HALLBROOK SUB-DIVISION, PHASE 2; AND REPEAL OF ORDINANCE NO. 1089.

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

19-6,205. Section 1. The City of Leawood, Kansas, does hereby grant a sanitary sewer easement to Johnson County Wastewater District on property described as follows:

A strip of land 20.00 feet in width for a sanitary sewer easement, in the Northwest 1/4 of Section 15, Township 13, Range 25, in Leawood, Johnson County, Kansas, lying 10.00 feet on each side of the following described centerline: Commencing at the Northwest corner of Lot 19, Block 1, "Hallbrook Farms, Second Plat", a subdivision of land in said City, County, and State; thence South 14°-00'-00" East along the West line of said Lot 19, a distance of 18.89 feet to the point of beginning of the easement herein described; thence South 77°-43'-45" West, a distance of 127.03 feet; thence South 79°-54'-53" West, a distance of 20.00 feet to the point of termination of said easement.

(easement crosses the Greenway)

19-6,206. INCORPORATION BY REFERENCE. Section 2. A copy of said easement is attached hereto and thereby incorporated by reference.

REPEAL OF ORDINANCE. Section 3. Ordinance No. 1089, passed by the City Council January 16, 1989, is hereby repealed.

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

Passed by the Council the 1st day of May, 1989.

Approved by the Mayor the 2nd day of May, 1989.

(S E A L)

Martha Heizer
City Clerk

APPROVED FOR FORM:
NOW ALL MEN BY THESE PRESENTS, That

The City of Leawood, Johnson County, Kansas

9617 Lee Boulevard

in the State of Kansas, in consideration of ONE -------------------------------

$1.00 in hand paid and other

Herein, 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:

SANITARY SEWER EASEMENT

DESCRIPTION: A STRIP OF LAND 20.00 FEET IN WIDTH FOR A SANITARY SEWER
EASEMENT, IN THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 13, RANGE 25,
IN LEAWOOD, JOHNSON COUNTY, KANSAS, LYING 10.00 FEET ON EACH SIDE OF
THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE NORTHWEST CORNER
OF LOT 19, BLOCK 1, "HALLROOK FARMS, SECOND PLAT", A SUBDIVISION OF
LAND IN SAID CITY, COUNTY AND STATE; THENCE SOUTH 14'-00"-00" EAST ALONG
THE WEST LINE OF SAID LOT 19, A DISTANCE OF 18.89 FEET TO THE POINT OF
BEGINNING OF THE EASEMENT HEREIN DESCRIBED; THENCE SOUTH 77'-43'-45"
WEST, A DISTANCE OF 157.03 FEET; THENCE SOUTH 79'-64'-52" WEST, A DISTANCE
OF 20.00 FEET TO THE POINT OF TERMINATION OF SAID EASEMENT.

STATE OF KANSAS
COUNTY OF JOHNSON

FILED FOR RECORD

1969 MAY 5 A 10:54:3

100 SARA FULLMANN
REGISTER OF DEEDS

REFILED TO CORRECT THE LEGAL OF A
PREVIOUS DOCUMENT FILED JANUARY
20, 1969, IN VOL. 2929, PAGES 533,
534, AND 535.

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 three years 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 hand and seal on this,

the 1st day of May, 1969.

City of Leawood, Kansas

By: Maria Rinehart
Mayor

NOTARIZE ON REVERSE

100-003

1066674
STATE OF KANSAS } 
County of JOHNSON } SS.

BE IT REMEMBERED, That on this 1st day of May, 1989, before me, the undersigned, a Notary Public in and for said County and State, came

Marcia Rinehart, Mayor, City of Leawood, Kansas

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 by official seal the day and year last above written.

Notary Public

My Commission Expires: June 25, 1991

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 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

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: 100-004
SANITARY SEWER EASEMENT

DESCRIPTION: A STRIP OF LAND 20.00 FEET IN WIDTH FOR A SANITARY SEWER EASEMENT, IN THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 13, RANGE 25, IN LEAWOOD, JOHNSON COUNTY, KANSAS, LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE NORTHWEST CORNER OF LOT 19, BLOCK 1, "HALBROOK FARMS, SECOND PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY AND STATE; THENCE SOUTH 14°-00'-00" EAST ALONG THE WEST LINE OF SAID LOT 19, A DISTANCE OF 18.89 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HEREBIN DESCRIBED; THENCE SOUTH 77°-43'-45'' WEST, A DISTANCE OF 127.03 FEET; THENCE SOUTH 79°-54'-53'' WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF TERMINATION OF SAID EASEMENT.

SCALE: 1" = 50'
DECEMBER 6, 1988
REVISED: 2-13-89
(CHA. TO LOT NO.)

ANDERSON
SURVEY COMPANY
6412 EAST 87TH STREET
KANSAS CITY, MISSOURI 64138

FOR: HALLBROOK FARMS ASSOCIATES
STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martin, being first Duly sworn, Deposes 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.

The said newspaper is 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 day of, 19--19, with subsequent publications being made on the following dates:

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Subscript and swear to me this day of , 19--

Marguerite E. Baker
NOTARY PUBLIC

My Commission expires: 9-5-92
Printer's Fee $ 11.22
Additional copies $
ORDINANCE NO. 1099 C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD BY ADDING SECTION 14-105 TO AMEND THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", 1987 EDITION.

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

Section 1. The Code of the City of Leawood is hereby amended by adding a section which reads as follows:

14-105. SAME; PEDESTRIANS ON HIGHWAYS. Section 68 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Sec. 68. Pedestrians on Highways. (a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk, jog or run along and upon an adjacent roadway.

(b) Where a sidewalk is not available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run only on a shoulder, as far as practicable from the edge of the roadway.

(c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk, jog or run only on the left side of the roadway.

(d) Except as otherwise provided in this ordinance, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

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

Passed by the Council the 1st day of May, 1989.

Approved by the Mayor the 2nd day of May, 1989.

(S E A L)

Martha Helzer
City Clerk

APPROVED FOR FORM:

R.S. Wettler
City Attorney
STATE OF KANSAS, JOHNSON COUNTY, ss: Pamina Martlina 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 foresaid on the -- day of, May 1989, with subsequent publications being made on the following dates:  

--- 19 --- 19 ---  

--- 19 --- 19 ---  

[Signature]

Subscribe and sworn to before me this 5th day of May 1989.

[Signature]

NOTARY PUBLIC

MARGUERITE E. BAKER  
NOTARY PUBLIC  
STATE OF KANSAS  
My Appt. Exp. 1-15-92

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

Section 1. Section 1-404 of the Code of the City of Leawood is hereby amended to read as follows:

1-404. OFFICERS APPOINTED. The Mayor shall, by and with the consent of the City Council, appoint (a) Municipal Judge(s), City Attorney and Assistant City Attorney. Prior to appointment of the Municipal Judge(s), candidates for that position shall be screened in the manner provided by Section 9-106 of the Code.

Officers so appointed shall hold their office until their successors are appointed and qualified. The City Clerk shall enter every appointment to office and the date thereof on the journal of proceedings.

Section 2. Section 9-106 of the Code of the City of Leawood is hereby amended to read as follows:

9-106. SAME; SELECTION. (a) Prior to the Mayor's appointment of (a) Municipal Judge(s) as provided for in Section 1-404 of the Code, the Mayor, with the consent of the Council, shall appoint a judicial selection committee to screen candidates for the position of Municipal Judge. The committee shall consist of one resident from each ward in the City; the person selected to serve on the committee shall be chosen by the two Councilmembers representing that ward. In addition, the Mayor shall appoint, with the consent of the Council, three attorneys to serve as advisory members of the committee. The committee, consisting of seven persons, shall then interview and screen applicants for the position of Municipal Judge. The committee shall then present to the Mayor a list of three qualified individuals, from which list the Mayor shall appoint, by and with the consent of the City Council, the individual(s) to serve as Municipal Judge(s).

(b) No attorney serving as an advisor to the committee shall be considered for, or be appointed to, the position of Municipal Judge.

Section 3. Section 9-108 of the Code of the City of Leawood is hereby amended to read as follows:

9-108. SAME; VACANCY IN OFFICE. In case of a vacancy in the
office of Municipal Judge, the Mayor shall appoint some suitable and proper person to fill the vacancy as set forth in Section 9-106 above, and the person so appointed shall hold office until a successor is appointed and qualified.

Section 4. Section 1-404 of Ordinance No. 1056C and of the Code of the City of Leawood, and Sections 9-106 and 9-108 of the Code of the City of Leawood are hereby repealed.

Section 5. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 17th day of April, 1989.

Approved by the Mayor the 18th day of April, 1989.

(Marcia Rinehart
Mayor)

(S.E.A.L)

Attest:

(Martha Heizer
City Clerk)

APPROVED FOR FORM:

R.S. Wetzler
City Attorney
STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Masterson 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 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

- 19th day of April, 1997, with subsequent publications being made on the following dates:

_________________________  
_________________________

- 19th day of April, 1997

Deanna Masterson

NOTARY PUBLIC

 niño

My Commission expires: 12/31/87
Printers Fee $ 
Additional copies $
ORDINANCE NO. 1097

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89E, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $300,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTEANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be $3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

20-1,466. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 L.I.D. 88-1-89E, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000), which amount does not exceed the total estimated costs of said improvements.

20-1,467. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89E, Project 113, shall consist of bearer notes numbered from 1 through 3 inclusive, each in the denomination of $100,000. Each of said notes shall be dated April 21, 1989, and shall have the stated maturity date of April 20, 1990. The notes shall bear interest from their date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto, at a rate of interest of 7.22% per
annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. 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 redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,468. **Section Three:** The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, 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.

20-1,469. **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 as provided by law 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 United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,470. **Section Five:** The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.
The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

3. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.
PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of April, 1989.

SIGNED by the Mayor this 18th day of April, 1989.

Mia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler, City Attorney
AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Donna Martin, being first duly sworn, deposes 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 (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 --

[Signature]

Subscribed and sworn to before me this _______ day of ________ 19-- .

[Signature]

NOTARY PUBLIC

My Commission expires: 18-- 12--

Printer's Fee $ 10.00

Additional copies $
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF TEMPORARY NOTES, SERIES L10, 1989, PROJECT 113, STOMAHANK CREEK PARKWAY, OF THE CITY OF LEAWOOD, KANSAS, AMOUNTING TO THE SUM OF $2,000,000 TO BE USED FOR THE PURPOSE AND IN RELATION TO THE CONSTRUCTION OF STOMAHANK CREEK PARKWAY, INCLUDING ASPHALTIC CONCRETE, LAWN, GRASS LANDSCAPED MEDIAN, SIGNALIZATION, STREET LIGHTS, CHAN VELLS, INTERSECTIONS, AND OTHER APPURTEANCES TO MAKE A COMPLETE PARKWAY ROAD STREET.

WHEREAS, the Improvement District has been established pursuant to legislation of 1989, which provided for the issuance of notes and bonds, and has been adopted by the Governing Board of the Improvement District on December 26, 1989; and

WHEREAS, the total estimated cost of construction is estimated to be $3,923,207; and

WHEREAS, the costs of said improvements are authorized to be paid for in whole or in part by the issuance of temporary notes; and

NOW, THEREFORE, OR IN THE XIII ENTHING BODY OF THE CITY OF LEAWOOD, 1989, Section One: That in order to provide funds to pay the cost and expenses of the proposed improvements now due or to become due, including the cost of all labor, machinery, and incidental expenses, there shall be issued and sold in the name of and for the use of the City of Leawood, Kansas, designated Temporary Notes, Series L10, 1989, Project 113 (Stomahank Creek Parkway), in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000), which amount does not exceed $2,000,000, and which may be raised by the proceeds of said temporary notes.

2. The Temporary Notes shall be in the form of bearer notes not negotiable and shall bear interest at a rate of one-half percent per annum, to be paid semiannually, with the date thereof marked thereon.

3. The Temporary Notes shall be payable to the order of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds may be available from the issuance of general obligation, improved general revenue, general revenue, or any other bonds to redeem and refinance the same. Said notes shall reserve the right to redeem in part or in whole at or before maturity and shall be redeemable and defeasible to the extent of any general obligation, improved general revenue, general revenue, or any other bonds to redeem and refinance the same; and shall be issued in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000), which amount does not exceed $2,000,000, and which may be raised by the proceeds of said temporary notes.

4. The Temporary Notes shall be issued in aid of the City of Leawood, Kansas, and shall be payable to the order of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds may be available from the issuance of general obligation, improved general revenue, general revenue, or any other bonds to redeem and refinance the same; and shall be issued in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000), which amount does not exceed $2,000,000, and which may be raised by the proceeds of said temporary notes.

5. The Temporary Notes shall be issued in aid of the City of Leawood, Kansas, and shall be payable to the order of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds may be available from the issuance of general obligation, improved general revenue, general revenue, or any other bonds to redeem and refinance the same; and shall be issued in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000), which amount does not exceed $2,000,000, and which may be raised by the proceeds of said temporary notes.
ORDINANCE NO. 1096

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89D, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be $1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

20-1,460. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 89D, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of Five Hundred Thousand Dollars ($500,000.00) which amount does not exceed the total estimated costs of said improvements.
Section Two: Said issue of Temporary Notes, Series 89D, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of $100,000.00. Said notes shall be dated April 21, 1989, and shall have the stated maturity date of April 20, 1990. The note shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 7.22% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, 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.

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 as provided by law 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 note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.
Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

2. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

3. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.
Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of April, 1989.

SIGNED by the Mayor this 18th day of April, 1989.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martensin 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 (weeks, days) the first publication thereof being made as aforesaid on the day of , 19, with subsequent publications being made on the following dates:

Subscribed and sworn to before me this day of , 19, I

NOTARY PUBLIC

My Commission expires: 1994
Printer's Fee $ Additional copies $
notwithstanding the state law, said note shall be in the ordinary form as provided by law, shall be signed by the Mayor and attested by the City Clerks of the City of Lewood, Kansas, and shall have the seal of said City affixed thereto.

20-1:463, Section Four: The Mayor and City Clerk of Lewood, Kansas, are hereby authorized and directed to publish and make known such notice herein authorized to be published in such form and at such time and in such manner and in such manner as may be prescribed by law, and to procure the proper signatures to the same in the office of the Mayor and in the office of the Clerk of the City of Lewood, and when so executed and acknowledged, said note shall be deposited by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price thereof which shall not be less than the principal amount thereof.

The City does not reasonably anticipate initiating qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of ($100,000,000).

2. Other than the temporary note and the city does not expect to issue any additional obligations, the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire and refund temporary notes.

3. No portion of the proceeds of the sale of the notes will be loaned to or by the proceeds or the improvements in any individual business or to any person, firm or corporation other than a government entity.

The Governing Body hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1969.

PASSED by the Governing Body of the City of Lewood, Kansas, this 21st day of April, 1989.

SIGNED by the Mayor.

[signature]

ATTORNEY-GENERAL OF KANSAS

APPROVED TO BE FILED.

F. W. PETER, City Clerk

[signature]
ORDINANCE NO. 1095

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89F, PROJECT 117 (LEE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $100,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF LEE BOULEVARD, INCLUDING GRADING, REGRADING, CURBING, RECURBING, GUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, REMACADAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, Rounding Corners, Straightening, Relocating, Construction Or Reconstruction Of ANY NECESSARY BRIDGES AND APPROACHES THEReTo, VIADUCTS, OVERPASSES, UNDERPASSES, CULVERTS, Storm Drainage, Trafficway Illumination, TRAFFIC CONTROL Devices, Pe- destrian Ways, Bicycle Ways OR Other Improvements AND OTHER INCIDENTAL CONSTRUC- TION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Lee Boulevard, which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1077 on November 21, 1988; and

WHEREAS, total cost of improvements to Lee Boulevard is estimated to be $1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,454. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, 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 89F, Project 117 (Lee Boulevard), in the aggregate principal amount of One Hundred Thousand Dollars ($100,000.00) which amount does not exceed the total estimated costs of said improvements.
Section Two: Said issue of Temporary Notes, Series 89F, Project 117 (Lee Boulevard), shall consist of one bearer note, (note number 1) in the denomination of $100,000. Said note shall be dated April 21, 1989, and shall have the stated maturity date of April 20, 1990. The note shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 7.22% per annum. The note shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said note is authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, 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.

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 as provided by law 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 note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.
Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of $10,000,000.00;

2. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

3. No portion of the proceeds of the sale of the notes will be loaned or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

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.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.
PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of April, 1989.

SIGNED by the Mayor this 18th day of April, 1989.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martin, being first Duly sworn, Deposes 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 dates (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 ---

Signed,

Deanna Martin

Subscribe and sworn to before me this day of , 19 .

NOTARY PUBLIC

My Commission expires:

Printer’s Fee $ Additional copies $
ORDINANCE NO. 1965
A RESOLUTION AUTHORIZING AND PROVIDING FOR THE DELIVERY OF TEMPORARY NOTES, SERIES 1965, $100,000, OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $100,000, PURSUANT TO THE TEMPORARY FINANCING OF THE PROCEEDS OF THE CITY OF LEAWOOD, KANSAS, OF REIMPROVEMENT OF LEEDSBURG AVENUE TO GARDENIER CONSTRUCTION, REMODELING, REIMACADAMING, RENOVATION, RECONSTRUCTION, REPAIR TO SIDEWALKS, REPAIR TO STREET FIXTURES, ILLUMINATION, PEDESTRIAN WAYS, BICYCLE LANE, AND OTHER IN- PROVEMENTS, TO PAY MUNICIPAL LIENS, CLAIMS, AND DUTIES.
WHEREAS, the City of Leawood has previously by Section 39.070 of the Code of the City of Leawood, Kansas, 1984, designated that portion of Leedsbury Avenue, which is located between Leawood Boulevard and Country Club Drive, as a local street,
WHEREAS, the City of Leawood, through its Leawood Water and Sewer District No. 1, authorized on June 29, 1988 and November 7, 1989, the issuance of water and sewer improvement notes in the aggregate amount of $1,000,000 for the purpose of constructing improvements for the said Water and Sewer District. The said note shall be authorized by K.S.A. 64-1200 and all acts amendatory thereto.
NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LEAWOOD:
200-456: Section 1. That in order to provide funds to meet the costs and expenses of the said improvements and for other necessary purposes the City of Leawood, Kansas, does hereby authorize and direct the issuance of $100,000 of temporary notes, Series No. 1965, on the 1st day of January, 1990. The said note shall be payable on the 1st day of January, 1990.
200-456: Section 2. This Act shall take effect immediately and shall become a permanent law.
200-456: Section 3. This Act is declared to be an emergency measure and shall take effect immediately.

The Governing Body hereby resolves that said note is used and represents, as follows:
1. The City does not necessarily anticipate having such tax-exempt obligations during the remainder of 1990 or in excess of $100,000.
2. Other than the temporary notes noted in Section 2, this Act does not, and does not expect to issue and have on its books any obligations of the proceeds of which have been or will be used to provide project financing for the improvement of the City of Leawood. The temporary notes to be refunded with the proceeds of revenue temporary notes and bonds to retire said temporary notes.
3. No portion of the proceeds of the sale of the temporary notes, has been, nor will it be used, in any manner used, in the trade or commerce of the City, other than for the City's ordinary governmental use.

The Governing Body of the City hereby resolves that the said note shall be "qualified tax-exempt obligations", for purposes of the Internal Revenue Code (26 U.S.C. 103), and for the purposes set forth in Section 242 of the Tax Reform Act of 1986.
200-456: Section 5: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged to or secured by the prompt payment of said note and interest thereon, as secured by the note and interest thereon.
Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas this 27th day of April, 1990.
ORDINANCE NO. 1094

AN ORDINANCE GRANTING AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR UTILITY PURPOSES.

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

19-6,207. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Kansas City Power & Light Company on property described as follows:

The South twenty (20) feet of the West three hundred (300) feet of TRACT C, LEAWOOD GREENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, lying north of and adjoining the North right of way line of 119th Street as now established.

19-6,208. INCORPORATION BY REFERENCE. Section 2. A copy of said 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.

Passed by the Council the 20th day of March, 1989.

Approved by the Mayor the 21st day of March, 1989.

(SEAL)

Margia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzel
City Attorney
KNOW ALL MEN BY THESE PRESENTS, that the CITY OF LEAWOOD, doing business in Johnson County, Kansas, for and in consideration of the sum of ONE DOLLAR ($1.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, do hereby, grant, bargain, sell, convey and confirm unto Kansas City Power & Light Company, 1330 Baltimore, Kansas City, Missouri, a Missouri corporation, and unto its successors and assigns, a right of way easement along, across and under the lands hereinafter described, including the right and privilege at any time and from time to time to enter on said easement area and erect, construct, maintain, repair and relocate underground cables, conduits, pad-mounted transformers and service pedestals, and all appurtenances thereto for the transmission and distribution of electric energy and for communication purposes, and including the right and privilege at any time and from time to time to patrol said easement area of way, and to cut, top and trim such brush and trees, if any, on or adjacent to said easement area, as may be necessary or desirable to maintain any appurtenances thereon. The area disturbed in the construction, repair, or maintenance shall be restored to its original condition by sodding, grading, and replanting along with the replacement of roads, trees, walks, or other features upon the land by the Grantee. Said easement area being along, across and under the following lands in the County of Johnson, State of Kansas, to wit:

The South twenty (20) feet of the West three hundred (300) feet of TRACT C, LEAWOOD GREENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, lying north of and adjoining the North right of way line of 119th Street as now established.

This easement conveyance shall run with the land and shall be binding upon the Grantor, its successors and assigns.

TO HAVE AND TO HOLD THE SAME, together with all appurtenances, necessary incidents and immunities thereunto belonging or in any manner appertaining, unto the said Kansas City Power & Light Company, a corporation, and unto its successors and assigns, forever.

IN WITNESS WHEREOF, CITY OF LEAWOOD, has caused these presents to be signed by its Mayor-President and attested by its City ClerkSecretary, and its corporate seal to be hereunto affixed this 20th day of March, 1989.

CITY OF LEAWOOD

ATTEST:

MARTHA HEIZER, CITY CLERK

(CORPORATE SEAL)

STATE OF KANSAS

COUNTY OF JOHNSON

On this 20th day of March, 1989, before me, a Notary Public, personally appeared Marcia Rinehart, known to me personally known, who, being by me duly sworn did say that she is the Mayor-President of the CITY OF LEAWOOD, described in and which executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the said Mayor-Presidential acknowledged said deed to be the free act and deed of said corporation.

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

FRANCES M. KESSLER

Notary Public

October 7, 1991

Vol 2971 Page 760
AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss. Desha Martinez, 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 (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 ______

[Signature]

Subscribe and sworn to before me this ___ day of ___________, 19___

[Signature]

NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Comm. Exp. 3-15-92
My Commission expires: 3-11-92
Printer's Fac $ 2444
Additional copies $
First Published in The Johnson County Sun, Wednesday, March 22, 1989.

ORDINANCE NO. 1094
AN ORDINANCE GRANTING AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR UTILITY PURPOSES.

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

19-6,207. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Kansas City Power & Light Company on property described as follows:
The South twenty (20) feet of the West three hundred (300) feet of TRACT C, LEAWOOD GREENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, lying north of and adjoining the North right of way line of 119th Street as now established.

19-6,208. INCORPORATION BY REFERENCE. Section 2. A copy of said easement is attached hereto and hereby 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.

Passed by the Council the 20th day of March, 1989.
Approved by the Mayor the 21st day of March, 1989.

(S E A L)
(s) Marcia Rinehart
Mayor
Attest:
(s) Martha Heizer
City Clerk
APPROVED FOR FORM:
(s) R. S. Wetzler
City Attorney

(5489 1W)
AN ORDINANCE AUTHORIZING AND PROVIDING FOR ACQUISITION OF RIGHT-OF-WAY FOR CONSTRUCTION OF 95th STREET BETWEEN STATE LINE ROAD AND WENONGA.

WHEREAS, the Governing Body of the City of Leawood did by resolution approved on March 20, 1989, declare the necessity of appropriating certain private property for the use of the City; and

WHEREAS, the Governing Body has previously authorized a survey and description of the land and interest to be condemned to be made by a competent engineer and filed with the City Clerk; and

WHEREAS, a survey and description of the land and interest to be condemned has been made by a competent engineer and filed with the City Clerk;

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

Section 1. The City Attorney is hereby authorized and directed to institute eminent domain proceedings to acquire the property and interests described by survey filed with the City Clerk, which property and interests have been determined by the Governing Body to be necessary for the purpose of construction of improvements and reimprovements to 95th Street between State Line Road and Wenonga.

Specifically, the City Attorney is authorized and directed to institute eminent domain proceedings to acquire the following described property and interests:

19-131. Section 1.  The City Attorney is hereby authorized and directed to institute eminent domain proceedings to acquire the property and interests described by survey filed with the City Clerk, which property and interests have been determined by the Governing Body to be necessary for the purpose of construction of improvements and reimprovements to 95th Street between State Line Road and Wenonga.

Specifically, the City Attorney is authorized and directed to institute eminent domain proceedings to acquire the following described property and interests:

(1) All of the North 5.0 feet of the West 100 feet and all of the North 11.0 feet of the East 30 feet of Lot 62, "Leawood Estates", (2327 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(2) All of the North 12.0 feet of Lot 64, "Leawood Estates", (2319 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(3) All of the North 36.0 feet of Lot 65, "Leawood Estates", (2315 West 95th), a subdivision in Leawood, Johnson County, Kansas;

(4) All of the North 36.0 feet of the West 47.0 feet and all of the North 15.0 feet of the East 78.0 feet of Lot 66, "Leawood Estates", (2309 West 95th), a subdivision of
Leawood, Johnson County, Kansas;

(5) All that part of Lot 69, "Leawood Estates", (2033 West 95th), a subdivision of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 69; thence South 89°, 54'-36" East, along the North line of said Lot 69, a distance of 120.00 feet to the Northeast corner thereof; thence South 0°, 05'-24" West, along the East line of said Lot 69, a distance of 45.00 feet; thence North 89°, 54'-36" West, a distance of 32.00 feet; thence North 0°, 05'-24" East, a distance of 33.00 feet; thence North 86°, 00'-34" West, a distance of 88.20 feet to a point on the West line of said Lot 69; thence North 0°, 05'-24" East, along said West line, a distance of 6.00 feet to the point of beginning;

(6) All that part of Lot 70, "Leawood Estates", (2029 West 95th), a subdivision of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 70; thence South 89°, 54'-36" East, along the North line of said Lot 70, a distance of 125.00 feet to the Northeast corner thereof; thence South 0°, 05'-24" West, along the East line of said Lot 70, a distance of 45.00 feet; thence North 89°, 54'-36" West, a distance of 53.00 feet; thence North 0°, 05'-24" East, a distance of 30.00 feet; thence North 89°, 54'-36" West, a distance of 52.00 feet; thence South 0°, 05'-24" West, a distance of 21.00 feet; thence North 89°, 54'-36" West, a distance of 20.00 feet to a point on the West line of said Lot 70; thence North 0°, 05'-24" East, along said West line, a distance of 36.00 feet to the point of beginning;

(7) All of the North 40.00 feet of the West 47.0 feet and all of the North 10.0 feet of the East 78.0 feet of Lot 71, "Leawood Estates", (2025 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(8) All of the North 6.00 feet of Lot 72, "Leawood Estates", (2017 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(9) All that part of the East 65 feet of Lot 25, "Amended Plat of Lots 19 to 30, inclusive, Leawood Estates", (9416 High Drive), a subdivision of Leawood, Johnson County, Kansas lying South of a straight line drawn from a point on the East line of said Lot 25 that is 14.0 feet North of the Southeast corner thereof, to a point on the West line of the East 65 feet of said lot 25 that is 13.0 feet North of the South line of said Lot 25;

(10) All of the South 13.0 feet of the West 65.0 feet of Lot 25, and all of the South 13.0 feet of Lot 26,
"Amended plat of Lots 19 to 30, inclusive, Leawood Estates", (2314 West 95th), a subdivision of Leawood, Johnson County, Kansas.

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

Passed by the Council the 20th day of March, 1989.
Approved by the Mayor the 21st day of March, 1989.

(S. E. A. L)  
Marcia Rinehart  
Mayor

Attest:

Martha Heizer  
City Clerk

APPROVED FOR FORM:

R.S. Wetzler  
City Attorney
STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martin, 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 克思 consecutive __________ 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______

_________________, 19______

Subscribe and sworn to before me this ______ day of __________ 19____.

Marquerite E. Baker

NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 3-15-92

My Commission expires: 3-15-92
Printed Fee $ 100.00
Additional copies $
We the Mayor and City Council of the City of Leawood, State of Kansas, by resolution adopted on March 26, 1979, declare the necessity to acquire and to retitle certain property for the construction of a 100-foot-wide street extending from the Wood Estates to the Headwaters Subdivision.

A survey and plat of the necessary property is herewith attached and thereupon the City Council hereby authorizes the City Attorney to negotiate a contract for the purchase of the property described as Lot 62 of the Wood Estates and the Headwaters Subdivision.

This survey and plat is hereby adopted by the City Council and the same is hereby declared to be a true and accurate survey and plat of the property described above.

The Mayor and City Council hereby approve the survey and plat attached to this resolution.

[Resolution Number]

[City Seal]