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<td>1213 C</td>
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<td>X</td>
<td>AN ORD. COMBINING THE OPERATIONS OF THE LEAWOOD RECREATION COMMISSION AND THE PARKS DEPT., AND ESTABLISHING A PARKS AND RECREATION ADVISORY BOARD</td>
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<td>1214 C</td>
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<td>AN ORD. DEFINING THE DUTIES OF THE DIRECTOR OF PARKS AND RECREATION</td>
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<td>1216</td>
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<td>AN ORD. AMENDING THE 1990 &quot;LEAWOOD DEVELOPMENT ORDINANCE&quot; TO INCLUDE SUBDIVISION REGULATIONS</td>
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<td>AN ORD. VACATING AN EASEMENT AS SHOWN ON THE PLAT OF LEAWOOD SOUTH 6TH PLAT - Lot 27, Block 25</td>
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<td>N/A</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES L.I.D. 88-1-91E, PROJECT 113; TOMAHAWK CREEK PARKWAY; $1,100,000</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 91H, PROJECT 117; LEE BLVD. IMPROVEMENTS, PHASE 1, 95TH ST. TO 103RD ST.; $400,000</td>
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<td>1221</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 91G, PROJECT 119; 119TH ST, IMPROVEMENTS, STATE LINE TO MISSION; $600,000</td>
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<td>1222</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 91F, PROJECT 118; POLICE/COURT BLDG. &amp; FIRE STA. #1 REMODELING; $600,000</td>
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<td>1223</td>
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<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 91I, PROJECT 117B; LEE BLVD. IMPROVEMENTS, PHASE 2, 95TH ST. TO SOMERSET DR.; $900,000</td>
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<td>AN ORD. ACCEPTING AN EASEMENT FOR STORM DRAINAGE PURPOSES - Camelot Court Shopping Center.</td>
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<td>1202</td>
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<td>AN ORD. AUTHORIZING THE IMPROVEMENT OF THE INTERSECTION OF 92ND ST. &amp; STATE LINE RD.</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING THE IMPROVEMENT OF K-150 WITHIN THE CITY, PHASE 1 (WIDENING)</td>
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<td>N/A</td>
<td>AN ORD. REZONING PROPERTY, SOUTHEAST CORNER OF 123RD &amp; MISSION FROM REC TO R-1 - B.S.D. Estates</td>
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<td>1206</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES L.I.D. 88-1-91A, PROJECT 113; TOMAHAWK CREEK PARKWAY; $700,000</td>
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<td>1207</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 91B, PROJECT 114; SOMERSET DR., BELINDER TO SAGAMORE; $200,000</td>
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<td>1208</td>
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<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 91C, PROJECT 118; POLICE/COURT BUILDING &amp; FIRE STATION NO. 1 REMODELING; $300,000</td>
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<td>1209</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 91D, PROJECT 115; MISSION RD., 103RD TO COLLEGE BLVD.; $100,000</td>
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<td>AN ORD. AMENDING THE LEAWOOD DEVELOPMENT ORDINANCE TO PERMIT CERTAIN COMPOSITION ROOFING MATERIALS</td>
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<td>AN ORD. TO REGULATE EXPLOSIVE MATERIALS AND BLASTING AGENTS</td>
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<tr>
<td>1212 C</td>
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<td>AN ORD. AMENDING THE UNIFORM PUBLIC OFFENSE CODE, 1990 ED., TO ADDRESS UNLAWFUL POSSESSION OF CERTAIN WEAPONS WITH INTENT TO SHOOT SAID WEAPONS</td>
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<td>AN ORD. ACCEPTING A DEED FOR STREET PURPOSES - North half of 117th St. near Tomahawk Creek Parkway</td>
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<td>1192</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES L.I.D. 88-1-90M, PROJECT 113; TOMAHAWK CREEK PARKWAY; $900,000.00</td>
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<td>1193</td>
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<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 90L, PROJECT 117; LEE BLVD. IMPROVEMENTS, PHASE 1; $1,000,000.00</td>
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<td>1194</td>
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<td>1/4/91</td>
<td>N/A</td>
<td>AN ORD. VACATING A UTILITY EASEMENT AS SHOWN ON THE PLAT OF CHARTWELL WEST (approx. 99th &amp; Lee Blvd.)</td>
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<td>1195</td>
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<td>AN ORD. ACCEPTING DEEDS FOR STREET PURPOSES (SOMERSET DR./ LEE BLVD. INTERSECTION IMPROVEMENTS)</td>
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<td>1196</td>
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<td>N/A</td>
<td>AN ORD. ACCEPTING DRAINAGE EASEMENTS REQUIRED FOR INTERSECTION IMPROVEMENTS AT SOMERSET DR. &amp; LEE BLVD.</td>
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<td>N/A</td>
<td>AN ORD. APPROVING AND AUTHORIZING EXECUTION OF A BASE LEASE, TRUST AGREEMENT, EQUIPMENT LEASE PURCHASE AGREEMENT WITH SECURITY BANK OF KANSAS CITY (K.C., Ks.) FOR LEASE/PURCHASE OF 2 FIRE TRUCKS &amp; WASTEWATER TV MONITORING SYSTEM</td>
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<td>1198</td>
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<td>N/A</td>
<td>AN ORD. VACATING PORTIONS OF ROSEWOOD AND 115TH STREET FOR THE LEAWOOD COMMONS OFFICE COMPLEX LOCATED AT APPROX. 113TH &amp; NALL</td>
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<td>AN ORD. AMENDING CERTAIN SECTIONS OF ARTICLE 4, CHAPTER 15 OF THE CODE RELATING TO SOLID WASTE MANAGEMENT - to remove references to &quot;household hazardous waste&quot; &amp; &quot;yardwaste management&quot;.</td>
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<td>AN ORD. ACCEPTING DEED FOR STREET PURPOSES - 95TH ST. IMPROVEMENTS, STATE LINE/WENONGA</td>
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<td>1169</td>
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<td>N/A</td>
<td>AN ORD. RELATING TO ZONING OF ANNEXED PROPERTY SOUTH OF 151ST STREET - from Jo. Co. zoning classifications RIB (single family res.) and Agricultural to Leawood zoning R-1 (single family res.)</td>
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<td>1171</td>
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<td>AN ORD. LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF ROE AVE., 112TH STREET TO 121ST STREET</td>
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<td>N/A</td>
<td>AN ORD. ESTABLISHING THE 1991 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM</td>
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<td>AN ORD. RELATING TO WARD BOUNDARY CHANGES</td>
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<tr>
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<td>AN ORD. RELATING TO THE EFFECT OF WARD BOUNDARY CHANGES ON COUNCIL MEMBERSHIP</td>
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<td>AN ORD. ADOPTING THE 1990 EDITION OF THE &quot;STANDARD TRAFFIC ORDINANCE&quot;</td>
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<td>AN ORD. AMENDING SECTION 11-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR PUBLIC OFFENSE LOCAL PROVISIONS</td>
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<td>AN ORD. DEFERRING AND POSTPONING ISSUANCE OF BUILDING PERMITS ON UNPLATTED LAND - 60-day moratorium</td>
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<td>N/A</td>
<td>AN ORD. RELATING TO ZONING - R-1 to RP-1, Chartwell West, northwest corner, 103rd &amp; Lee Blvd.</td>
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<td>N/A</td>
<td>AN ORD. AMENDING SECTION 15-2203 OF THE ZONING ORDINANCE PERTAINING TO FENCES AND WALLS - to clarify that walls are included</td>
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<td>AN ORD. AMENDING SECTION 17-104 OF THE SUBDIVISION REGULATIONS REGARDING APPLICABILITY OF THE REGULATIONS - 40-acre tracts</td>
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<td>AN ORD. RELATING TO SOLID WASTE MANAGEMENT - mandating that homes associations recycle</td>
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<td>AN ORD. ESTABLISHING THE POSITION OF ASSISTANT CITY CLERK</td>
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<td>AN ORD. RELATING TO BUILDING IDENTIFICATION (ADDRESS) REQUIREMENTS</td>
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<td>N/A</td>
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<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 90E, PROJECT 118; POLICE/COURT BLDG. &amp; FIRE STATION NO. 1 REMODELING: $500,000</td>
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<td>N/A</td>
<td>AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 90F, PROJECT 114; SOMERSET, BELINDER-SAGAMORE (Somerset &amp; Lee intersection); $100,000</td>
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<td>N/A</td>
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<td>1168</td>
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<td>N/A</td>
<td>AN ORD. ACCEPTING 2 DRAINAGE EASEMENTS REQUIRED FOR THE 1990 STREET REHABILITATION PROGRAM, SPECIFICALLY AT 98TH &amp; BELINDER (from Gauss, Lot 420, LE; and Jacobsen, Lot 421, LE)</td>
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ORDINANCE NO. 1223

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 91I, PROJECT 117B (LEE BOULEVARD, PHASE II), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $900,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF LEE BOULEVARD, INCLUDING GRADING, REGRADING, CURBING, CURRECURING, 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 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. 1218 on May 6, 1991; and

WHEREAS, total cost of improvements to Lee Boulevard is estimated to be $2,339,100; 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 91I, Project 117B (Lee Boulevard, Phase II), in the aggregate principal amount of Nine Hundred Thousand Dollars ($900,000.00) which amount does not exceed the total estimated costs of said improvements.
Section Two: Said issue of Temporary Notes, Series 911, Project 1178 (Lee Boulevard, Phase II), shall consist of bearer notes numbered from 1 through 9 inclusive, each in the denomination of $100,000. Said notes shall be dated May 20, 1991, and shall have the stated maturity date of February 1, 1992. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.60% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.88% of 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, 1991, 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>(1)</td>
<td>Temporary Notes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Series L.I.D. 88-1-91A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>March 15, 1991</td>
<td>$ 700,000</td>
</tr>
<tr>
<td></td>
<td>Tomahawk Creek Parkway</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td>Temporary Notes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Series 91B</td>
<td></td>
</tr>
<tr>
<td></td>
<td>March 15, 1991</td>
<td>$ 200,000</td>
</tr>
<tr>
<td></td>
<td>Somerset, Sagamore-Belinder</td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td>Temporary Notes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Series 91C</td>
<td></td>
</tr>
<tr>
<td></td>
<td>March 15, 1991</td>
<td>$ 300,000</td>
</tr>
<tr>
<td></td>
<td>Police/Court/Fire #1 Remodel</td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td>Temporary Notes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Series 91D</td>
<td></td>
</tr>
<tr>
<td></td>
<td>March 15, 1991</td>
<td>$ 100,000</td>
</tr>
<tr>
<td></td>
<td>Mission Road, 103rd-College Blvd.</td>
<td></td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 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.

20-1,686. **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 ______________, 1991.

SIGNED by the Mayor this __th day of ______________, 1991.

---

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and
does that she is Legal Notices Administrator of The Legal Record
which is a newspaper 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:

5/7/91

Debra Dziadure
Legal Notices Administrator

Subscribed and sworn to before me on this date:
5/7/91

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $80.28

Ord. 1223
ORD. 1223
First published in The Legal Record, Tuesday, May 7, 1991.
ORDER No. 1223
AN ORDEAL AUTHORIZING AND PROVIDING FOR THE ISSUE AND DELIVERY OF TEMPORARY NOTES, SERIES 911, PROJECT 1178 (Le Boulevard Phase II), OF THE CITY OF LAWSON, KANSAS, IN THE AMOUNT OF $500,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMBURSEMENT OF LE BOULEVARD, INCLUDING SLAUGHTER, RECING, CURBING, CURVING, GUTTERING, REHOLLOWING, PAYING, REPAIRING, MAINTAINING, REMOVAL, REHOLLOWING, CONSTRUCTION, RECONSTRUCTION, OPENING, WIDENING, EXTENDING, REQUESTING COMMISSION, STANDARDIZING, CONSTRUCTION OR RECONSTRUCTION OF ANY NEWER BRIDGES AND APPURtenances THERETO; VARIOUS, OVERPAVING, UNDERPAVING, OVERPASs, CURVING, STREET DRAINAGE, TRANSITION ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WALK, SIDEWALKS ON OTHER IMPROVEMENTS AND OTHER INCIDENTIAL CONSTRUCTION COSTS.

WHEREAS, the City of Lawson has previously by Section 14-304 of the "Code of the City of Lawson, Kansas, 1984" designated that portion of Le Boulevard, which is located within this City as a main thoroughfare pursuant to the provisions of K.S.A. 17-68; and

WHEREAS, the Governing Body authorized the improvement or reimbursement of certain sections of said main thoroughfare by the approval of Ordinance No. 1218 on May 6, 1991; and

WHEREAS, total cost of improvements to Le Boulevard is estimated to be $1,111,100.00; and

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

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

WHEREAS, the City of Lawson is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 13-449 and all notes are made payable at

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

Section One: That in order to provide funds to pay the costs of 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 therefor sold thereon temporary notes payable to order at maturity or upon redemption prior thereto at a rate of interest of 6.50% 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 the future. Said notes are authorized by K.S.A. 10-123, and 13-449 and all notes are made payable at the office of the City Treasurer at the place of said office.

Said principal and interest on said notes shall be payable at the office of the City Treasurer of the City of Lawson, Kansas, upon presentation and surrender of said notes at maturity. The City of Lawson, Kansas, reserves the right to redeem and pay said notes, in whole or in part, in any way in the full face amount of the particular notes chosen for redemption at any date prior to the stated maturity date of said notes by written notice to bond holders or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notice of redemption to the bond holders to be at least two days prior to the redemption date fixed in such notice.

Section Four: 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 Lawson, Kansas, and shall have the seal of the City affixed thereto.

Section Five: The Mayor and City Clerk of Le Boulevard, Kansas, are hereby authorized and directed to procure and accept said temporary notes herein authorized to be issued in the form and under the endorsements described and as provided by law and to promulgate 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 accepted and when registered, said notes shall be authenticated, executed and issued from the funds provided for the purpose of said improvements, and said notes shall be lawful money of the City and shall be receivable as such, and the money paid upon said notes shall be herein deemed due and payable as provided by law.

Section Six: 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 every provision of the Ten Bureau Act of 1946 that is or may become applicable to the notes, including but not limited to any provisions requiring the publication of notice on bonds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void in the event that the City shall receive a opinion from the nationally recognized bond counsel which shall conclude that compliance with the foregoing covenant and the provisions of the Ten Bureau Act of 1946 as provided in this section shall not be required to remain 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 1886.

2. Since January 1, 1991, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Temporary Notes Series 10-123</td>
<td>March 11, 1991</td>
</tr>
<tr>
<td>(2) Temporary Notes Series 911</td>
<td>March 11, 1991</td>
</tr>
<tr>
<td>(3) Temporary Notes Series 911</td>
<td>March 11, 1991</td>
</tr>
<tr>
<td>(4) Temporary Notes Series 911</td>
<td>March 11, 1991</td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 in an aggregate amount in excess of $1,000,000.00.

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 purpose of Section 265 of the Tax Reform Act of 1986.

Section Seven: The full faith, credit and revenues of the City of Lawson, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Eight: That this ordinance shall take effect and be in force after publication as provided by law.

Signed by the Governing Body of the City of Lawson, Kansas, this 6th day of May, 1991.

SIGNED BY THE MAYOR THIS 6th day of May, 1991.

[Signature]

[Name]

MARCIA REILAG, Mayor

MARCIA REILAG, Mayor

APPROVED AS TO FORM:

[Signature]

[Name]

R. E. WEBSTER, City Attorney

Superintendent of Finance
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 91F, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 REMODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $600,000 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 91F, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of Six Hundred Thousand Dollars ($600,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 91F, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 6, each in the denomination of $100,000. Said notes shall be dated May 20, 1991, and shall have the stated maturity date of February 1, 1992. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.67% 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 notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note at maturity.

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 of the particular note chosen for redemption) at any date prior to the stated maturity date of said note by the written notice to known holder or publication of notice at least one time and payment of said note, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 hereinafter 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 99.911% of 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 hereinafter 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, 1991, 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>(1)</td>
<td>Temporary</td>
<td>March 15, 1991</td>
</tr>
<tr>
<td>Notes</td>
<td>Series L.I.D. 88-1-91A</td>
<td>Tomahawk Creek Parkway</td>
</tr>
<tr>
<td>(2)</td>
<td>Temporary</td>
<td>March 15, 1991</td>
</tr>
<tr>
<td>Notes</td>
<td>Series 91B</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td>Temporary</td>
<td>March 15, 1991</td>
</tr>
<tr>
<td>Notes</td>
<td>Series 91C</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td>Temporary</td>
<td>March 15, 1991</td>
</tr>
<tr>
<td>Notes</td>
<td>Series 91D</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 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 6th day of May, 1991.

SIGNED by the Mayor this 6th day of May, 1991.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

---

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadure, of lawful age, being first duly sworn, deposes and
says that she is Legal Notices Administrator of The Legal Record
which is a newspaper 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:

5/7/91

Debra Dziadure
Legal Notices Administrator

Subscribed and sworn to before me on this date:
5/7/91

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $70.87

Ord. 1222
The governing body hereby finds, determines, represents and warrants, as follows:

1. The City is in a city-created and valid-existing political condition in existence since 1897.
2. Since January 1, 1971, 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>March 15, 1991</td>
<td>$ 700,000</td>
</tr>
<tr>
<td>Series E-208</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reconstruction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bonds</td>
<td>March 15, 1991</td>
<td>$ 700,000</td>
</tr>
<tr>
<td>Series E-209</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reconstruction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bonds</td>
<td>March 15, 1991</td>
<td>$ 200,000</td>
</tr>
<tr>
<td>Series E-210</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reconstruction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bonds</td>
<td>March 15, 1991</td>
<td>$ 100,000</td>
</tr>
<tr>
<td>Series E-211</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 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 shall be used to or will be used for or in connection with the sale of the issues now in existence.

5. The City hereby designates the notes to be qualified tax-exempt obligations within the meaning and for purposes of Section 103 of the Tax Reform Act of 1969.

Section 4: 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 Leavenworth, Kansas, this 8th day of May, 1991.

Approved by the Mayor this 8th day of May, 1991.

[Signature]
Mayor

[Signature]
City Clerk

APPORNE AS TO FORM
By (R.E. Noltizer)
R. E. Noltizer, City Attorney
ORDINANCE NO. 2011-675

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 91G, PROJECT 119 (119TH STREET, STATE LINE TO MISSION ROAD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $600,000.00 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, GUTTERING, 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 91G, Project 119 (119th Street, State Line Road to Mission Road), in the aggregate principal amount of Six Hundred Thousand Dollars ($600,000.00) which amount does not exceed the total estimated costs of said improvements.
Section Two: Said issue of Temporary Notes, Series 91G, Project 119 (119th Street, State Line to Mission Road), shall consist of bearer notes numbered 1 through 6 inclusive, each in the denomination of $100,000.00. Said notes shall be dated May 20, 1991, and shall have the stated maturity date of November 1, 1991. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.48% 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 at maturity.

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 of the particular note chosen for reduction) at any date prior to the stated maturity date of said note by written notice to known holder or the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than 99.911 of 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, 1991, 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>(1) Temporary Notes</td>
<td>March 15, 1991</td>
<td>$ 700,000</td>
</tr>
<tr>
<td>Series L.I.D. 88-1-91A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tomahawk Creek Parkway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Temporary Notes</td>
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<td>$ 200,000</td>
</tr>
<tr>
<td>Series 91B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Somerset, Sagamore-Belinder</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Temporary Notes</td>
<td>March 15, 1991</td>
<td>$ 300,000</td>
</tr>
<tr>
<td>Series 91C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police/Court/Fire #1 Remodel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Temporary Notes</td>
<td>March 15, 1991</td>
<td>$ 100,000</td>
</tr>
<tr>
<td>Series 91D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mission Road, 103rd-College Blvd.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 in an aggregate amount in excess of $10,000,000;

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.

20-1,680. **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 6th day of May, 1991.

SIGNED by the Mayor this 6th day of May, 1991.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
TO:  
Martha Heizer  
City of Leawood  
9617 Lee Blvd.  
Leawood KS 66206

---

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

5/7/91

__________________________
Debra Dziadura  
Legal Notices Administrator

Subscribed and sworn to before me on this date:  
5/7/91

__________________________
Sharon L. Young  
Notary Public

SHARON L. YOUNG  
Notary Public - State of Kansas

My appointment expires:  
October 11, 1994

Publication Fees: $76.52
ORD. 1221
First published in The Legal Record, Tuesday, May 7, 1991.

ORDINANCE AS amending 150.130 and 150.135 and defining 150.220.

AN ORDINANCE AMENDING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 91B, PROJECT 119 (13TH STREET, STATE LINE TO MISSION ROAD), OF THE CITY OF LEW-END, KAN. TO THE AMOUNT OF $400,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 13TH STREET, STATE LINE TO MISSION ROAD, INCLUDING GRADING, CURBING, GUTTERING, PAVING, MALLRAIGNAGE, CONSTRUCTION, OPENING, WIDENING, EXTENDING, RELOCATING, RECLAIMING, STREETLAMPS, FIRE HOSES, TRAFFIC SIGNALIZATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, CYCLE 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 14-106 of the "Code of the City of Leawood, Kan., 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. 12-65 to 12-69 and Section 14-106; And
WHEREAS, the Governing Body authorized the improvement or realignment of certain sections of said main trafficway by the approval of Ordinance No. 910 on February 8, 1989; and
WHEREAS, total cost of improvements to 119th Street, State Line to Mission Road, is estimated to be $1,150,000.00 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. 12-65 to 12-69 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 improvement work 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 amount of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 91B, Project 119, (13th Street, State Line to Mission Road) in the aggregate principal amount of Six Hundred Thousand Dollars ($600,000.00) which amount does not exceed the total estimated cost of said improvements.

Section Two: Said issues of Temporary Notes, Series 91B, Project 119 (13th Street, State Line to Mission Road), shall consist of bearer notes numbered 1 through 6 inclusive, each in the denomination of $100,000.00. Said notes shall be dated May 30, 1991, and shall have the stated maturity date of November 2, 1993. The notes shall bear interest from their date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.45% 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 12-65 to 12-69 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 at maturity.

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 of the particular notes chosen for redemption) at any date prior to the stated maturity date of said notes by written notice to bona fide holder or the publication of notice and payment of said note, the last publication of such notice or written notice of redemption to the holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 hereinafter 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 endorsed by the City Clerk and delivered to County First Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than 99.91% of 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 hereinafter 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 receipt of advance earnings on funds or accounts created with respect to the notes: PROVIDED, HOWEVER, the preceding 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 ordinance 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-constituted and validly-existing political subdivision in existence since 1930.

2. Since January 1, 1991, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>DATE</th>
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</tr>
</thead>
<tbody>
<tr>
<td>1. Temporary Notes</td>
<td>March 15, 1991</td>
<td>$700,000</td>
</tr>
<tr>
<td>2. Temporary Notes</td>
<td>March 15, 1991</td>
<td>$200,000</td>
</tr>
<tr>
<td>3. Temporary Notes</td>
<td>March 15, 1991</td>
<td>$300,000</td>
</tr>
<tr>
<td>4. Temporary Notes</td>
<td>March 15, 1991</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

   The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 in an aggregate amount in excess of $2,000,000.

   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 supply proceeds to 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 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 May, 1991.

SIGNED by the Mayor this 4th day of May, 1991.

CITY OF LEAWOOD, KANSAS, By:

[Signature]
[Title]

By Authority of the City Attorney.

[Signature]
Marla E. Hinehart, Mayor

[Title]

[Signature]
Marla E. Hinehart, City Clerk

[Title]

[Signature]
R. J. Menden, City Attorney

[Title]
ORDINANCE NO. 1220

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 91H, PROJECT 117 (LEE BOULEVARD, PHASE I), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $400,000 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, CONSTRUCTION, 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 $1,800,000.00; 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 91H, Project 117 (Lee Boulevard, Phase I), 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.

20-1,670. **Section Two:** Said issue of Temporary Notes, Series 91H, Project 117 (Lee Boulevard, Phase I), shall consist of bearer notes numbered from 1 through 4 inclusive, each in the denomination of $100,000. Said notes shall be dated May 20, 1991, and shall have the stated maturity date of November 1, 1991. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.48% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,671. **Section Three:** 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.

20-1,672. **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 99.911% of 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, 1991, the City has not issued any bonds or obligations other than the following-described obligations:

<table>
<thead>
<tr>
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<td>March 15, 1991</td>
<td>$700,000</td>
</tr>
<tr>
<td>(2) Temporary Notes&lt;br&gt;Series 91B&lt;br&gt;Somerset, Sagamore-Belinder</td>
<td>March 15, 1991</td>
<td>$200,000</td>
</tr>
<tr>
<td>(3) Temporary Notes&lt;br&gt;Series 91C&lt;br&gt;Police/Court/Fire #1 Remodel</td>
<td>March 15, 1991</td>
<td>$300,000</td>
</tr>
<tr>
<td>(4) Temporary Notes&lt;br&gt;Series 91D&lt;br&gt;Mission Road, 103rd-College Blvd.</td>
<td>March 15, 1991</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 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.

20-1,674. 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 6th day of May, 1991.

SIGNED by the Mayor this 6th day of May, 1991.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

5/7/91

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
5/7/91

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $80.28
ORD. 1220
First published in The Legal Record, Tuesday, May 7, 1951.
ORDINANCE NO. 1220
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ERECTION AND DELIVERY OF TEMPORARY NOTES, SERIES VIII, PROJECT 117 (LAW BOULEVARD, PHASE 1), OF THE CITY OF LAWSON, KANSAS, IN THE AMOUNT OF $400,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REINFORCEMENT OF LAW BOULEVARD, INCLUDING GRADES, RESURFACING, CURBING, RECORING, COVERING, RECLINING, PAVING, REPAIING, REHABILITATION, RECONSTRUCTION, CONSTRUCTION, RECONSTRUCTION, OFFICE, WINDING, EXTENDING, ADJOINING CORRIDOR, STABILIZATION, RECLINING, CONSTRUCTION OR RECONSTRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES THERETO, VARIOUS, OVERPASSES, UNDERPASSES, CULVERTS, STREET ENCROACH, TRAFFIC ILLUMINATION, TRAFFIC CONTROL DEVICES, PRELIMINARY WORK, SITE CLEARANCE OR OTHER IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

Whereas, the City of Lawson has heretofore by Section 14-206 of the "Code of the City of Lawson, Kansas, 1948" designated that portion of Law Boulevard which is located within this city as a main trafficway pursuant to the provisions of K.S.A. 13-685 and

Whereas, the Governing Body authorized the improvement or reinforcement of certain sections of main trafficway by the approval of Ordinance No. 1077 on November 21, 1936; and

Whereas, total cost of improvements to Law Boulevard in estimated to be $1,000,000.00 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 Lawson is authorized by law to issue temporary notes as provided by K.S.A. 10-122, and K.S.A. 13-685 and all acts supplementary thereto.

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

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 items, there shall be issued and there is hereby authorized and directed to be issued of temporary notes of the City of Lawson, Kansas, designated Temporary Notes, Series VIII, Project 117 (Law Boulevard, Phase 1), 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.

Section Two: Said issue of Temporary Notes, Series VIII, Project 117 (Law Boulevard, Phase 1), shall consist of bearer notes numbered from 1 through 4 inclusive, each in the denomination of $100,000. Said notes shall be dated May 20, 1951, and shall have the stated maturity date of November 21, 1951. The notes shall bear interest from the date due, payable at maturity or upon redemption prior thereto at a rate of interest of 4.49% per annum. The notes shall be callable upon 10 days notice as hereafter 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. 10-122, and 13-685 and all acts supplementary thereto.

Each principal of said interest on said notes shall be payable at the office of the City Treasurer of the City of Lawson, Kansas, upon presentation and surrender of said notes at maturity.

The City of Lawson, 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 written notice to bearer holders or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holders to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 Lawson, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The mayor and City Clerk of Lawson, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance heretofore 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 thereof which shall not be less than 99.51% of 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 1943 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 is now null and void and to the extent that the City shall receive an opinion from nationally recognized bond counsel which indicates that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1943 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, 1951, 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>(1) Temporary Notes</td>
<td>March 15, 1951</td>
<td>$ 700,000</td>
</tr>
<tr>
<td>Series VIII, Project 117</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Temporary Notes</td>
<td>March 15, 1951</td>
<td>$ 300,000</td>
</tr>
<tr>
<td>Series VIII</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Temporary Notes</td>
<td>March 15, 1951</td>
<td>$ 300,000</td>
</tr>
<tr>
<td>Series VIII</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Temporary Notes</td>
<td>March 15, 1951</td>
<td>$ 300,000</td>
</tr>
<tr>
<td>Series VIII</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5) Temporary Notes</td>
<td>March 15, 1951</td>
<td>$ 100,000,000</td>
</tr>
<tr>
<td>Series VIII</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Other than the temporary notes, the City has not issued and does not anticipate issuing 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 shall 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 1943.

Section Six: The full faith, credit and resources of the City of Lawson, 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 Lawson, Kansas, this 4th day of May, 1951.

SIGNED by the Mayor this 4th day of May, 1951.

(S E A L)

Mayor, Lawson

[Signature]

City Clerk

APPROVED AS TO FORM:

/s/ E. E. Moler

E. E. Moler, City Attorney
ORDINANCE NO. \(219\)g

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-91E, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $1,100,000 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:

20-1,663. **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. 88-1-91E, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of One Million One Hundred Thousand Dollars ($1,100,000), which amount does not exceed the total estimated costs of said improvements.

20-1,664. **Section Two:** Said issue of Temporary Notes, Series L.I.D. 88-1-91E, Project 113, shall consist of bearer notes numbered from 1 through 11 inclusive,
each in the denomination of $100,000. Each of said notes shall be dated May 20, 1991, and shall have the stated maturity date of November 1, 1991. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.48% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.911% of 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, 1991, 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>(1)</td>
<td>March 15, 1991</td>
<td>$ 700,000</td>
</tr>
<tr>
<td></td>
<td>Temporary Notes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Series L.I.D. 88-1-91A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tomahawk Creek Parkway</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td>March 15, 1991</td>
<td>$ 200,000</td>
</tr>
<tr>
<td></td>
<td>Temporary Notes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Series 91B</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Somerset, Sagamore-Belinder</td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td>March 15, 1991</td>
<td>$ 300,000</td>
</tr>
<tr>
<td></td>
<td>Temporary Notes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Series 91C</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Police/Court/Fire #1 Remodel</td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td>March 15, 1991</td>
<td>$ 100,000</td>
</tr>
<tr>
<td></td>
<td>Temporary Notes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Series 91D</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mission Road, 103rd-College Blvd.</td>
<td></td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 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 6th day of May, 1991.

SIGNED by the Mayor this 6th day of May, 1991.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Metzler, City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and
says that she is Legal Notices Administrator of The Legal Record
which is a newspaper 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:
5/7/91

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
5/7/91

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $80.28

Ord. 1219
ORD. 1219
First published in the Legal Record, Tuesday, May 7, 1991.
ORDINANCE NO. 1219

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-91A, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEESON, KANSAS, IN THE AMOUNT OF $1,100,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY’S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING APPURTENANT CONCRETE LACE, GRADE LABELED MEDIAN, STREET MEDIAN, STREET LIGHTS, CHANNELIZATION, INTERSECTION CHANNELIZATION, SIGNALS AND OTHER APPURTEMENTS TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an Improvement District has been established pursuant to Arkansas 938 under E.S.A. 12-44 and adopted by the Governing Body of the City of Leeson on November 30, 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 $3,392,011; and

WHEREAS, the City of Leeson is authorized by law to issue temporary notes as provided by E.S.A. 10-133, E.S.A. 12-44 and all acts amendatory thereto.

NOW, THEREFORE, BY THE GRANTING Power Of The CITY OF LeesON:

Section 1: That in order to provide funds to pay the costs and expenses of the improvements improvement now due or to become due in the immediate future, including necessary engineering, legal and architectural costs, there shall be issued and there it hereby authorized and directed to be issued an amount of temporary notes of the City of Leeson, Kansas, designated temporary notes, Series L.I.D. 88-1-91A, Project 113 (Tomahawk Creek Parkway). In the aggregate principal amount of seven million one hundred thousand dollars ($7,100,000), which amount does not exceed the total estimated costs of said improvements.

Section 2: Said issues of temporary notes, Series L.I.D. 88-1-91A, Project 113, shall consist of bearer notes numbered from 1 through 11 inclusive, each in the denomination of $100,000. Each of said notes shall be dated May 10, 1991, and shall have the stated maturity date of November 1, 1991. The notes shall bear interest from their dated date, payable at maturity on or upon redemption prior thereto, at a rate of interest of 4.44% per annum. The notes shall be callable upon 90 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 E.S.A. 12-44 and all acts amendatory thereto.

Both principal of said notes shall be payable at the office of the City Treasurer of the City of Leeson, Kansas, upon presentation and surrender of said notes at maturity.

The City of Leeson, 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), on any date prior to the stated maturity date of said notes by written notice to bearers holder by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the bearer holder to be at least ten days prior to the redemption date fixed in such notice.

Section 3: Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and the City Clerk of the City of Leeson, Kansas, and shall have the seal of said City affixed thereto.

Section 4: The Mayor and City Clerk of the City of Leeson, Kansas, are hereby authorized and directed 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 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 thereof which shall not be less than 99.5% of the principal amount thereof.

Section 5: 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 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 estates of diverse persons or funds or accounts created with respect to the notes, provided, 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 provides that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as so 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 1848;

2. Since January 1, 1991, 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>March 14, 1991</td>
<td>$700,000</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>March 14, 1991</td>
<td>$200,000</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>March 15, 1991</td>
<td>$200,000</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>March 15, 1991</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 in an aggregate amount in excess of $1,000,000,000.

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.

4. No portion of the proceeds of the sale of the notes will be lent to or will ever be made or used for any purpose or the improvements 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 144 of the Tax Reform Act of 1986.

Section 12: The full faith, credit and resources of the City of Leeson, Kansas, shall be and the same are hereby irrecoverably pledged for the prompt payment of said notes and the interest thereon.

Section 13: 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 LeesON, Kansas, this 5th day of May, 1991.

SIGNED by the Mayor this 5th day of May, 1991.

[Signatures]

Olivia H. Richey
Mayor

Ronald Nebel, City Clerk
APPROVED AS TO FORM AND CONTENT:
[Signature]
R. V. Wellar, City Attorney
ORDINANCE NO. 1218

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF LEE BOULEVARD, A MAIN TRAFFICWAY, FROM 95TH STREET TO SOMERSET DRIVE, 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 Lee Boulevard 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 or 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 reimpovement may include grading, regrading, curbing, recurbng, 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 obligation bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove certain portions of Lee Boulevard from 95th Street to Somerset Drive 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:

20-1,661. Section 1. It is hereby deemed and declared to be necessary to improve and reimprove certain portions of Lee Boulevard from 95th Street to Somerset Drive 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.

20-1,662. 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 $2,339,100, and shall be chargeable to the City at large and may 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 6th day of May, 1991.

Approved by the Mayor this 6th day of May, 1991.

Marcia Rinehart
Mayor

ATTEST:

Martha Heizer
City Clerk

APPROVED AS TO FORM

R. S. Wetzler
City Attorney
ORD. 1218

First published in The Legal Record, Tuesday, May 7, 1991.

ORDINANCE NO. 1218

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF LEE BOULEVARD, A MAIN TRAFFICWAY, FROM 95TH STREET TO SOMERSET DRIVE, WITHIN THE CITY OF LEAWOOD AND PROVIDING FOR THE PAYMENT OF COSTS THEREFOR.

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, 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, re grading, curbing, recuring, guttering, guttering, paving, repaving, macadamizing, macadamizing, constructing, reconstructing, 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, 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. 12-685 provides that all costs of improvements on improvements 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 improvements, shall be paid by the City at large and may be funded among others, by the issuance of general obligation bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and re improve certain portions of Lee Boulevard from 95th Street to Somerset Drive 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. 12-685.

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

Section 1. That it is hereby deemed and declared to be necessary to improve and re improve certain portions of Lee Boulevard 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 improvements, including construction, engineering fees, acquisition of right-of-way and easements, contingencies, administrative expenses and expenses of financing the improvements or improvements, is $2,339,100, and shall be chargeable to the City at large and may be paid by the issuance of general obligation bonds of the City of Leawood under the authority of K.S.A. 12-685.

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 6th day of May, 1991.

Approved by the Mayor this 6th day of May, 1991

(See 1)

Marvin Rindahl
Mayor

ATTENDS:

Martha Heizer
City Clerk

APPROVED AS TO FORM

/s/ R.E. Wettler
K. E. Wettler  City Attorney
ORDINANCE NO. 1217

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF LEAWOOD SOUTH 6TH PLAT.

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

19-6,235. Section 1. That the following described utility easement shown on the plat of Leawood South 6th Plat, which was approved by the Governing Body December 19, 1977, is hereby vacated:

The North ten (10) feet of Lot 27, Block 25, Leawood South 6th Plat.

19-6,236. Section 2. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

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 6th day of May , 1991.

Approved by the Mayor the 6th day of May , 1991.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzler
City Attorney
ORDINANCE NO. 1217

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF LEAWOOD SOUTH 6TH PLAT.

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

Section 1. That the following described utility easement shown on the plat of Leawood South 6th Plat, which was approved by the Governing Body December 19, 1977, is hereby vacated:

The North ten (10) feet of Lot 27, Block 25, Leawood South 6th Plat.

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

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 6th day of May, 1991.

Approved by the Mayor the 6th day of May, 1991.

SARA F. ULLMANN
REGISTER OF DEEDS

Attest:

Martha Heizer City Clerk

APPROVED AS TO FORM:

R.S. Wetzler City Attorney

CERTIFICATE

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. 1217 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 August, 1991.

Martha Heizer
City Clerk
August 9, 1991

Beverly L. Baker, County Clerk
Johnson County Courthouse
Olathe, Kansas 66061

Dear Mrs. Baker:

Enclosed is a certified copy of Leawood's Ordinance No. 1217 sent in accordance with Section 2 of said Ordinance.

Sincerely,

[Signature]
Martha Heizer
City Clerk

Encl.
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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 all editions of the regular and entire issue for 1 consecutive week(s) as follows:

8/6/91

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
8/6/91

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $12.60

ORD. 1217
First published in The Legal Record, Tuesday, August 6, 1991.
ORDINANCE NO. 1217

AN ORDINANCE REVOKING AN EASEMENT AS SHOWN ON THE PLAT OF LEAWOOD SOUTH 6TH PLAT.

As is ordered by the Governing Body of the City of Leawood:

Section 1. That the following described utility easement shown on the plat of Leawood South 6th Plat, which was approved by the Governing Body December 19, 1977, is hereby revoked:
The North Ten (10) feet of Lot 17, Block 38, Leawood South 6th Plat.

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

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 6th day of Mar., 1991.
Approved by the Mayor the 6th day of Mar., 1991.

(S.E.A.L.)

KATHERINE MEYER
City Clerk

APPROVED AS TO FORM:

K. D. Wolfer
City Attorney

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206
ORDINANCE NO. 1216

AN ORDINANCE AMENDING THE 1990 LEAWOOD DEVELOPMENT ORDINANCE BY ADDING THERETO ARTICLE 9, "SUBDIVISIONS AND LOT SPLITS"; AND REPEALING "SUBDIVISION REGULATIONS, FINAL REVISED EDITION OF JANUARY 16, 1978".

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

Section 1. Leawood Development Ordinance Amended. That the Leawood Development Ordinance, as adopted by reference by Section 16-201 of the Code of the City of Leawood, is hereby amended by adding thereto Article 9, entitled "Subdivisions and Lot Splits", which is hereby incorporated in this ordinance as fully as if set forth herein pursuant to K.S.A. 12-3009, K.S.A. 12-3010 and K.S.A. 12-3301, for the purpose of providing subdivision regulations within the City of Leawood, Kansas. Three copies of Article 9 shall be on file in the Office of the City Clerk.

Section 2. Repeal of Existing Article. That existing Article 4 (Subdivision Regulations) of Chapter 16 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 6th day of May, 1991.

Approved by the Mayor the 6th day of May, 1991.

Marcia Rinehart
Mayor

(S E A L)

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzler
City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and
says that she is Legal Notices Administrator of The Legal Record
which is a newspaper 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:

5/7/91

[Signature]
 Legal Notices Administrator

Subscribed and sworn to before me on this date:
5/7/91

[Signature]
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $14.82
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, AND REPEALING INCONSISTENT ORDINANCES OR PARTS THEREOF.

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 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, KANSAS:

SECTION ONE: Franchise Granted. 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, a franchise is hereby granted to the Company and to its successors and assigns, for the term of five years with five automatic one year extensions thereafter not to exceed ten years from the effective date hereof (provided however that either party may terminate this Ordinance after the initial five year period by giving at least six (6) months prior written notice to the other party), and authority is granted 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 busi-
ness 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) to construct, install, replace and remove conduits or other underground facilities for the installation and protection of its underground wire and cables, (ii) to place power poles, guys, and anchors for its overhead wires on all streets, alleys, avenues, bridges, parking and other public places or thoroughfares, (iii) to hereafter place underground feeder and or transmission facilities in City parks at the expense of KCPL or other party, causing no expense to the City, (a "feeder" line, as used herein, shall be defined as an electrical circuit which provides a rated capacity of three thousand (3,000) KVA and electricity directly from a power substation), (iv) to place lamp posts, cables and street lights when requested or authorized by the City, (v) to construct, erect and maintain all buildings, machinery and attachments of any and every kind for any and all of said purposes, and (vi) to 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 TWO: Excavation and Construction Affecting Right of Way. 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 which are then on public rights of way in conjunction with and because of a public improvement project paid for by public or benefit district funds and affecting said public rights-of-way. Such relocation shall be at the
SECTION THREE: Rates, Placement of Facilities, Avoidance of Damage or Injury, Proposed Construction of Facilities. 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 and the City shall meet annually and shall provide advance notice of all known 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 or proposed public improvement of the City as documented in the City’s Capital Improvements Program, 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. Should KCPL need to construct facilities outside the parameters of the City’s Capital Improvements Program, KCPL will make every reasonable effort available, short of actually purchasing or condemning right of way, to locate on what will be future unobstructed public right of way in accordance with the City’s Master Plan. Should KCPL’s efforts fail the City will attempt to aid in securing such public right of way. Should the combined efforts of the City and KCPL not prove successful, the cost of future relocation of these KCPL facilities due to public improvements will be split equally by the two parties. Agreement between the
parties regarding responsibility for payment of future relocation costs will be formalized through the City’s formal permitting process.

SECTION FOUR: Acts of God or Other Occurrences Interrupting Service by Company. 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 FIVE: Consideration for Franchise. In further consideration for the rights, privileges and franchise hereby granted, the Company agrees to pay to the City of Leawood, Kansas, 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. The City of Leawood agrees to accept as adequate compensation and consideration for the franchise hereby granted the payments under this section and the other undertakings of the company under this ordinance.

SECTION SIX: Effective Date of Ordinance. All provisions of this Ordinance shall be binding upon and inure to the benefit of the Company, its grantees and its successors and assigns and 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 sixty (60) days no acceptance is filed with the City, then this Ordinance shall be ipso facto, absolutely, null and void.

SECTION SEVEN: Franchise Granted Pursuant to Statute. 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.
Passed by the Council the 15th day of April, 1991.

Approved by the Mayor the 15th day of April, 1991.

Marcia Rinehart
Mayor

Martha Heizer
City Clerk

APPROVED AS TO FORM:

F.S. Wetzler
City Attorney
July 1, 1991

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. 1215

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 April 30, 1991 of Franchise Ordinance No. 1215, no petition has been presented to the Governing Body, pursuant to K.S.A. 12-2001(b)(6), asking that Franchise Ordinance No. 1215 be submitted for adoption by popular vote.

Given under my hand and the seal of the City of Leawood, Kansas, this 1st day of July, 1991.

[Signature]
City Clerk
RE: Acceptance of Franchise Ordinance

Dear Madam:

Under the provisions of Ordinance No. 1215 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 2nd day of May, 1991.

Kansas City Power & Light Company

By C.R. Cole
Vice President, 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 17th day of May 1991.

Given over my hand and the seal of the City of Leawood, Kansas this 17th day of May 1991.

City Clerk

Assistant-Secretary
Mr. Richard Price  
State Corporation Commission  
1500 S.W. Arrowhead  
Topeka, Kansas 66604

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 of the Leawood, Kansas Ordinance No. 1215.

The franchise is for the term of five (5) years with five automatic one year extensions thereafter not to exceed ten years from the effective date. The Ordinance provides for a gross receipts charge of 5%.

The previous, one year term, franchise KCPL had with Leawood was considered by both parties to be an interim measure while the parties continued negotiations on a long-term franchise. The Notice to Electors published prior to the one-year franchise was considered adequate for this long-term franchise, since franchise negotiations continued beyond the passage of the one-year franchise. KCPL filed copies of this Notice to Electors concurrently with its filing of the one-year franchise.

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

Enc.  
cc:w/o enc.: Mr. Ted Hady  
Ms. Martha Heizer
TO:
Mr. Ted Hady
Kansas City Power & Light Co.
8730 Neiman Rd.
Overland Park KS 66214

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Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and
says that she is Legal Notices Administrator of The Legal Record
which is a newspaper 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 2 consecutive week(s)
as follows:
4/23/91 4/30/91

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
4/30/91

Notary Public

SHARON L. YOUNG
Public Notary - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $133.38

Leawood Ordinance 1215
AN ORDINANCE GRANTING KANSAS CITY POWER & LIGHT COMPANY, ITS GRANTEES, SUCCESSORS AND ASSIGNS, PERMITS AND LICENSES TO INSTALL, OPERATE AND MAINTAIN ALL FACILITIES AND PLANTS NECESSARY OR PROPER FOR SUPPLYING CONSUMERS WITH ELECTRIC ENERGY, GRANTS THE COMPANY THE PRIVILEGE AND POWER TO CONSTRUCT AND MAINTAIN THE FACILITIES AND PLANTS REFERRED TO HEREIN AND RELATING TO SUCH FRANCHISE, AND REPEALING INCONSISTENT ORDINANCES OR PARTS THEREOF.

WHEREAS, Kansas City Power & Light Company (herein called the Company) is a corporation, existing under and by virtue of the laws of the State of Kansas, engaged in the business of furnishing electric energy to, and distributing electric energy within, the city of Leawood, State of Kansas, and has hereunto been granted a franchise by the City of Leawood, 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 been granted a franchise by the City of Leawood, State of Kansas (herein called the City), and

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

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

SECTION ONE: Franchise Granted. In consideration of the benefits to be derived by the City and the inhabitants thereof from the construction, operation and maintenance of the facilities and plants herein referred to, and the system and the supplying of electric energy to the public and consumers of the City, the City, on behalf of itself and any and all successors and assigns, hereby grants and conveys to the Company, and to its grantees, successors and assigns, the privilege and power to construct, maintain and operate the said facilities and plants for the purpose of furnishing electric energy to, and distributing electric energy within the City, and for any and all said purposes, the Company shall be authorized to purchase and own all materials, articles, plants, machinery, equipment, and supplies necessary for the purpose of furnishing the City and distributing electric energy and power to the same, the Company, and its grantees, successors and assigns, are hereby granted the right and privilege to purchase, own, build, erect, install, and operate such and all such substations, plants, and other facilities and apparatus as may be necessary for the purpose of furnishing the City and distributing electric energy and power to the said City, and to have and hold possession of the same, and to convey to the City and City's successors and assigns the title to and unto the same, and to the said City, and to its grantees, successors and assigns, the right and privilege to own, have and hold all such substations, plants, and other facilities and apparatus as may be necessary for the purpose of furnishing the City and distributing electric energy and power to the same.

SECTION TWO: Exclusion and Construction Affecting Right of Way. Any polestones, sidewalks or curbs taken up, any rights of way or easements acquired, for the construction and maintenance thereof, shall be paid for and in like manner herein referred to, and shall be paid and done in such a manner as to be convenient to the company and the city under construction. Any construction performed pursuant to this Ordinance shall be done under the supervision and control of the City and the public generally, and it is provided that all such construction, alterations, and changes shall be so made as to be convenient to the City and the public generally, and as to be done in such a manner as to be convenient to the City and the public generally. Any construction, alterations, and changes shall be done with such care and skill as to be convenient to the City and the public generally, and as to be done in such a manner as to be convenient to the City and the public generally.

SECTION THREE: Rates, Placement of Facilities, Avoidance of Damage or Injury. Proposed Construction of Facilities. Due to the nature of the construction, the Company shall maintain and operate the said facilities and plants for the purpose of furnishing electric energy to the City and its inhabitants as they may require in accordance with any law enacted by the City, the rates, charges, rules and regulations now on file with the City, and as may be changed from time to time in accordance with the laws of the State of Kansas. The Company’s facilities shall be placed and erected in such a manner as to be reasonably necessary for the ordinary use of streets, alleys, and public ways, and shall not be placed or erected in such a way as to injure or threaten any building, street, avenue, sidewalk, street, alley, or public way, or any gas main, water main, sewer laid or constructed, or with such unobstructed view as to injure or take away the light of said place. The Company shall, at all times, in the construction, maintenance, operation and disposition of said facilities and plants, use all reasonable precautions to avoid injury to persons or property, and shall hold and save harmless said City from any and all damage or injury or negligence or intentional acts or omissions of the Company.

SECTION FOUR: Acts of God or Other Occurrences. Interdicting Service by Company. Nothing contained herein shall be construed as a waiver or release of the Company's obligation to furnish uninterrupted service, and any interruption due to acts of God, war, strikes, civil or military authority, orders of Court and other causes beyond the control of the Company are specifically excepted from the terms of this Section.

SECTION FIVE: Consideration for Franchise. In further consideration of the aforesaid grants, permits and license, the Company agrees to pay to the City of Leawood, Kansas, and in lieu of occupation license, privileges, and permits, and all rates, charges, rules and regulations now or hereafter required under this ordinance, five percent ($5) of the gross receipts derived from the sale of the electric energy sold to the United States or the State of Kansas, or the City, or the City's grantees, successors and assigns, for distribution to the said City, such five percent ($5) will be paid for by public or benefit district funds and affecting said public rights of way. Such remuneration shall be at the rate of $5.00 per kilowatt hour.

SECTION SIX: Effective Date of Ordinance. All provisions of this Ordinance shall be binding upon and inure to the benefit of the Company, its grantees, successors and assigns and shall not take affect and be in force until after the expiration of sixty (60) days from the date of its final publication, and upon acceptance in full of the Company's offer of franchise.

SECTION SEVEN: Franchise Granted Pursuant to Statute. This franchise is granted pursuant to the provisions of K.S.A. 12-3001, and shall take effect and be in force as therein provided.

Passed by the Council the 15th day of April, 1991.
Approved by the Mayor the 15th day of April, 1991.

(S E A L)

KARL R. RIEMLER
Mayor

DENIS M. HIGHTOWER
City Clerk

APPROVED AS TO FORM:

City Attorney
ORDINANCE NO. 1214 C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD, KANSAS, BY ADDING THERETO SECTION 1-413 OF CHAPTER 1 (ADMINISTRATION) RELATING TO THE DUTIES OF THE DIRECTOR OF PARKS AND RECREATION.

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

Section 1. Code Amended. That the Code of the City of Leawood is hereby amended by adding thereto Section 1-413 which reads as follows:

1-413. DIRECTOR OF PARKS AND RECREATION. The Director of Parks and Recreation shall have the general supervisory control of the operation of the parks and recreation department, including parks and facility maintenance, recreation programming, facility development, special events and pool administration. The Director shall also serve as advisor to the Parks and Recreation Advisory Board.

Section 2. 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 1st day of April, 1991.

Approved by the Mayor the 1st day of April, 1991.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzler
City Attorney
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and
says that she is Legal Notices Administrator of The Legal Record
which is a newspaper 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 admit in 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:

4/2/91

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
4/2/91

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $14.08

ORD. 1214 C
First published in The Legal Record, Tuesday, April 2, 1991.

ORDINANCE NO. 1214 C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD,
KANSAS, BY ADDING THERETO SECTION 1-413 OF CHAPTER 1
 ADMINISTRATION, RELATING TO THE DUTIES OF THE DIRECTOR OF
PARKS AND RECREATION.

As it ordered by the Governing Body of the City of Leawood:

Section 1. Code Amended. That the Code of the City of
Leawood is hereby amended by adding thereto Section 1-413
which reads as follows:

1-413. DIRECTOR OF PARKS AND RECREATION. The Director of
Parks and Recreation shall have the general supervisory
control of the operation of the parks and recreation
department, including parks and facility maintenance,
recreation programming, facility development, special events
and pool administration. The Director shall also serve as
advisor to the Parks and Recreation Advisory Board.

Section 2. 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 1st day of April, 1991.
Approved by the Mayor the 1st day of April, 1991.

(S E A L)
Mary Elizabeth
Mayor

Attest:

Mary Hatcher
City Clerk

APPROVED AS TO FORM:
R. L. Russell
City Attorney
ORDINANCE NO. 1213 C


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

Section 1. Code Amended. That Article 1 and Article 2 of Chapter XII of the Code of the City of Leawood are hereby amended to read as follows:

ARTICLE 1. PARKS AND RECREATION ADVISORY BOARD

12-101. PARKS AND RECREATION ADVISORY BOARD ESTABLISHED. There is hereby created a Parks and Recreation Advisory Board consisting of five members appointed by the governing body. All members shall be qualified electors of the city.

12-102. MEMBERSHIP AND QUALIFICATIONS. All members of the recreation commission at the date of the adoption of this ordinance shall constitute the initial park and recreation advisory board. Members shall serve upon such park and recreation advisory board for the term for which they were appointed to the recreation commission and upon the expiration of the term of any member, appointment shall be made to fill such position for a term of four years. Whenever a vacancy shall occur in the membership of the commission, an elector shall be selected to fill the vacancy in the same manner as and for the unexpired term of the member he or she is succeeding.

12-103. POWERS AND DUTIES. The governing body shall refer all major proposals and propositions for the construction, reconstruction and improvement of public parks and recreational facilities including the acquisition of land for park purposes, the acquisition of major recreational equipment and facilities and the institution of new programs in the recreational system to such board. The board shall make reports and recommendations to the governing body on all matters referred to it and any further recommendations as deemed advisable. Such reports shall be made within a time fixed by the governing body at the time the proposal or proposition is submitted to the board and no action shall be taken thereafter by the governing body.
upon any such proposal or proposition until the reports and recommendations thereon have been received from the board. The governing body of the city shall take action upon the reports and recommendations received from the advisory board within 30 days after their receipt. The governing body may extend the time as it deems necessary to give the matter further attention before action is taken.

ARTICLE 2. PARK REGULATIONS

12-201. PARK HOURS. (a) All parks with the exception of all trails shall be closed between the hours of 11:00 p.m. and 6:00 a.m. during the period from April 1st to October 1st during which central daylight savings time shall be in force in the city; and between the hours of 9:00 p.m. and 7:00 a.m. during the balance of the year.

(b) All trails within all city parks shall be closed one-half hour after sunset until one-half hour before sunrise during the calendar year.

(c) Any or all parks may be closed temporarily, or opening hours extended temporarily, in case of emergency, adverse weather, or unusual circumstances, as determined by the Director of Parks and Recreation, or his or her designee.

(d) It shall be unlawful for any person to be in any city park during the hours in which it is closed.

12-202. PROHIBITION OF USE BY OTHERS. The Director of Parks and Recreation is empowered to allow reservation of park facilities. It shall be unlawful for any person or persons to occupy, use or attempt to control the occupation or use of any park facilities or portion thereof after being notified that a written reservation for exclusive use of the same has been issued by the Director of Parks and Recreation's designee during the period of time set forth in said reservation, and no person or persons shall continue to use or attempt to use any such park facility after said written reservation has been issued for said purpose and time. Any person failing to vacate such park facility promptly after being informed of such reservation shall be subject to arrest for violation of this ordinance. The foregoing is not intended to prohibit the free and unrestricted use of the park facilities by persons without written
reservation as long as no such reservation has been issued by the Director of Parks and Recreation or his or her designee.

12-203. PROHIBITED VEHICLES. (a) Go-carts, racing-type motorbikes or motorcycles and other similar vehicles not licensed for public roadway driving shall be prohibited within the city parks. Non-motorized bicycles shall be permitted upon the roads in the city parks, providing that the bicycles are operated only in those areas designated for motor vehicle traffic except when being walked to or from an authorized bicycle parking area or upon a designated bike trail.

(b) Trucks over 1 1/2 tons are hereby prohibited, except for maintenance and delivery vehicles, unless permission therefor has been granted in writing by the Director of Parks and Recreation or his or her designee.

(c) Driving of any motorized or non-motorized vehicles off any hard surface improved roadway is prohibited except in the case of authorized maintenance and emergency vehicles.

(d) Driving a motorized vehicle on jogging and bicycle trails is prohibited except for maintenance and emergency vehicles.

12-204. CAMPING PROHIBITED. Overnight camping is hereby prohibited in city parks.

12-205. BRIDLE PATH. It shall be unlawful for any owner of any horse to allow his or her animal to be outside the confines of the designated bridle path of any Leawood city park.

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, except at the specific authorization of the Governing Body, 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.

12-207. CARRYING OF WEAPONS PROHIBITED. It shall be unlawful for any person other than a law enforce-
ment officer to carry a firearm in any city park.

12-208. **FIRES.** Fires may be built only in the ovens, stoves, or grills provided for that purpose by the city, and must be extinguished by the person, persons or parties starting such fires, immediately after use thereof.

12-209. **SANITATION.** All waste material, paper, trash, rubbish, tin cans, bottles, containers, garbage and refuse of any kind whatsoever shall be deposited in disposal containers provided for such purposes. No such waste or contaminating material shall be discarded otherwise. No sticks, stones, trash or other objects shall be thrown or discarded in or on any park lands, fountains, pools, drinking fountains, sanitary facilities, or other improvements.

12-210. **PROHIBITION AGAINST ALCOHOLIC BEVERAGES AND BEER.** It shall be unlawful for any person or persons to use, consume or have on the premises of any park or other city property within the city, any alcoholic liquor, or cereal malt beverage.

12-211. **PARKING.** (a) Parking is permitted in designated, marked parking areas only unless specifically directed by a law enforcement officer.

(b) Parking is prohibited on or along roadways unless specifically directed by a law enforcement officer.

(c) The chief of police is authorized by the governing body to post "no parking" signs within the city parks.

(d) Parking in other than designated areas shall be deemed to be a violation of this article.

(e) Overnight parking is prohibited except for vehicles which are disabled.

12-212. **PRESERVATION OF NATURAL STATE.** No person shall take, injure, or disturb any live or dead tree, plant, shrub, or flower, or otherwise interfere with the natural state of city parks.

12-213. **SWIMMING.** Swimming is prohibited in city parks except in pools constructed for that purpose.

12-214. **PLAYING FIELDS.** The Director of Parks and Recreation or his or her designee shall have the authority to close any playing field for
maintenance or for damage prevention. Closed fields shall be conspicuously posted, and any use of a closed field is prohibited.

12-215. **DOGS IN THE CITY PARKS.** It shall be unlawful for any owner or keeper of any dog to allow his or her animal, except a seeing eye dog, to be outside the confines of:

(a) The designated dog exercise area: all dogs shall be leashed, leash to be in hand of owner or keeper.

(b) Tomahawk Creek Greenway: all dogs shall be leashed, leash to be in hand of owner or keeper.

(c) Brook Beatty Park: all dogs shall be leashed, leash to be in hand of owner or keeper.

(d) This section shall not be construed as prohibiting dogs from other areas of the parks when within the confines of vehicles.

12-216. **GENERAL REGULATIONS.** The governing body may authorize the Director of Parks and Recreation to post such rules and regulations approved by the governing body pertaining to the use of the city parks in a conspicuous place in each city park. Violations of these posted rules shall also constitute a violation under the penalty provisions of this article.

12-217. **PENALTY.** Any person violating any of the provisions of this article shall be deemed guilty of a violation of this code and upon conviction thereof shall be punished by a fine of not more than $500.00 for each such offense. Each and every day that such violation continues shall constitute a separate offense.

Section 2. Validity of Ordinance. That the City of Leawood, Kansas, hereby declares that should any article, paragraph, sentence or word of this ordinance be declared for any reason to be invalid, it is the intent of the City of Leawood that it would have passed all other portions of this ordinance independent of the elimination herefrom of any portion as may be declared invalid.

Section 3. Repeal of Existing Sections. That existing Article 1, titled, Board of Park Commissioners; Article 2, titled, Park Regulations; and Article 3, titled, Recreation Commission, of the Code of the City of Leawood are hereby repealed. (Prior law: Section 12-206 amended previously by Ord. No. 1148C)
Section 4. 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 1st day of April, 1991.

Approved by the Mayor the 1st day of April, 1991.

(S.E.A.L.)

Mayor

Marcia Rinehart

Attest:

City Clerk

Martha Heizer

APPROVED AS TO FORM:

City Attorney

R.S. Wetzler
THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061
Phone (913) 780-5746

TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS.
Debra Dizdare, of lawful age, being first duly sworn, deposes and
says that she is Legal Notices Administrator of The Legal Record
which is a newspaper published 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
City 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:

4/2/91

Legal Notices Administrator

Subscribed and sworn to before me on this date:
4/2/91

[Signature]

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $81.51

ORD. 1213 C
First published in The Legal Record, Tuesday, April 2, 1991.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD
CONCERNING THE OPERATIONS OF THE LEAWOOD RECREATION
COMMISSION AND THE PARKS DEPARTMENT TO REVOCATE TO K.S.A.
12-1018 (1969 SUPP.), ESTABLISHING A PARKS AND RECREATION
ADVISORY BOARD AS AUTHORIZED BY K.S.A. 12-1230 (1969 SUPP.),
AND REPEALING AND AMENDING EXISTING PROVISIONS OF THE CODE
DEALING WITH THE SAME SUBJECT.

AS IT IS ORDERED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

SECTION 1. Code Amended. That Article I and Article II of
Chapter XII of the Code of the City of Leawood are hereby
amended to read as follows:

ARTICLE I. PARKS AND RECREATION ADVISORY BOARD
12-101. PARKS AND RECREATION ADVISORY BOARD ESTABLISHED.
The aforesaid created a Parks and Recreation
Advisory Board consisting of five members appointed by
the governing body. All members shall be qualified
electors of the city.

12-102. MEMBERSHIP AND QUALIFICATIONS. All members of
the recreation commission at the date of the
adoption of this ordinance shall constitute the
initial park and recreation advisory board.
Members shall serve upon such park and recreation
advisory board for the term for which they were
appointed to the recreation commission and upon
the expiration of the term of any member, appointment
shall be made to fill such position for a term of
four years. Whenever a vacancy shall occur in the
membership of the commission, an elected shall be
selected to fill the vacancy in the same manner as
and for the unexpired term of the member he or she
is succeeding.

12-103. POWERS AND DUTIES. The governing body shall
refer to the park and recreation board all proposals for
construction, reconstruction and improvement of
public parks and recreational facilities including
the acquisition of land for park purposes, the
acquisition of major recreational equipment and
facilities and the institution of new programs in
the recreational system, to such board. The board
shall make recommendations to the
governing body on all matters referred to it and
any further recommendations as deemed advisable.
Such reports shall be made within a time fixed by
the governing body; at the time the proposal or
recommendation is submitted to the board and no action
shall be taken thereafter by the governing body
upon any such proposal or recommendation until the
reports and recommendations thereon have been
received from the board. The governing body of the
city shall take action upon the reports and
recommendations received from the advisory board
within thirty days after their receipt. The governing
body may extend the time as it deems necessary to
give the matter further attention before action is
taken.

ARTICLE II. PARK REGULATIONS
12-101. PARK HOURS. (A) All parks with the exception of
all trails shall be closed between the hours of
11:00 p.m. and 6:00 a.m. during the period from
April 1st to October 1st during which central
daylight savings time shall be in force in the
City; and between the hours of 9:00 p.m. and 7:00
a.m. during the balance of the year.

(b) All trails within all city parks shall be
closed one-half hour after sunset until one-half
hour before sunrise during the calendar year.

(c) Any or all parks may be closed temporarily, or opening hours extended temporarily, in case of
emergency, adverse weather, or unusual conditions, as determined by the Director of Parks and Recreation, or his or her designee.

(d) It shall be unlawful for any person to be in any city park during the hours in which it is
closed.

12-102. PROHIBITION OF USE BY OTHERS. The Director of Parks and Recreation shall have the authority to close or to issue written reservations for the use of any park facilities or portion thereof after being satisfied that the proper use of the same has been issued by the Director of Parks and Recreation of any period of time set forth in said reservation. And no person shall continue to use or attempt to use any such park facility after said written reservation has expired or for such time as any such reservation has been issued by the Director of Parks and Recreation or his or her designee.

12-103. PROHIBITED VEHICLES. (a) Co-carts, racing-type vehicles, motorcycles, and other vehicles not licensed for public roadway driving shall be prohibited from the public parks. Authorized bicycles shall be permitted upon the roads of parks. The Director of Parks and Recreation shall be authorized to close such roads. No person walking shall be walked by or from an unauthorized bicycle parking area or upon a designated bike trail.

(b) Any or all dogs are hereby prohibited, except for maintenance vehicles, unless permission therefrom has been granted by the Director of Parks and Recreation or his or her designee.

(c) Driving of any motorized or non-motorized vehicles is hereby prohibited in the improved roadway or prohibited except in the case of authorized emergency vehicles.

(d) Driving a motorized vehicle on jogging and bicycle trails is prohibited except for maintenance and emergency vehicles.

12-104. CAMPING PROHIBITED. Overnight camping is hereby prohibited.

12-105. RIDING PARK.

12-106. MENDING AND FISHING PROHIBITED; EXCEPTION FOR FISHING IN ISLANDS. No person shall pursue, catch, keep, store, sell, or transport any fish or wild life, either bird or animal, except at the discretion of the Director of Parks and Recreation, or his or her designee, except at any time except that fishing is permitted in the designated bridle path of any Lakewood city park.

12-107. CARRYING OR USING FIREARMS PROHIBITED. It shall be unlawful for any person other than a law enforcement officer to carry a firearm in any city park.

12-108. FIRES.

12-109. SANITATION. All waste material, paper, trash, rubbish, tin cans, bottles, containers, garbage and refuse of any kind whatsoever shall be disposed of in containers provided for such purposes. No such waste material shall be dispersed otherwise. No sticks, stones, trash or other object shall be thrown or placed in any park, street, fountain, pool, drinking fountain, sanitary facilities, or other improvements.

12-110. PROHIBITION AGAINST ALCOHOLIC BEVERAGES AND FIRE.

12-111. PARKING. (a) Parking is permitted in designated, marked parking areas only unless specifically restricted by a law enforcement officer.

(b) Parking is prohibited on or along roadsides unless specifically directed by a law enforcement officer.

(c) The chief of police is authorized by the governing body to post "no parking" signs within the city parks.

(d) Parking in other than designated areas shall be deemed to be a violation of this article.

(e) Overnight parking is prohibited except for vehicles which are disabled.

ORD. 1213 C
ORDINANCE NO. 1212 C

AN ORDINANCE AMENDING THE UNIFORM PUBLIC OFFENSE CODE, 1990 EDITION, TO ADDRESS UNLAWFUL POSSESSION OF CERTAIN WEAPONS WITHIN THE CITY OF LEAWOOD, KANSAS.

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

Section 1. Code Amended. That Article 1 of Chapter 11 of the Code of the City of Leawood is hereby amended by adding Section 11-105 which shall read as follows:

11-105. SAME. Section 10.6 of the Uniform Code incorporated in Section 11-101 of the Code of the City of Leawood is hereby amended to read as follows:

10.6. AIR GUN, AIR RIFLE, BOW AND ARROW, SLINGSHOT OR BB GUN.
(a) The unlawful operation of an air gun, air rifle, bow and arrow, slingshot or BB gun is the shooting, discharging or operating of any air gun, air rifle, bow and arrow, slingshot or BB gun, within the city, except within the confines of a building or other structure from which the projectiles cannot escape.

Unlawful operation of an air gun, air rifle, bow and arrow, slingshot or BB gun is a Class C violation.

(b) The unlawful possession of an air gun, air rifle, bow and arrow, slingshot or BB gun is the possession of an air gun, air rifle, bow and arrow, slingshot or BB gun with the intent to shoot, discharge, or operate the air gun, air rifle, bow and arrow, slingshot or BB gun within the city, except within the confines of a building or other structure from which the projectiles cannot escape.

Unlawful possession of an air gun, air rifle, bow and arrow, slingshot or BB gun is a Class C violation.

Section 2. 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 18th day of March, 1991.

Approved by the Mayor the 18th day of March, 1991.

(MARCIA RINEHART)
Mayor
ORDINANCE NO. 1212 C

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:
R.S. Wetzler
City Attorney
TO:
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziedura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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 a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterupted in said County and但是对于 (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:

3/1991

Debra Dziedura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
3/19/91

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $22.23

ORD. 1212C

First published in The Legal Record, Tuesday, March 19, 1991.

ORDINANCE NO. 1212 C

AN ORDINANCE AMENDING THE UNIFORM PUBLIC OFFENSE CODE, 1990 EDITION, TO ADDRESS UNLAWFUL POSSESSION OF CERTAIN WEAPONS WITHIN THE CITY OF LEAWOOD, KANSAS.

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

Section 1. Code Amended. That Article 1 of Chapter 11 of the Code of the City of Leawood is hereby amended by adding Section 11-103 which shall read as follows:

Section 11-103. Section 10.4 of the Uniform Code incorporated in Section 11-101 of the Code of the City of Leawood is hereby amended to read as follows:

10.4. AIR GUN, AIR RIFLE, BOW AND ARROW, SLINGSHOT OR BB GUN.

(a) The unlawful operation of an air gun, air rifle, bow and arrow, slingshot or BB gun is the shooting, discharging or operating of any air gun, air rifle, bow and arrow, slingshot or BB gun, within the city, except within the confines of a building or other structure from which the projectiles cannot escape.

Unlawful operation of an air gun, air rifle, bow and arrow, slingshot or BB gun is a Class C violation.

(b) The unlawful possession of an air gun, air rifle, bow and arrow, slingshot or BB gun is the possession of an air gun, air rifle, bow and arrow, slingshot or BB gun with the intent to shoot, discharge, or operate the air gun, air rifle, bow and arrow, slingshot or BB gun within the city, except within the confines of a building or other structure from which the projectiles cannot escape.

Unlawful possession of an air gun, air rifle, bow and arrow, slingshot or BB gun is a Class C violation.

Section 2. 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 18th day of March, 1991.

Approved by the Mayor the 18th day of March, 1991.

(S E A L)

Sue A. Keup
Mayor

Attest:

Margaret Helzer
City Clerk

APPROVED AS TO FORM: /S/ R.S. Wetzel
R.S. Wetzel
City Attorney
ORDINANCE NO. 1211 C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD TO REGULATE THE MANUFACTURE, STORAGE, POSSESSION, TRANSPORTATION, SALE, AND USE OF EXPLOSIVE MATERIALS AND BLASTING AGENTS IN THE CITY OF LEAWOOD.

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

Section 1. Code Amended. That Section 7-216 of the Code of the City of Leawood is hereby amended to read as follows:

7-216. SAME; ARTICLE 77, EXPLOSIVES AND BLASTING AGENTS. Article 77, Explosives and Blasting Agents, is hereby enacted in its entirety with the following changes and additions:

Sec. 77.01 is hereby added to read as follows:
RESPONSIBILITY FOR ENFORCEMENT. The Director of Public Works, referred to in this Article as the "Director", shall be responsible for the administration and enforcement of this Article as provided herein. In addition, the Fire and Police Departments shall have authority to enforce regulatory provisions set forth herein, provided further that the Director shall be notified of any enforcement action taken by Fire or Police Departments.

Sec. 77.02 is hereby added to read as follows:
APPLICATION OF ARTICLE.
(a) This Article shall apply to all persons, firms, corporations, partnerships, governmental agencies, and associations storing, handling, or using explosive or blasting agents and to the owner or lessee of any building, premises, or equipment in or on which explosives or blasting agents are stored, handled, or used.

(b) A permit as provided by Section 77.104(a) will not be required to transport explosives or blasting agents where the explosives or blasting agents are not being shipped from, or delivered to a location within the corporate boundaries of the City of Leawood, provided that said explosives or blasting agents are being transported in accordance with applicable regulations of other governmental agencies having jurisdiction, including the Federal Department of Transportation.

(c) The provisions of this Article shall apply to all private and public property within the City.

(d) The provisions of this Article shall not be construed to relieve from or lessen the responsibility of any person, firm, corporation, partnership, governmental agency or association storing, handling, or using the explosive or blasting agents or to relieve from or lessen the responsibility of the owner or lessee of any building,
premises, or equipment in or on which explosives or blasting agents are stored, handled, or used, nor shall the City or any of its agents be held as assuming any such liability by reason of the inspections authorized by this Article or any permits or certificates of inspection issued by this Article.

Sec. 77.103.1 is hereby added to read as follows: PERMIT DEFINED. "Permit" whenever used in the Article means the written authorization of the Director of Public Works and Fire Chief or their designees authorizing any person, firm, corporation, partnership, governmental agency or association to manufacture, store, possess, transport, sell, and use explosive materials and blasting agents.

Sec. 77.104f is hereby added to read as follows: PRE-APPLICATION CONFERENCE. At the time an application is obtained a pre-application conference will be scheduled with the Director of Public Works and the Fire Chief to discuss the requirements of the ordinance and the expectations of the Public Works Director and the Fire Chief. The pre-application conference shall be scheduled a minimum of three (3) working days prior to submission of the application.

Sec. 77.104.1 is hereby added to read as follows: REISSUING OF PERMITS. All permits issued in accordance with the provisions of this Article shall, when reissued, be subject to any amendments to this Article.

Sec. 77.104.2 is hereby added to read as follows: FEE. Each applicant for a permit shall pay to the City at the time of application a nonrefundable application fee of fifty dollars ($50.00).

Sec. 77.105 is hereby amended to read as follows: INSURANCE REQUIRED. Before a permit is issued, as required by Section 77.104(a)3, the applicant shall secure and maintain the following occurrence form insurance coverages:

1. Workers Compensation, Kansas Statutory Coverage shall be provided.

2. Employers Liability:
   Bodily Injury by Accident $1,000,000 each accident
   Bodily Injury by Disease $1,000,000 policy limit
   Bodily Injury by Disease $1,000,000 each employee

3. Commercial General Liability:
   Bodily Injury and Property Damage $1,000,000 Combined Single Limit
   $2,000,000 Aggregate
4. Business Automobile Policy:
Bodily Injury and Property Damage
$1,000,000 Combined Single Limit

   Bodily Injury  $1,000,000 per Person
   Bodily Injury  $1,000,000 per Accident
   Property Damage $1,000,000 per Accident

Sec. 77.105.1 is hereby added to read as follows: SCALE DRAWING. Before a permit shall be issued, the applicant shall furnish to the Director of Public Works a scale drawing accurately showing the surrounding land and all improvements thereon, all dimensions and all distances relative thereto. The scale drawing shall show distances to all houses, buildings, or other facilities within 500 feet of the blasting or demolition work. The scale drawing accompanying an application for a permit to store explosives or blasting agents must show distances to buildings and other features in accordance with the American Table of Distances for Storage of Explosives. All permit applications which are not accompanied by a scale drawing shall be refused and will not be considered until such scale drawing accompanies the application for permit. In addition, the Director of Public Works shall have authority to establish additional written standards for the submission of scaled drawings or other portions of the application process.

Sec. 77.105.2 is hereby added to read as follows: BLASTING PLAN. The application for the permit must be accompanied by a Blasting Plan for the blasting operation. This Blasting Plan shall include specific information on the operation as follows:
1. charge weights;
2. delays;
3. depths;
4. patterns;
5. protective mats or coverings required;
6. seismographic monitoring shall be provided by an independent firm, approved by the Director of Public Works, reporting directly to the City at the contractor’s expense.
7. pre-blast surveys shall be performed on all buildings within 500 feet of a blast site unless permission for the survey is denied by the occupant or owner. Contractor shall provide a copy of the pre-blast survey to all property owners requesting same at contractor’s expense.
8. written notification of property or utility owners within 500 feet of a blast site. Notice shall be approved by the City and shall include the following:
   1. notice of intent to blast;
2. name of blasting contractor;
3. agency making the pre-blast survey;
4. insurance company providing the coverage and claims process including the telephone number of the claims agent;
5. notice to property owner to contact the Director of Public Works within three (3) working days of notification to request a copy of the pre-blast survey of their home; Notification shall include a copy of the blasting ordinance.

9. Contractor shall meet with affected property owners in advance of commencement of blast operations to explain blasting operations when requested within five (5) working days of notification.

10. After pre-blast surveys are available to the property owners, there shall be a five (5) working day grace period for property owners to obtain an independent pre-blast survey at their own expense prior to issuance of a permit.

Regardless of distance to nearby facilities, the blasting operations shall be carried out in such a manner that they will not cause fly rock or damage from air blast overpressure or ground vibration. Seismic recordings may be required by the Director. The maximum peak particle velocity at any such recording site must not exceed one inch per second in any one of three mutually perpendicular directions. Proposed specific location(s) of the seismic recording(s) shall be included in the Blasting Plan.

Sec. 77.107 is hereby added to read as follows: PERMITS NONTRANSFERABLE. Permits shall not be transferable.

Sec. 77.108 is hereby added to read as follows: DURATION OF PERMIT. Each permit granted by the city shall be valid for such a period of time as may be specified but not to exceed one (1) year, or until revoked, whichever shall first occur.

Sec. 77.109 is hereby added to read as follows: SEPARATE PERMITS REQUIRED FOR EACH OPERATION. Separate and distinct permits shall be required for each operation listed.

Sec. 77.110 is hereby added to read as follows: APPROVAL SUBJECT TO INSPECTION. Application for a permit to construct or erect facilities for the storage, handling, or use of explosives or blasting agents required in this Article
shall be made in writing to the Director of Public Works. Prior to issuing any permit, the Director of Public Works shall determine that the applicant has a valid user's permit and storage permit issued by the State Fire Marshal. If the applicant has a valid user's permit issued by the State Fire Marshal, the Director of Public Works shall then cause an inspection to be made of the premises and equipment proposed to be used. If said premises and equipment are found to be in compliance with this Article, a statement to that effect shall be included on the application and signed by the person making the inspection. If the Director determins to his or her best information and belief that the requirements of this ordinance have been complied with, he or she shall issue a permit as applied for or under such conditions as he or she shall determine necessary. During the inspection of any premises or equipment in connection with any application for a permit, the Director or his or her designee may inspect premises, buildings, installations, or equipment to determine compliance with the applicable law for the storage, handling, or use of explosives or blasting agents. If a violation of this Article is found to exist, the Director or designee shall file with the owner, occupant, or operator a notice citing the violation and ordering its correction within a specified time period. No permit shall be issued by the Director until he or she has determined that any known violations of this Article have been corrected.

Sec. 77.111 is hereby added to read as follows: INSPECTIONS FOLLOWING ISSUANCE OF PERMIT. As a condition of the issuance of a permit the applicant shall consent that during the period of issuance of the permit the buildings, premises, installations, or equipment in or on which explosives or blasting agents are to be stored, handled or used may be inspected by the Director of Public Works or his or her designee so as to enable the Director or his or her designee to determine that the applicant or holder of the permit is complying with the requirements of this ordinance and any conditions for issuance of the permit. If a violation of this Article is found to exist during any such inspection, the Director or designee shall serve the owner, occupant, or operator with a notice citing the violation and ordering its correction within a specified time period. If such order is not complied with, the Director shall revoke the permit issued for such facility.

Sec. 77.301.1 is hereby added to read as follows: BLASTING OPERATIONS. All blasting operations shall be carried out only by skilled and experienced personnel who are currently licensed by the State of Kansas to conduct blasting operations. A daily blasting log and storage log, if applicable, shall be kept for all blasting operations and be made available for inspection by the Director or other
authority having jurisdiction.

Sec. 77.501 is hereby added to read as follows: APPEALS. Any owner, lessee, agent, operator, or occupant aggrieved by any decision, order or permit issued pursuant to this Article may file an appeal to the City Council. The appeal shall be in written form and shall be made to the Director of Public Works. The Director shall cause the appeal to be heard at the next available City Council meeting. Such appeal shall not stay the execution of any decision, order or permit issued pursuant to this Article until said order has been heard and reviewed, vacated, or confirmed by the City Council. The City Council shall at same hearing confirm, modify, revoke or vacate such decision, order or issuance of permit. Unless revoked or vacated, such decision, order or permit shall then be complied with. Nothing contained in this Article shall be deemed to deny the right of any person, firm, corporation, copartnership, or voluntary association to appeal.

Sec. 77.502 is hereby added to read as follows: COURT APPEALS. No decision, order or permit issued pursuant to this Article shall be stayed by appeal to a court having appellate jurisdiction over the matter unless said court shall enter an order staying the execution of such decision, order or permit.

Sec. 77.503 is hereby added to read as follows: PENALTIES. Any person who fails to comply with the provisions of this Article including but not limited to Uniform Fire Code, Article 77, Explosives and Blasting Agents, as amended, National Fire Protection Association 495 Explosive Materials Code (NFPA 495), 1990 edition, Kansas Administrative Regulations 22-4-2 through and including 22-4-3, Title 27 of the Code of Federal Regulations or with any order of the Director or other authority having jurisdiction issued pursuant thereto shall be subject to the penalties of Section 7-220 of the Code of the City of Leawood.

Section 2. Validity of Ordinance. That the City of Leawood, Kansas, hereby declares that should any article, paragraph, sentence or word of this ordinance be declared for any reason to be invalid, it is the intent of the City of Leawood that it would have passed all other portions of this ordinance independent of the elimination herefrom of any portion as may be declared invalid.

Section 3. Repeal of Existing Section. That existing Section 7-216 of the Code of the City of Leawood is hereby
repealed. (Prior law: Ord. 1190C)

Section 4. 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 18th day of March, 1991
Approved by the Mayor the 18th day of March, 1991

(S E A L)

Attest:

[R. S. Wetzler City Attorney]

[Approve as to Form:]

[R. S. Wetzler City Attorney]
ORD. 1211C

First published in The Legal Record, Tuesday, March 10, 1993.

Ordinance No. 1211C

An ordinance amending the code of the city of Leawood to regulate the manufacture, storage, possession, transportation, sale, and use of explosive materials and blasting agents in the city of Leawood.

It is hereby enacted by the governing body of the city of Leawood:

Section 1. Code Amended. That Section 7-216 of the Code of the City of Leawood is hereby amended to read as follows:

7-216. SAME; ARTICLE 77, EXPLOSIVES AND BLASTING AGENTS. Article 77, Explosives and Blasting Agents, is hereby enacted in its entirety with the following changes and additions:

Sec. 77.01 is hereby added to read as follows:

Responsibility for Enforcement. The Director of Public Works, referred to in this Article as the "Director," shall be responsible for the administration and enforcement of this Article as provided herein. In addition, the Fire and Police Departments shall have authority to enforce the regulations of this Article, and their provisions set forth herein, provided further that the Director shall be notified of any enforcement action taken by Fire or Police Departments.

Sec. 77.02 is hereby added to read as follows:

Application of Article. (a) This Article shall apply to all persons, firms, corporations, partnerships, governmental agencies, and associations storing, handling, or using explosive or blasting agents and to the owner or lessee of any building, premises, or equipment in or on which explosives or blasting agents are stored, handled, or used.

(b) A permit as provided by Section 77.104(a) shall not be required to transport explosives or blasting agents unless the explosives or blasting agents are not being shipped from, or delivered to a location within the corporate boundaries of the City of Leawood, provided that said explosives or blasting agents are being transported in accordance with applicable regulations of the Federal Government, having jurisdiction, including the Federal Department of Transportation.

(c) All provisions of this Article shall apply to all private and public property within the City.

(d) The provisions of this Article shall not be construed to relieve from or lessen the liability of any person, firm, corporation, partnership, governmental agency or association storing, handling, or using the explosive or blasting agents, or to relieve the responsibility of the owner or lessee of any building, premises, or equipment in or on which explosives or blasting agents are stored, handled, or used, nor shall the City or any of its officers be held as responsible for any such liability by reason of the inspections authorized by this Article or any permits or certificates of inspection issued by this Article.

Sec. 77.103.1 is hereby added to read as follows:

PERMIT DEFINED. "Permit" whenever used in this Article means the written authorization of the Director of Public Works and Fire Chief or their designees authorizing any person, firm, corporation, partnership, governmental agency or association to manufacture, store, possess, transport, sell, and use explosive materials and blasting agents.

Sec. 77.104 is hereby added to read as follows:

Pre-Application Conference. At the time an application is obtained a pre-application conference will be scheduled with the Director of Public Works and the Fire Chief to discuss the requirements of this Article, and the expectations of the Public Works Director and the Fire Chief. The pre-application conference shall be scheduled a minimum of three (3) working days prior to submission of the application.

Sec. 77.104.1 is hereby added to read as follows:

Reissuing of Permits. All permits issued in accordance with the provisions of this Article shall, when reissued, be subject to any amendments to this Article.

Sec. 77.104.2 is hereby added to read as follows:

Fee. Each applicant for a permit shall pay to the City at the time of application a nonrefundable application fee of fifty dollars ($50.00).

Sec. 77.105 is hereby amended to read as follows:

Insurance Required. Before a permit is issued, as required by Section 77.104(a), the applicant shall purchase and maintain the following occurrence form insurance coverages:

1. Workers Compensation, Kansas Statutory Coverage shall be provided.

2. Employer's Liability:
   Bodily Injury by Accident $1,000,000 each accident
   Bodily Injury by Disease $1,000,000 policy limit
   Bodily Injury by Disease $50,000 each employee

3. Commercial General Liability:
   Bodily Injury and Property Damage $1,000,000 Combined Single Limit
   $2,000,000 Aggregate

My appointment expires: October 11, 1994

Publication Fees: $96.33

Ord. 1211C
4. Business Automobile Policy:  
   Bodily Injury and Property Damage  
   $1,000,000 Combined Single Limit 
   $1,000,000 Per Person 
   $1,000,000 Per Accident 

Sec. 77.105.1 is hereby added to read as follows:  
   SCALING. Before a permit shall be issued, the applicant shall furnish to the Director of Public Works a scale drawing accompanied by all necessary plans and data showing, among other things, all dimensions and all distances relative thereto. The Director of Public Works shall determine by reference to plans and specifications, buildings, or other facilities within 500 feet of the blasting or excavation work. The scale drawing accompanying an application for permission to erect a building or any structure, shall show the location of buildings and other features in accordance with the requirements of this Act. All plans and specifications for Storage of Explosives. All permit applications which are not accompanied by a scale drawing shall be refused and will not be considered until a drawing has been furnished with the application for permit. In addition, the Director of Public Works shall provide written and oral instructions and standards for the submission of scaled drawings or other portions of the application process.

Sec. 77.103.2 is hereby added to read as follows:  
   BLASTING OPERATIONS. All blasting operations shall be accompanied by a Blasting Plan for the blasting operation. This plan shall include specific information on the operation as follows: 
   - charge weights; 
   - depths; 
   - approach; 
   - protective mats or coverings required; 
   - seismic monitoring to be provided by an independent professional engineer; 
   - reporting directly to the City at least 48 hours prior to blast.

Sec. 77.105.3 is hereby added to read as follows:  
   BLASTING SURVEYS. Pre-blast surveys shall be performed on all buildings within 500 feet of a blast site using experienced blasting engineers or geologists employed by the owner, occupant or owner. Contractor shall provide a complete report to the City and each property owner requesting same at contractor's expense; 
   - written notification of property or utility owner that the pre-blast survey has been completed shall be approved by the City and shall include the following: 
     - notice of intent to blast; 
     - name of blasting contractor; 
     - copy of the pre-blast survey; 
     - insurance company providing coverage for the blasting operation; 
     - and the telephone number of the claim agent; 
   - contractor shall be required to contact the Director of Public Works within 10 days of notification.

9. Contractor shall meet with affected property owners in advance of commencement of blasting operations to explain blasting operations when requested by them in writing at least three days prior to the date of blasting.

 Regardless of distance to nearby facilities, the blasting operations shall be carried out in such a manner that they will not cause fly rock or damage to any property. Any written or verbal objection to this Article, a statement to that effect shall be included—a copy of the blasting ordinance.

Sec. 77.107 is hereby added to read as follows:  
   PERMITS NONTRANSFERABLE. Permits shall not be transferable.

Sec. 77.108 is hereby added to read as follows:  
   DURATION OF PERMIT. Each permit granted by the city shall be effective for a period of time to "exceed one (1)" year, or until revoked, whichever shall first occur.

Sec. 77.109 is hereby added to read as follows:  
   SEPARATE PERMITS REQUIRED. Separate permits shall be required for each operation listed.

Sec. 77.110 is hereby added to read as follows:  
   APPROVAL SUBJECT TO INSPECTION. Application for a permit to use explosives or blasting agents is subject to inspection by the City. The Director of Public Works shall determine that the applicant has a valid permit to use explosives or blasting agents issued by the State Fire Marshal. If the applicant has a valid permit issued by the State Fire Marshal, the Director of Public Works shall then cause an inspection to be made of the premises and equipment proposed to be used. If said premises and equipment are found to be safe and proper, the application and permit shall be issued. If the Director determines that the premises and equipment are not safe and proper, the permit shall be refused.

Section 1. Validity of Ordinance. That the City of Lewes, Delaware, does hereby enact this ordinance to be effective immediately and it shall have all the force and effect of an ordinance.

Section 2. Repeal of Existing Section. That existing Section 7-126 of the Code of the City of Lewes is hereby repealed. (Res. 1990)

Passed by the Council the 18th day of March, 1991.

Approved by the Mayor the 18th day of March, 1991.

[Signature]
Mayor

[Signature]
City Clerk

[Signature]
City Attorney
AN ORDINANCE AMENDING THE LEAWOOD DEVELOPMENT ORDINANCE AS ADOPTED BY REFERENCE BY SECTION 16-201 OF THE CODE OF THE CITY OF LEAWOOD TO PERMIT USE OF CERTAIN ROOFING MATERIALS HAVING THE APPEARANCE OF WOOD.

WHEREAS, the City of Leawood was formed in 1948; and

WHEREAS, prior to the incorporation of the City of Leawood, Homes Associations had been formed in areas which would become parts of the City and which Homes Associations had adopted as a part of their deed restrictions requirements for roofing materials permitting the use of wood shingles, wood shakes, asbestos shingles, slate or tile in single family residential construction; and

WHEREAS, from the time of this incorporation to the present date the City of Leawood has required the use of wood shingles, wood shakes, asbestos shingles, slate or tile in single family residential construction within the City; and

WHEREAS, the City has to the present date permitted only wood shingles, wood shakes, asbestos shingles, slate or tile to be used in single family residential construction in order to promote a high standard of roofing construction which was aesthetically pleasing and consistent in appearance; and

WHEREAS, the Plan Commission and the Governing Body of the City have determined that it is important to protect the quality and appearance of roofing material within the City of Leawood which the residents and owners have come to expect and relied upon as a standard of the City; and

WHEREAS, the Plan Commission and the Governing Body have held public hearings to determine whether roofing materials not previously permitted within the City should be permitted as being consistent with the existing construction and aesthetic standards of the City; and

WHEREAS, after viewing various roofing materials the Governing Body has determined that the highest grade of some composition and other alternative material shingles have an aesthetically pleasing appearance and with certain conditions would be appropriate for use within the City; and

WHEREAS, after conducting their own investigation of roofing material and finding that some alternative roofing materials within limitations should be permitted within the City; and
WHEREAS, the Governing Body remanded back to the Plan Commission for reconsideration of their previous recommendation and to author an ordinance amendment incorporating alternate roofing materials of the highest quality for further consideration by the Governing Body; and

WHEREAS, the Governing Body has determined that certain alternative roofing materials should be permitted but only where such materials are of a high quality consistent with roofing materials allowed to the current date in Leawood and where such materials are of an appearance consistent with aesthetic standards embodied in previous ordinances of the City.

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

Section 1. Leawood Development Ordinance Amended. That Section 3-1 K, Section 3-2 K, and Section 3-3 K of the Leawood Development Ordinance are hereby amended to read as follows:

3-1 K. Type of Construction: Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors, and louvers shall be of wood or metal and glass.

Roofs shall be covered with:

a) Wood Shingles: Number 1 or 2 grade
b) Wood Shakes:
   1) Number 1 or 2 grade
   2) Minimum 1/2 inch thickness measured at butt
c) Slate
d) Clay Tile
e) Concrete Tile
f) Other Tile
   1) Synthetic slate within similar color range of slate, clay or concrete tile.
g) Laminated Composition Shingles:
   1) Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.
   2) Required to be installed with sheet metal valleys and flashings.
   3) Required to be installed with preformed ridge shingles.
   4) Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.
5) Must use a minimum of five (5) color blend granules.
6) Required to be placed on solid decking (solid decking shall be placed directly on roof joist not over existing materials).
7) Minimum thickness 3/16 inch measured at exposed butt end of overlap.
8) Required to be U.L. Class A fire rated material.
9) Required to be a minimum of 330 lbs/square.

Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built up asphalt, or single ply elastomeric membrane.

3-2 K. Type of Construction: Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors, and louvers shall be of wood or metal and glass.

Roofs shall be covered with:
   a) Wood Shingles: Number 1 or 2 grade
   b) Wood Shakes:
      1) Number 1 or 2 grade
      2) Minimum 1/2 inch thickness measured at butt
   c) Slate
   d) Clay Tile
   e) Concrete Tile
   f) Other Tile
      1) Synthetic slate within similar color range of slate, clay or concrete tile.
   g) Laminated Composition Shingles:
      1) Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.
      2) Required to be installed with sheet metal valleys and flashings.
      3) Required to be installed with preformed ridge shingles.
      4) Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.
      5) Must use a minimum of five (5) color blend granules.
      6) Required to be placed on solid decking (solid decking shall be placed directly on roof joist not over existing materials).
7) Minimum thickness 3/16 inch measured at exposed butt end of overlap.
8) Required to be U.L. Class A fire rated material.
9) Required to be a minimum of 330 lbs/square.

Flat roofs or roofs with a pitch of less than 3 inches
per foot, in addition to the materials permitted herein,
for other roofs, may also be covered with metal, built
up asphalt, or single ply elastomeric membrane.

3-3 K. Type of Construction: Exterior walls of all
dwellings shall be of brick, stone, wood, stucco, wood
shingles, wood shakes, wood siding, wood paneling, wood
fiber product paneling, tile or any combination thereof.
Windows, doors, and louvers shall be of wood or metal
and glass.

Roofs shall be covered with:

a) Wood Shingles: Number 1 or 2 grade
b) Wood Shakes:
   1) Number 1 or 2 grade
   2) Minimum 1/2 inch thickness measured at butt

c) Slate
d) Clay Tile
e) Concrete Tile
f) Other Tile
   1) Synthetic slate within similar color range of
      slate, clay or concrete tile.

g) Laminated Composition Shingles:
   1) Architectural shingle with shadow lines and
      or relief imitating a wood shingle or wood
      shake.

   2) Required to be installed with sheet metal
      valleys and flashings.
   3) Required to be installed with preformed
      ridge shingles.
   4) Have the appearance and color range of
      natural weathered cedar shingles or weathered
      cedar shakes.
   5) Must use a minimum of five (5) color blend
      granules.
   6) Required to be placed on solid decking
      (solid decking shall be placed directly on
      roof joist not over existing materials).
   7) Minimum thickness 3/16 inch measured at ex-
      posed butt end of overlap.
   8) Required to be U.L. Class A fire rated mate-
      rial.
9) Required to be a minimum of 330 lbs/square.

Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built up asphalt, or single ply elastomeric membrane.

Section 2. Existing sections repealed. That existing Section 3-1 K, Section 3-2 K, and Section 3-3 K of the Leawood Development Ordinance are hereby repealed.

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

Passed by the Council the 18 day of March, 1991.

Approved by the Mayor the 18 day of March, 1991.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer, City Clerk

Approved as to Form:

R.S. Wetzler, City Attorney
TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and
says that she is Legal Notices Administrator of The Legal Record
which is a newspaper 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 published continuously and uninterrupted in said County and
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 here attached, was published
in all editions of the regular and entire issue for 1 consecutive week(s)
as follows:

3/19/91

[Signature]
Legal Notices Administrator

Subscribed and sworn to before me on this date:
3/19/91

[Signature]
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $66.69
ORD. 1210
First published in The Legal Record, Tuesday, March 19, 1951.

ORDINANCE NO. 1210
AN ORDINANCE AMENDING THE LEAWOOD DEVELOPMENT ORDINANCE AS ADOPTED BY REFERENCE BY SECTION 16-101 OF THE CODE OF THE CITY OF LEAWOOD TO PERMIT USE OF CERTAIN ROOFING MATERIALS

WHEREAS, the City of Leawood was formed in 1948; and

WHEREAS, prior to the incorporation of the City of Leawood, Homes Associations had been active in the area which would become parts of the City and which Homes Associations had adopted as part of their deed restrictions requirements for roofing materials permitting the use of wood shingles, wood shakes, slate or tile in single family residential construction; and

WHEREAS, from the time of this incorporation to the present date the City of Leawood has required the use of wood shingles, wood shakes, slate or tile to be used in single family residential construction in order to promote a high standard of roofing construction which was also aesthetically pleasing and consistent in appearance; and

WHEREAS, the Plan Commission and the Governing Body of the City have determined that it is important to protect the quality and appearance of roofing materials within the City of Leawood which the residents and owners have come to expect and relied upon as a standard of the City; and

WHEREAS, the Plan Commission and the Governing Body have held public hearings to determine whether roofing materials not previously permitted by the City, but which are as aesthetically pleasing as those permitted, could be substituted within the City, and

WHEREAS, after viewing various roofing materials the Governing Body has determined that the highest grade of roof composition and other alternative material shingles have an aesthetically pleasing appearance in areas which would be appropriate for use within the City; and

WHEREAS, after conducting their own investigation of roofing materials and finding that some alternative roofing materials within limitations should be permitted within the City; and

WHEREAS, the Governing Body responded back to the Plan Commission for consideration of their previous recommendation and to authorize an ordinance amendment incorporating alternative roofing materials with the quality for further consideration by the Governing Body; and

WHEREAS, the Governing Body has determined that certain alternative roofing materials should be permitted but only when a high quality standard with roofing materials allowed to the current date in Leawood and where such materials are an appearance consistent with aesthetic standards embodied in previous ordinances of the City.

NOW, THEREFORE, be it ordained by the Governing Body of the City of Leawood:

Section 1. Leawood Development Ordinance Amended. That Section 1-1 K. Section 1-1 K of the Leawood Development Ordinance are hereby amended to read as follows:

1-1-1. Type of Construction. Exterior walls of all dwellings shall be covered with: a) Wood shingles, wood shakes, slate, or tile to be used in single family residential construction in order to promote a high standard of roofing construction which was also aesthetically pleasing and consistent in appearance; b) Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake; c) Synthetic slate within similar color range of slate, clay or concrete tile.

1-1-2. Minimum 1/2 inch thickness measured at butt edge of slates, tiles, and concrete tile. Up to a minimum of 350 lbs/square.

1-1-3. Section 1-1 K, and Section 1-1 L of the Leawood Development Ordinance are hereby repealed.

Section 2. Take Effect. That this ordinance shall take effect and be in force from and after publication in the legal Record.
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 91D, PROJECT 115 (MISSION ROAD, 103RD STREET-COLLEGE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $100,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, 103RD-COLLEGE BOULEVARD, INCLUDING GRADING, REGRADING, CURBING, RECURBING, GUTTERING, 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, SIGNALIZATION, 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 Mission Road, 103rd-College 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. 1204 on February 4, 1991; and

WHEREAS, total cost of improvements to Mission Road, 103rd-College Boulevard, is estimated to be $4,110,000.

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: 20-1,655. 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 91D, Project 115 (Mission Road, 103rd-College 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.

20-1,656. **Section Two:** Said issue of Temporary Notes, Series 91D, Project 115 (Mission Road, 103rd-College Boulevard), shall consist of bearer note number 1 in the denomination of $100,000. Said note shall be dated March 15, 1991, and shall have the stated maturity date of November 1, 1991. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.75% 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.

20-1,657. **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.

20-1,658. **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 Piper, Jaffrey & Hopwood, Inc., the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than 99.85% of the principal amount thereof.

20-1,659. **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 note, 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, 1991, the City has not issued any bonds or obligations;

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 in an aggregate amount in excess of $10,000.00;

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.

20-1,660. **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 March, 1991.

SIGNED by the Mayor this 4th day of March, 1991.

(S E A L)

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
TO:
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziedura, of lawful age, being first duly sworn, deposes and
says that she is Legal Notices Administrator of The Legal Record
which is a newspaper 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 one consecutive week(s)
as follows:

3/5/91

Debra Dziedura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
3/5/91

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $70.25

Ord. No. 1209
ORD. 1209
First published in The Legal Record, Tuesday, March 5, 1991

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUE AND DELIVERY OF TEMPORARY NOTES, SERIES 910, PROJECT 115 (MISSION ROAD, 103RD STREET-COLLEGE BOULEVARD), OF THE CITY OF LAWSON, KANSAS, IN THE AMOUNT OF $500,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENTS OR RECONSTRUCTION OF MISSION ROAD, 103RD-COLLEGE BOULEVARD, INCLUDING GRAADING, RESEEDING, CURBING, RECOVERING, UTERIZING, REFINISHING, REPAIRING, MAINTENANCING, RECONSTRUCTION, CONSTRUCTION, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, WIDENING CURB, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECONSTRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES HERO TO, VIADUCTS, INTERSECTIONS, UNDERPASSES, OVERPASSES, ATOMIC ENSURING, TRAFFIC CONTROL DEVICES, SIGNALIZATION, PEDESTRIAN WAYS, CYCLE WAYS OR OTHER IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the total cost of improvements to Mission Road, 103rd-College Boulevard, is estimated to be $1,129,000.

WHEREAS, the preliminary right-of-way for construction have been acquired by the City and
WHEREAS, the cost of aid improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and
WHEREAS, the City of Lawson is authorized by law to issue temporary notes as provided by K.S.A. 10-133, and K.S.A. 11-607 and all acts amendatory thereto; and
NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWSON:

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 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 Lawson, Kansas, designated Temporary Notes, Series 910, Project 115 (Mission Road, 103rd-College 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 2: Said issue of Temporary Notes, Series 910, Project 115 (Mission Road, 103rd-College Boulevard), shall consist of bearer note number 1 in the denomination of $100,000. Said note shall be dated March 5, 1991, and shall have the stated maturity date of November 1, 1991. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.75% per annum. The notes shall be callable upon 10 days notice as hereafter 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. 10-133, and 11-607 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 Lawson, 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 Lawson, 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 surrender of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least 30 days prior to the redemption date fixed in such notice.

Section 3: 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 Lawson, Kansas, and shall have the seal of said city affixed thereto.

Section 4: The Mayor and City Clerk of Lawson, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance heretofore 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 such as executed and duly registered, said notes shall be binders by the City Clerk and delivered to Piper, Jeffrey & Hopwood, Inc., the original purchasers thereof, upon payment of the purchase price therefor which shall not be less than 99.5% of the principal amount thereof.

Section 5: 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 heretofore described.

The City further covenants and agrees that it will comply with such and every provision of the Tax Reform Act of 1986 that is or may become applicable to the note, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note provided that:

The foregoing provision shall be and become null and void if to the extent that the City shall waive an option 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 exist 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 1898.

CONTINUED ON PAGE 19
ORD. 1209

2. Since January 1, 1991, the City has not issued any bonds or obligations;

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 in an aggregate amount in excess of $10,000.00;

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 4(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(b): 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 March 1991.

SIGNED by the Mayor this 10th day of March 1991.

Marcia Rinehart, Mayor

ATTEST:

Martha Neiser, City Clerk

APPROVED AS TO FORM:

M. B. Wetsler, City Attorney

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:

24-337. 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 91C, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000) which amount does not exceed the total estimated costs of said improvements.

24-338. Section Two: Said issue of Temporary Notes, Series 91C, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 3, each in the denomination of $100,000. Said notes shall be dated March 15, 1991, and shall have the stated maturity date of November 1, 1991. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.87% 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 notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note at maturity.

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 of the particular note chosen for redemption) at any date prior to the stated maturity date of said note by the written notice to known holder or publication of notice at least one time and payment of said note, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

24-339. **Section Three:** 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.

24-340. **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 99.882% of the principal amount thereof.

24-341. **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, 1991, the City has not issued any bonds or obligations;

   The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 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.

24-342. 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 March, 1991.

   SIGNED by the Mayor this 4th day of March, 1991.

   (S.E A L)

   ATTEST:

   (S.E A L)

   (S.E A L)

   APPROVED AS TO FORM:

   (S.E A L)

   R. S. Wetsler, City Attorney

WHEREAS, the Governing Body authorized the improvement or remodel of the Police/Court Building and Fire Station #1 by the approval of Resolution No. 937 on December 9, 1998; and

WHEREAS, the total cost of improvement and remodeling is estimated to be $1,290,000.00; 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. 12-1337 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 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 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 91C, Project 118 (Police/Court Building & Fire Station #1 Remodel), in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000), which amount does not exceed the total estimated costs of said improvements.

SECTION 2: Said issue of Temporary Notes, Series 91C, Project 118 (Police/Court Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 3, each in the denomination of $100,000. Said notes shall be dated March 15, 1999, and shall have the stated maturity date of November 1, 1999. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.65% per annum. The notes shall be callable upon 30 days notice as hereinafter 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, and 12-1337 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 note at maturity.

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 of the particular note chosen for redemption) at any date prior to the stated maturity date of said note by the written notice to the holder or publication of notice at least one day prior to the time and payment of said note, the last publication of such notice or written notification of redemption to the holder to be at least ten days prior to the redemption date fixed in such notice.

SECTION 3: 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 4: 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 99.99% of the principal amount thereof.

SECTION 5: 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 each and ev...
any 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, 1991, the City has not issued any bonds or obligations;

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 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 on 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 Five: 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 March, 1991.

SIGNED by the Mayor this 4th day of March, 1991.

(S. A. L.)

Marcia Rinehart, Mayor

ATTEST:

Martha Heiser, City Clerk

APPROVED TO BE ADOPTED

R. N. Metcalf, City Attorney
ORDINANCE NO. 1207

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 91B, PROJECT 114 (SOMERSET, BELINDER-SAGAMORE), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF SOMERSET, BELINDER-SAGAMORE, INCLUDING GRADING, REGRADING, CURBING, RECURBING, GUTTERING, 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, SIGNALIZATION, 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 Somerset, Belinder-Sagamore, 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. 1131 on October 2, 1989; and

WHEREAS, total cost of improvements to Somerset, Belinder-Sagamore, is estimated to be $859,500.00.

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:

20-1,649. 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 91B, Project 114 (Somerset, Belinder-Sagamore), in the aggregate principal
amount of Two Hundred Thousand Dollars ($200,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1,650. **Section Two:** Said issue of Temporary Notes, Series 91B, Project 114 (Somerset, Belinder-Sagamore), shall consist of bearer notes number 1 and 2, each in the denomination of $100,000. Said notes shall be dated March 15, 1991, and shall have the stated maturity date of November 1, 1991. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.87% 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.

20-1,651. **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.

20-1,652. **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 99.882% of 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 note, 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, 1991, the City has not issued any bonds or 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 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 March, 1991.

SIGNED by the Mayor this 4th day of March, 1991.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66206

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**Proof of Publication**

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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 seven consecutive week(s) as follows:

3/5/91

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:

3/5/91

**SHARON L. YOUNG**

Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $68.37

Ord. No. 1207
WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issue of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-113, and K.S.A. 12-609 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 will be issued and there will be hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, Designated Temporary Notes, Series 31B, Project 114 (Somerset, Belinder-Segments), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 31B, Project 114 (Somerset, Belinder-Segments), shall consist of bearer notes numbered 1 and 2, each in the denomination of $100,000. Said notes shall be dated March 15, 1991, and shall have the stated maturity date of November 1, 1991. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.68% 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; i.e., hereafter. Said notes are authorized by K.S.A. 10-113, and 12-609 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 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 hereinafter described and as provided by law and to cause 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 99.84% of 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 cost and expenses of the improvement hereinafter described.

The city attaches documents and agrees that it will comply with each and every provision of the Tax Reform Act of 1984 that is or may become applicable to the note, including but not limited to any provisions requiring the estates of succession and trusts to purchase bonds or accounts created with respect to the note. However, the foregoing provision shall be void and null and void if and to the extent that the City shall receive an option from nationally recognized bond counsel which concludes that compliance with the foregoing covenant 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, 1991, the City has not issued any bonds or obligations;

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 in an aggregate amount in excess of $10,000.00.

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 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 in any way provide such proceeds for any company 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 365 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 4th day of March, 1991.

EFFECT: Held by the Mayor this 4th day of March, 1991.

MARCUS M. RIVERS
Mayor

NELLIE WILSON
City Clerk

APPROVED AS TO FORM

H.L. WATTS, City Attorney
ORDINANCE NO. 1206

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEM- PORARY NOTES, SERIES L.I.D. 88-1-91A, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $700,000 TO PROVIDE TEMPORARY FI- NANCING 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:

20-1,643. 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. 88-1-91A, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Seven Hundred Thousand Dollars ($700,000), which amount does not exceed the total estimated costs of said improvements.

20-1,644. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-91A, Project 113, shall consist of bearer notes numbered from 1 through 7 inclusive,
each in the denomination of $100,000. Each of said notes shall be dated March 15, 1991, and shall have the stated maturity date of November 1, 1991. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.70% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,645. Section Three: 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.

20-1,646. 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 Piper, Jaffrey & Hopwood, Inc., the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than 99.78% of 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, 1991, the City has not issued any bonds or obligations.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1991 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 March, 1991.

SIGNED by the Mayor this 4th day of March, 1991.

(S E A L)  

[Signature]  

Marcia Rinehart, Mayor

ATTEST:  

[Signature]  

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

[Signature]  

R. S. Wetzel, City Attorney
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

3/5/91

Subscribed and sworn to before me on this date:
3/5/91

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $70.25

Ord. No. 1206
any 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 foreclosing 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 foreclosing 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 subdivi-
sion in existence since 1948;
2. Since January 1, 1991, the City has not issued any bonds or obliga-
tions;
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 tempo-
rary notes to be retired with the proceeds of said temporary notes and bonds to
retain said temporary notes;
4. No portion of the proceeds of the sale of the notes will be issued to or will
be used for such proceeds or the improvements in any manner used in the trad-
ge 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 Five: The full faith, credit and resources of the City of
Lawson, Kansas, shall be and are hereby irrevocably pledged for the
prompt payment of said notes and the interest thereon.

Section Six: 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 Lawson, Kansas, this 4th
day of March, 1991.

SIGNED by the Mayor this 4th day of March, 1991.

[City Seal]

Marcia Blinohert, Mayor

WHEREAS, total cost of improvements to Mission Road, 103rd-College
Boulevard, is estimated to be $4,110,000.

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 Lawson is authorized by law to issue temporary notes
as provided by K.S.A. 10-123, and K.S.A. 12-449 and all acts amendatory thereto.

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

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 Lawson, Kansas, designated Temporary Notes, Ser-
ies 910, Project 115 (Mission Road, 103rd-College Boulevard), 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 910, Project
115 (Mission Road, 103rd-College Boulevard), shall consist of bearer note number 1
in the denomination of $100,000. Said note shall be dated March 15, 1991, and
shall have the stated maturity date of November 1, 1991. The notes shall bear
interest from the dated date, payable at maturity or upon redemption prior
terme at an interest of 4.75% per annum. The notes shall be callable
upon 10 days notice as hereinafter provided and shall be redeemed and canceled
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 12-449 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 Lawson, Kansas, upon presentation and surren-
der of said notes. The principal of said notes shall be payable at maturity from
date of notes.

The City of Lawson, 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 notifica-
tion of redemption to the last known holder to be at least ten days prior to the
redemption data 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 data.
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 Lawson, Kansas, and shall
have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Lawson, Kansas, are
hereby authorized and directed to prepare and execute said temporary notes hereinafter
authorized to be issued in the form and substance hereinafore described and as
provided by law and to prepare 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 reg-
istered and when registered, said notes shall be countersigned by the City Clerk
delivered to Piper, Jeffrey & Hopwood, Inc., the original purchaser thereof,
upon payment of the purchase price therefor which shall not be less than 99.95%
of the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be depos-
ited 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 ev-
ery provision of the Tax Reform Act of 1986 that is or may become applicable to
the note, including but not limited to any provisions requiring the rebate of ex-
cess earnings on funds or accounts created with respect to the notes; provided,
however, the foreclosing 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 foreclosing covenant and the provi-
sions of the Tax Reform Act of 1986 as provided in this section shall not be
required to retain said 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 subdivi-
sion in existence since 1948.
ORDINANCE NO. 1205

AN ORDINANCE REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 123RD STREET AND MISSION ROAD (B.S.D. ESTATES) FROM REC (PLANNED RECREATION DISTRICT) TO R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

18-133. Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

Beginning at the Northwest corner of the Southwest One-Quarter of Section 22, Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas; thence North 87°40'51" East along the North line of said Southwest One-Quarter a distance of 313.67 feet to a point; thence South 00°00'00" East a distance of 100.25 feet to a point; thence South 90°00'00" East a distance of 42.20 feet to a point; thence South 47°13'00" East a distance of 190.31 feet to a point; thence South 47°47'00" West a distance of 56.37 feet to a point; thence South 87°31'00" West a distance of 109.04 feet to a point; thence South 43°30'00" West a distance of 121.45 feet to a point in the East line of Lot 27, Block 25 of Leawood South Sixth Plat; thence North 35°03'00" West along the East line of said Lot 27, a distance of 114.51 feet to the Northeast corner of said Lot 27; thence South 88°12'08" West along the North line of said Lot 27 and its Westerly prolongation thereof, a distance of 175.03 feet to a point in the West line of the said Southwest One-Quarter; thence North 01°47'52" West along the West line of said Southwest One-Quarter, a distance of 271.08 feet to the Point of Beginning and containing 2.586 acres, more or less.

now zoned REC, is hereby rezoned to R-1.

18-134. Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

18-135. Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".
Section 4. 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 19th day of February, 1991.

Approved by the Mayor the 19th day of February, 1991.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzie
City Attorney
ORDINANCE NO. 1205

AN ORDINANCE REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 123RD STREET AND MISSION ROAD (B. & B. ESTATES) FROM REC (PLANNED RECREATION DISTRICT) TO R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

Beginning at the Northwest corner of the Southwest One-Quarter of Section 22, Township 11 South, Range 25 East, in the City of Leawood, Johnson County, Kansas; thence North 87°40'51" East along the North line of said Southwest One-Quarter a distance of 113.67 feet to a point; thence South 00°00'00" East a distance of 100.25 feet to a point; thence South 90°00'00" East a distance of 48.60 feet to a point; thence North 47°00'00" East a distance of 190.31 feet to a point; thence South 47°00'00" West a distance of 56.67 feet to a point; thence South 89°31'00" West a distance of 109.04 feet to a point; thence South 43°54'00" West a distance of 121.45 feet to a point in the East line of Lot 27, Block 25 of Leawood South Sixth Plat; thence North 25°03'00" West along the East line of said Lot 27, a distance of 114.51 feet to the Northeast corner of said Lot 27; thence South 89°12'00" West along the North line of said Lot 27 and its Wastarly prolongation thereof, a distance of 175.03 feet to a point in the West line of the said Southwest One-Quarter; thence North 01°47'52" West along the West line of said Southwest One-Quarter, a distance of 271.08 feet to the Point of Beginning and containing 2.586 acres, more or less.

now zoned REC, is hereby rezoned to R-1.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 19th day of February, 1991.

Approved by the Mayor the 19th day of February, 1991.

(S E A L)

Mayor

Attest:

City Clerk

APPROVED AS TO FORM: 

R.S. Wettler

City Attorney
ORDINANCE NO. 1204

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF MISSION ROAD, A MAIN TRAFFICWAY FROM 103RD STREET TO COLLEGE BOULEVARD, 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 Mission Road 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, re-grading, 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, pedestrian ways, bicycle ways, or other improvements or any two or more of such improvements or re-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 improvements or re-improvements 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 obligation bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and re-improve certain portions of Mission Road from 103rd street to College Boulevard 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:

20-1,641. Section 1. It is hereby deemed and declared to be necessary to improve and re-improve certain portions of Mission Road from 103rd street to College Boulevard 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 re-improvements, including construction, engineering fees, acquisition of right-of-way and easements, contingencies, administrative expenses and expenses of financing the improvements or re-improvements, is $4,110,000, 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 4th day of February, 1991.

Approved by the Mayor this 4th day of February, 1991

Marcia Rinehart Mayor

Martha Heizer City Clerk

R. G. Wetzler City Attorney
ORD. 1204
First published in The Legal Record, Tuesday, February 5, 1991.

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF MISSION ROAD, A MAIN TRAFFICWAY FROM 103RD STREET TO COLLEGE BOULEVARD, WITHIN THE CITY OF LEAWOOD AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF.

WHEREAS, the City of Leawood has previously by Section 14-10 of the "Code of the City of Leawood, Kansas, 1984", designated that portion of Mission Road which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685;

WHEREAS, K.S.A. 12-685 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, curving, recuring, curving, realigning, restriping, constructing, reconstructing, opening, widening, extending, realigning corners, straightening, relocating, construction or reconstruction of any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts, storm drains, trafficway illumination, traffic control devices, pedestrian ways, bicycle ways, or other improvements or any two or more of such improvements or re-improvements and the acquisition of right-of-way by purchase or condemnation when necessary for any of such purposes;

WHEREAS, K.S.A. 12-689 provides that all costs of improvements or re-improvements authorized under the provisions of K.S.A. 12-687, including acquisition of right-of-way, engineering fees, 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 obligation bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and re-improve certain portions of Mission Road from 103rd street to College Boulevard 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:

SECTION 1. It is hereby deemed and declared to be necessary to improve and re-improve certain portions of Mission Road from 103rd street to College Boulevard located within the City of Leawood, and it is hereby authorized, ordered, and directed, that said main trafficway improvements be done in accordance with the authority of K.S.A. 12-687.

SECTION 2. The total estimated cost of the above described main trafficway improvements or re-improvements, including construction, engineering fees, acquisition of right-of-way and assessments, contingencies, administrative expenses and expenses of financing the improvements or re-improvements, is $411,000, 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 in force from and after its passage and approval and publication one time in the official City newspaper.

Passed by the Council the th day of February, 1991.

Approved by the Mayor this th day of February, 1991

(S E A L) Mayor

Martha Rinehart

Attest:

Kathy Havens

City Clerk

APPROVED AS TO FORM

/by R.S. Metzler

R. S. Metzler

City Attorney

BACK ISSUES are available. Call 780-5747

Visa/Mastercard
ORDINANCE NO. 1203

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF 135TH STREET (K150), A MAIN TRAFFICWAY, PHASE I, 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 135th Street (K150) 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 reconvert or cause to be improved or reconverted, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-685 et seq., and such improvement or reconversion may include grading, regrading, curbing, recurb ing, 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 reconverts 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 reconverts 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 obligation bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reconvert certain portions of 135th Street (K150) 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:

20-1,639. Section 1. It is hereby deemed and declared to be necessary to improve and reconvert certain portions of 135th Street (K150) located within the City of Leawood, and it is hereby authorized, ordered, and directed that said main trafficway

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improvements, Phase I, be done under the authority of K.S.A. 12-687

20-1,640. 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 $6,850,400, of which an estimated $3,146,400 will be the City's share of the improvement and shall be chargeable to the City at large and may 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 4th day of February, 1991.

Approved by the Mayor this 4th day of February, 1991

Marcia Rancho
Mayor

ATTEST:

Martina Heizer
City Clerk

APPROVED AS TO FORM

R. S. Wetzler
City Attorney
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:

Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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 hereon attached, was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

2/5/91

Legal Notices Administrator

Subscribed and sworn to before me on this date: 2/5/91

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires: October 11, 1994

Publication Fees: $27.42

ORD. 1203

First published in The Legal Record, Tuesday, February 6, 1991.

ORDINANCE NO. 1203

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF 135TH STREET (K150), A MAJOR TRAFFICWAY, PHASE 1, WITHIN THE CITY OF LEAWOOD AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF.

WHEREAS, the City of Leawood has previously, by Section 14-108 of the "Code of the City of Leawood, Kansas, 1994" designated that portion of 135th Street (K150) which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-665; and

WHEREAS, K.S.A. 12-667 provides that the Governing body of any city shall have power to improve or reimprove or cause to be improved or reapproved, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-665 at seq., and such improvement or reimprovement may include grading, regressing, curbing, curcurbing, guttering, wittering, paving, repaving, macadamizing, reconstructing, opening, widening, extending, rounding corners, straightening, relocating, constructing or reconstruction of any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts, storm drains, traffic safety illumination, traffic control devices, sidewalks, bicycle ways, or other improvements or any two or more of such improvements or re improvements and the acquisition of right-of-way by purchase or condemnation when necessary for any of such purposes; and

WHEREAS, K.S.A. 12-669 provides that all costs of improvements or re improvements authorized under the provisions of K.S.A. 12-667, including acquisition of right-of-way, engineering, and other costs, all of which costs shall be attributed to such projects, shall be paid by the City at large and may be funded among others, by the issuance of general obligation bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reapprove certain portions of 135th Street (K150) as provided by and under the authority of K.S.A. 12-667, and to provide for the payment of the costs thereof as provided by and under the authority of K.S.A. 12-669.

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

SECTION 1. It is hereby deemed and declared to be necessary to improve and reapprove certain portions of 135th Street (K150) located within the City of Leawood, and it is hereby authorized, ordered, and directed that said main trafficway improvements, Phase I, be done under the authority of K.S.A. 12-667.

SECTION 2. The total estimated cost of the above described main trafficway improvements or re-improvements, including construction, engineering fees, acquisition of right-of-way and assessments, contingencies, administrative expenses and expenses of financing the improvements or re-improvements, is $1,880,400, of which an estimated $1,274,400 will be the City's share of the improvement and shall be chargeable to the City at large and may be paid by the issuance of general obligation bonds of the City of Leawood under authority of K.S.A. 12-669.

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 5th day of February, 1991.

Approved by the Mayor the 5th day of February, 1991

(M.S.)

Marcia Rhinard
Mayor

ATTEST:

Martha Neizer
City Clerk

APPROVED AS TO FORM

/s/ R.I. Metzer
R. I. Metzer
City Attorney
ORDINANCE NO. 1202

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF THE INTERSECTION AT STATE LINE ROAD AND 92ND STREET, A MAIN TRAFFICWAY, 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 State Line Road 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 or 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, recuring, 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 obligation bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove the intersection of State Line Road at 92nd Street 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:

20-1,637. Section 1. It is hereby deemed and declared to be necessary to improve and reimprove the intersection of State Line Road at 92nd Street 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

20-1,638. **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 $261,900, and the City's share, estimated to be $75,900, shall be chargeable to the City at large and may 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 4th day of February, 1991.

Approved by the Mayor this 4th day of February, 1991

Marcia Rinehart
Mayor

ATTEST:

Martha Heizer
City Clerk

APPROVED AS TO FORM

R. G. Wetzler
City Attorney
ORT. 1202
First published in The Legal Record, Tuesday, February 5, 1991.

ORDINANCE NO. 1202

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF THE INTERSECTION AT STATE LINE ROAD AND 92ND STREET AS A MAIN TRAFFICWAY, 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 State Line Road which is 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 at its discretion and such improvement or re-improvement may include grading, regrading, curbing, curbing, guttering, gutters, roadway surfacing, paving, repaving, macadamizing, resurfacing, reconstructing, re-construction, opening, widening, extending, rounding corners, straightening, relocating, construction or reconstruction of any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts, storm drains, trafficway illumination, traffic control devices, pedestrian ways, bicycle ways, or other improvements or any two or more of such improvements or re-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 improvements or re-improvements 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 paid among others, by the issuance of general obligation bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and re-improve the intersection of State Line Road at 92nd Street 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.

BE IT ENACTED by the Governing Body of the City of Leawood, Kansas:

SECTION 1. It is hereby declared necessary and authorized, ordered, and directed that 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 re-improvements, including acquisition of right-of-way and appurtenances, shall be $78,500, and the City's share, estimated to be $78,500, shall be chargeable to the City at large and may 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 the date hereof and after its passage and approval and publication one time in the official city newspaper.


Approved by the Mayor this 1st day of February, 1991.

[Signature] [Date]
Mayor

ATTEST:

[H. A. Krieger City Clerk]

APPROVED AS TO FORM:

[Signature] [Date]
A. S. Wetzel City Attorney
ORDINANCE NO. 1201

AN ORDINANCE ACCEPTING AN EASEMENT FOR STORM DRAINAGE PURPOSES.

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

19-6,233. **Section 1.** That the City of Leawood hereby accepts a permanent drainage easement, along with the restrictions and reservations set forth therein, granting the City of Leawood a permanent easement as described as follows for the location of a storm drainage facility:

From Ninety-Five West, L.P.: All that part of Lot 14, CAMELOT COURT SHOPPING CENTER, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of said Lot 14; thence Southerly, along the easterly line of said Lot 14, a distance of 40 feet; thence Northwesterly, to a point on the Northerly line of said Lot 14 and 65 feet Easterly of the Northwest corner thereof, as measured along said Northerly line; thence Easterly, along the Northerly line of said Lot 14, to the point of beginning.

19-6,234. **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 January, 1991.

Approved by the Mayor the ___ day of January, 1991.

(S E A L)

Marcia Rinehart  Mayor

Attest:

Martha Heizer  City Clerk

APPROVED AS TO FORM:  R.S. Wetzler  City Attorney
This agreement made and entered into this 24th day of September, 1990, by and between Ninety-Five West, L.P., a Delaware limited partnership, successor in interest to Ninety-Five West Company, a Missouri general partnership and to Frank Morgan, an individual, c/o MD Management, Inc., 260 N.E. Barry Road, Kansas City, MO 64155, 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 14, CAMELOT COURT SHOPPING CENTER, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of said Lot 14; thence Southerly, along the easterly line of said Lot 14, a distance of 40 feet; thence Northwesterly, to a point on the Northerly line of said Lot 14 and 65 feet Easterly of the Northwest corner thereof, as measured along said Northerly line; thence Easterly, along the Northerly line of said Lot 14, to the point of beginning.

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

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

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

NINETY-FIVE WEST, L.P.,
a Delaware limited partnership

By: MD Management, Inc., a Missouri corporation, its authorized general partner

By: ____________________________

Name: Mark A. Morgan
Title: Vice President

ATTORNEYS (Seal)

Name: Norman A. Smith
Title: Asst. Secretary
INDIVIDUAL ACKNOWLEDGMENT

STATE OF: 
COUNTY OF: 

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

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

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

My Commission Expires:

Notary Public

CORPORATE ACKNOWLEDGEMENT

STATE OF MISSOURI: 
COUNTY OF CLAY:

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

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

Notary Public
TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:

Debra Dzidura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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 1 consecutive week(s) as follows:

1/29/91

Debra Dzidura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
1/29/91

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $14.08

Ordinance No. 1201
ORDINANCE NO. 1200

AN ORDINANCE ACCEPTING A DEED FOR STREET PURPOSES (95TH STREET IMPROVEMENTS, STATE LINE ROAD TO WENONGA).

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

19-5,115. 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 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.

19-5,116. 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 21st day of January, 1991.

Approved by the Mayor the 21st day of January, 1991.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzel
City Attorney
KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this 19th day of December, 1990, by and between

WALTER P. BACHER AND MARGUERITE R. BACHER, 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 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 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 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.

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 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 seal this the day and year first above written.

[Signature]
Walter P. Bacher
Beverly L. Bacher

Marguerite R. Bacher

Johnson County Clerk
INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS: SS.
COUNTY OF JOHNSON:

BE IT REMEMBERED, That on the 19 day DECEMBER, 1990, before me, the undersigned, a Notary Public in and for said County and State,

came Walter P. Bacher and Marguerite R. Bacher

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: 01-25-91

JULIE A. BUTLER
My Appt. Exp. 01-25-91

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 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 9-18-91 JAN-7 P 3:29.2

SARA F. ULLMANN
REGISTER OF DEEDS

BY DEP.
TO:
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and
says that she is Legal Notices Administrator of The Legal Record
which is a newspaper 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 one consecutive week(s)
as follows:

1/29/91

[Signature]
Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
1/29/91

[Signature]
Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $14.82
ORDINANCE NO. 1199 C

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ARTICLE 4 OF CHAPTER 15 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO SOLID WASTE MANAGEMENT.

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

Section 1. Code Amended. That Section 15-402 of the Code of the City of Leawood is hereby amended to read as follows:

15-402. DEFINITIONS. For the purposes of this article, the following terms, phrases, words and their derivation shall have the meanings given in this section:

(1) Agricultural Waste. Solid waste resulting from the production of farm or agricultural products.

(2) Air Pollution. The presence in the outdoor atmosphere of one or more air contaminants in such quantities and duration as is, or tends significantly to be, injurious to human health or welfare, animal or plant life, or property, or would unreasonably interfere with the enjoyment of life or property.

(3) Approved container. All containers designed for the disposal of solid waste which may include cans and recycling containers. All such containers shall be of rigid construction with tight fitting covers and be water tight. Yard waste may be placed in other suitable containers. Containers shall have a maximum capacity of 55 gallons and be so constructed as to adequately contain all contents placed therein without spillage, leakage or emission of odors while awaiting collection. The weight of any individual container and its contents shall not exceed 75 pounds.

(4) Bulky Waste. Items either too large or too heavy to be loaded in solid waste collection vehicles with safety and convenience by solid waste collectors, with the equipment available therefor, including but not limited to appliances, furniture, large auto parts, trees, etc.

(5) City. The City of Leawood, Kansas


(7) Collection. Removal and transportation of solid waste from its place of storage to its place of processing or disposal.

(8) Collector. Any person, public or private, engaged in collecting solid waste.

(9) Combined Refuse Collection. The collection of mixed refuse (putrescible and nonputrescible).

(10) Combined Solid Waste. Solid waste containing both garbage and rubbish (see mixed refuse).

(11) Commercial Waste. Solid waste emanating from
establishments engaged in business. This category includes, but is not limited to solid waste originating in stores, markets, office buildings, restaurants, shopping centers, theaters and schools.

(12) **Commissioners.** The Johnson County Board of County Commissioners.

(13) **Composting.** A controlled process of microbial degradation of organic material into stable, nuisance free humus-like product.

(14) **Construction Waste.** Waste building materials and rubble resulting from construction, remodeling or repair operations on houses, commercial buildings, or other structures and pavements.

(15) **Contractor.** The person or corporation holding a valid SWMS contract, whether public or private operation.

(16) **Demolition Waste.** Waste material from the destruction of residential, industrial or commercial structures.

(17) **Department.** The Kansas State Department of Health.

(18) **Disposable Solid Waste Container.** Approved containers which are designed to be disposed of with the solid waste contained therein.

(19) **Disposal.** Depositing solid waste in or at a facility approved by the City, Johnson County SWMP and the Kansas State Board of Health for such purpose.

(20) **Dump.** A collection or consolidation of solid waste from one or more sources at a central disposal site which does not meet standards for proper disposal.

(21) **Dwelling Unit.** Any room or group of rooms located within a structure, and forming a single habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking and eating.

(22) **Engineer.** The Johnson County Engineer, designate and his or her department.

(23) **Garbage.** The animal and vegetable waste resulting from the handling, processing, storage, packaging, preparation, sale, cooking and serving of meat, produce and other foods, including unclean containers.

(24) **Hazardous Waste.** Solid and liquid waste which requires special handling and disposal to protect and conserve the environment and human health including, but not limited to, pesticides, acids, caustic, pathological waste, radioactive materials, flammable or explosive materials, oils and solvents, and similar organic and inorganic chemicals and materials, containers and materials that have been contaminated with hazardous waste.

(25) **Incineration.** The controlled process of burning solid and/or liquid waste.

(26) **Leawood Integrated Solid Waste Management Program.** A combination of the collection of household waste and same day curbside recycling. This represents the entire process of collecting, sorting, storing, processing, recycling, reclaim-
ing and disposing of refuse.

(27) **License.** The permission for a contractor to be allowed to operate SWMS vehicles or facilities within the City upon payment of a specified fee upon meeting licensing requirements of the City and County.

(28) **Mixed Refuse.** A mixture of solid waste containing putrescible and nonputrescible materials. (See Combined Solid Waste).

(29) **Nuisance.** Anything which (1) is injurious to health or is offensive to the senses or any obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property, and (2) affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and (3) occurs during or as a result of the handling or disposal of solid waste.

(30) **Official Adopted Solid Waste Management Plan.** Referred to herein as "Official Plan" and "Official Plan for Solid Waste Management" means a comprehensive plan for the provision of an adequate solid waste management system adopted by any authority to provide such a system or having jurisdiction over the provision of such system, and submitted to and approved by the department as provided in K.S.A. 65-3405 and acts amendatory thereto.

(31) **Occupant.** Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or any other improved real property, either as owner, guest, or as a tenant, either with or without the consent of the owner thereof.

(32) **Owner.** Any person who, alone or jointly or severally with others, has legal title to, or sufficient proprietary interest in, or have charge, care or control of any dwelling unit or any other improved real property, as title holder, as employee or agent of the title holder, or as landlord or manager or as trustee or guardian of the estate or person of the title holder.

(33) **Person.** Individual, partnership, corporation, institution, political subdivision, homes association or state agency.

(34) **Putrescible Waste.** Organic wastes which progressively decompose with the production of foul smelling compounds and/or material that attracts insect or animal life.

(35) **Refuse.** (See Solid Waste).

(36) **Rubbish.** Nonputrescible solid wastes consisting of combustible and/or noncombustible waste materials from: dwelling units, commercial, industrial, institutional, or agricultural establishments, including yard wastes and items commonly referred to as "trash".

(a) Bulky rubbish - (See Bulky Waste)

(b) Commercial rubbish - rubbish resulting from
commercial, industrial, institutional, or agricultural activities.

(c) Residential rubbish - rubbish resulting from the maintenance and operation of dwelling units.

(37) Sanitary Landfill. An area on which solid waste is dispersed or on the land without creating nuisances or hazards to the public health or safety by confining refuse to the smallest practical area, compacting it to the smallest practical volume by employing power equipment, and covering it with a layer of compacted earth or other suitable cover material at the conclusion of each day's operation.

(38) Service. The useful result; the product of labor and machines in property and effective management to dispose of solid waste.

(39) Solid Waste. Unwanted or discarded waste materials in a solid or semi-liquid state, including but not limited to refuse, garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural wastes, yard wastes, demolition and construction wastes and digested sludges resulting from the treatment of domestic sewage or a combination thereof.

(a) Commercial solid waste - solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment.

(b) Residential solid waste - solid waste resulting from the maintenance and operation of dwelling units.

(40) Solid Waste Container. Any receptacle used by any person to store solid waste during the interval between solid waste collections.

(41) Solid Waste Disposal Area. Also referred to herein as "disposal area" or "disposal site", means any area used for the disposal of refuse from more than one residential premise, or one or more commercial, industrial, manufacturing, or municipal operations.

(42) Solid Waste Management System (SWMS). The entire process of storage, collection, transportation, processing, and disposal of solid waste by any person engaging in such process as a business, or any city, authority, county or any combination thereof.

(43) SWM. Solid Waste Management.

(44) SWMC. Johnson County Solid Waste Management Committee.

(45) SWMP. The approved and adopted Solid Waste Management Plan for Johnson County.

(46) Solid Waste Processing Facility. Also referred to herein as "processing facility" means incinerator, compost plant, transfer station or any other facility where solid wastes are consolidated, temporarily stored or processed prior to being transported to a final disposal site.

(47) Storage. Keeping, maintaining or storing solid waste from the time of its production until the time of its collection.

(48) Temporary Storage. Proper accumulation and storage
of solid waste between regularly scheduled refuse collection intervals.

(49) **Transfer Station.** A facility used as an adjunct to solid waste collection system. Such a facility may be fixed or mobile and may include recompaction of solid waste.

(50) **Vector (Of Disease).** An animal or insect having the capability of transmitting infectious diseases from one person or animal to another by biting the skin or mucous membrane or by depositing the infective material on the skin, on food, or on another object.

(51) **Water Pollution.** Contamination, or other alteration of the physical, chemical or biological properties of any waters of the city or state as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to public health safety or welfare, or to the plant, animal or aquatic life of the city or state or to other legitimate beneficial uses.

(52) **Waters of the City or State.** All streams, creeks, and springs, and all bodies of surface or ground water, whether natural or artificial, within the boundaries of the state.

(53) **Yard Wastes.** All forms of botanical waste, including but not limited to grass clippings, leaves, tree trimmings, etc.

**Section 2. Code Amended.** That Section 15-404 of the Code of the City of Leawood is hereby amended to read as follows:

15-404. **COLLECTION AND DISPOSAL OF SOLID WASTE.** The City shall provide or allow for the collection of all residential solid waste as follows:

(a) The City shall provide for or establish the parameters by which all solid waste is collected and disposed of in the City. The City provides for the collection of solid waste by authorizing others, including, but not limited to, homes associations, commercial and retail establishments and other non-residential establishments to be responsible for providing for the collection of solid waste and complying with all applicable restrictions, regulations and property maintenance codes.

(b) Following the effective date of this ordinance, all persons contracting to provide the service of collecting and transporting residential solid waste in the City of Leawood shall offer an integrated solid waste management program which shall include collection of household waste and same day curbside recycling, and shall meet all the licensing requirements and regulations of the City. No permit shall be issued to any person to engage in the business of collecting, transporting or processing of solid waste within the City unless said person shall first provide the City with copies of
the contracts for said collection and transportation of residential solid waste which contracts if entered into or amended following the effective date of this ordinance shall include agreement to collect and transport solid waste in accordance with an integrated solid waste management program approved by the City and the provisions of this ordinance. Every hauler shall periodically provide documentation to their clients substantiating the method by which the recyclables were disposed of, weight and/or volume of recyclables collected and compensation received for the recycled materials.

Section 3. Code Amended. That Section 15-407 of the Code of the City of Leawood is hereby amended to read as follows:

15-407. PERMITS. (a) Any person engaging in the business of collecting, transporting or processing of solid waste within the corporate limits of the City shall first obtain a permit from the City Clerk. Each applicant for any such permit shall state in his or her application the following:

1. The nature of the permit desired (storage, collection and/or transportation of solid waste or any combination thereof);
2. The characteristics of solid waste to be collected and transported;
3. The number of solid waste vehicles and equipment to be operated thereunder;
4. The precise location or locations of solid waste processing or disposal for service to be used;
5. The information sufficient to establish that the permittee in contracting to collect and transport solid waste within the City has agreed that said collection and transportation will be in accordance with the provisions of 15-404 (b) of this ordinance;
6. An agreement to indemnify and hold the City harmless for any claims which may be made against the City as a result of the failure of the permittee to transport, dispose, or process solid waste collected within the City in compliance with this ordinance, state or federal law;
7. Such other information as required by the City Clerk as may be reasonably necessary to determine that the operations of the permittee will be conducted in compliance with the provisions of this ordinance.

(b) Permits will be issued on a client-by-client basis. A permit will not be issued for collection of solid waste for those clients who have not agreed to expand their service to include all aspects of the integrated solid waste management program.

(c) If the application shows that the applicant will collect and transport solid waste without hazard to the
public health or damage to the environment and in conformity with the Johnson County Solid Waste Management System, the laws of the State of Kansas, and of this article, the City shall issue the permit authorized by this article. The permit shall be issued for the period of one year, and each applicant shall pay a fee of $25 for each collection vehicle to be used in the City. The application must clearly show that the collection and transportation of solid waste will create no public health hazard or be without harmful effects on the environment. If such a showing is not made by the applicant, the City Clerk shall deny the application and not issue the permit. The applicant may appeal the refusal of the City Clerk to issue the application to the Governing Body. The Governing Body, after a hearing, may by majority vote, order the City Clerk to issue the permit. Nothing in this section shall prejudice the right of the applicant to reapply at a later date for a permit.

(d) Permits shall not be required for the removal, hauling or disposal of demolition or construction wastes; however, all such wastes shall be conveyed in tight vehicles, trucks or receptacles, so constructed and maintained to prevent the material being transported from spilling upon the public highways.

(e) Before a valid permit and occupation license shall be issued by the City, the applicant must furnish the City a list of his/her clients (homes associations, commercial and retail establishments and other non-residential establishments) in the City, a copy of the contract substantiating that a recycling program has been offered and accepted, and substantiation of the method by which recyclables were disposed of, weight and/or volume of recyclables collected and compensation received in the previous year. In addition, the applicant must furnish the City a certificate of insurance showing a minimum public liability insurance coverage of at least $250,000 for each person injured or killed, and in an amount not less than $500,000 in the event of injury or death of two or more persons in any single accident, and an amount not less than $200,000 for damage to property. In the event the insurance is canceled during the term of the permit, the insurance carrier shall notify the City in writing no less than 10 days prior to the effective date of such cancellation. The certificate of insurance shall provide that the insurance company agrees to so notify the City, and further, the insurance policy shall contain written provisions which shall place the responsibility for the 10-day written notification upon the company issuing the policy in order that the coverage be considered proper.

Section 4. Validity of Ordinance. That 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 5. Repeal of Existing Sections. That existing Sections 15-402, 15-404, and 15-407 of the Code of the City of Leawood are hereby repealed. (Prior law: Ord. No. 1161C).

Section 6. 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 21st day of January, 1991.
Approved by the Mayor the 21st day of January, 1991.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzler
City Attorney
TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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 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:

1/29/91

[Signature]
Legal Notices Administrator

Subscribed and sworn to before me on this date:
1/29/91

[Signature]
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $111.15

Ordinance No. 1199C
refuse (putrescible and nonputrescible).
(11) Commercial Waste. Solid waste emanating from establishments engaged in business. This category includes, but is not limited to solid waste originating in stores, markets, office buildings, restaurants, shopping centers, theaters and schools.
(12) Commissioners. The Johnson County Board of County Commissioners.
(13) Composting. A controlled process of microbial degradation of organic material into stable, nuisance free, humus-like product.
(14) Construction Waste. Waste building materials and rubble resulting from construction operations on houses, commercial buildings, or other structures and pavements.
(15) Contractor. The person or corporation holding a valid SWM contract, whether public or private operation.
(16) Demolition Waste. Waste resulting from the destruction of residential, industrial or commercial structures.
(17) Department. The Kansas State Department of Health.
(18) Disposal. Deposition solid waste container. Approved containers which are designed to be used for the disposal of solid waste contained therein.
(19) Disposal. Depositing solid waste in or at a facility approved by the city, Johnson County SWMP and the Kansas State Board of Health for such purpose.
(20) Dump. A collection or consolidation of solid waste from one or more sources at a central disposal site which does not meet standards for proper disposal.
(21) Dwelling. Any room or group of rooms located within a structure, and forming a single habitable unit with all facilities which are used, or are intended to be used for any purposes beyond living, sleeping, cooking and eating.
(22) Engineer. The Johnson County Engineer, designee and his or her department.
(23) Garbage. The animal and vegetable wastes resulting from the handling, processing, storage, preparation, sale, cooking and serving of meat, produce and other foods, including unclean containers.
(24) Hazardous Waste. Solid and liquid waste which requires special handling and disposal to protect and conserve the public health and human health including, but not limited to, pesticides, acids, caustic, pathological wastes, radioactive materials, flammable or explosive materials, solvents, and similar organic and inorganic chemicals and materials, containers and materials that have been contaminated with hazardous waste.
(25) Incineration. The controlled process of burning solid and/or liquid wastes.
(26) Kansas State Department Solid Waste Management Program. A combination of the collection of household and solid waste from certain cities to provide a more uniform system of waste collection, sorting, storing, processing, recycling, reclaiming and disposing of refuse.
(27) License. The permission for a contractor to be allowed to operate SWM vehicles or facilities within the city upon payment of a specified fee for meeting licensing requirements of the city and county.
(29) Nuisance. Anything which (1) is injurious to health or is offensive to the sensors or any obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property, or (2) affects the same time an entire community or neighborhood or any considerable number of the residents, or the health, safety, comfort or convenience of people sitting or standing on the adjacent land, where inflicted upon individuals may be unequal, and (3) occurs during or as a result of the handling or disposal of solid waste.
(30) Official Adopted Solid Waste Management Plan. The Johnson County Solid Waste Management Plan ("Johnson County Solid Waste Management Plan") means a comprehensive plan for the provision of an adequate solid waste management system within the county which is the responsibility of the county and the jurisdiction over the provision of such system, and submitted to the Johnson County Board of Commissioners as provided in K.S.A. 65-400a and acts amendatory thereto.
(31) Occupancy. Any person, alone or jointly or severally, owning, occupying, managing, leasing, renting, or operating on behalf of another person, any dwelling unit or any other improved real property, whether as contractor, owner, lessee, manager, tenant, or any other representative of the owner thereof.
(32) Owner. Any person, alone or jointly or severally, owning, occupying, managing, leasing, renting, or operating on behalf of another person, any dwelling unit or any other improved real property, whether as contractor, owner, lessee, manager, tenant, or any other representative of the owner thereof.
(33) Person. Individual, partnership, corporation, institution, political subdivision, housing association.
(34) Putrescible Waste. Organic waste which produces offensive odors or any other nuisance or any clamor, or other similar properties, and/or material that attracts insect or animal life.
(37) Solid Waste. Solid waste is all waste except commercial, industrial, institutional, or agricultural activities.
(38) Transient. Any person associated with any dwelling unit or any other improved real property, whether as contractor, owner, lessee, manager, tenant, or any other representative of the owner thereof who is not a sitting tenant or lessee of the property.
material at the conclusion of each day's operation.

(28) Service. The useful result: the product of labor and machines in property and effective management to dispose of in a solid waste.

(29) Solid Waste. Unwanted or discarded waste materials in a solid form produced by consumption, refuse, garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural wastes, yard wastes, demolition and construction debris (including the utilization of domestic sewage or a combination thereof).

(30) Solid Waste Disposal Area. Any area or place resulting from the operation of any commercial, industrial, institutional or agricultural establishment.

(31) Solid waste resulting from the maintenance and operation of dwelling units.

(40) Solid Waste Contingency. Any responsible use by any person to cause a delay during the interval between solid waste collections.

(41) Solid Waste Disposal Area. Also referred to herein as "disposal area" or "disposal site", means any area used by a solid waste management facility or agency, or any other commercial, industrial, manufacturing, or municipal operation.

(42) Solid Waste Management System (SMWS). The entire process of storage, collection, transportation, processing, and disposal of solid waste by any person engaging in such process as a business, or any city, authority, county or any combination thereof.

(43) Solid Waste Management Committee. Johnson County Solid Waste Management Committee.

(44) SMWS. The approved and adopted Solid Waste Management Plan for Johnson County. A agency also referred to herein as "processing facility" means incinerator, compost plant, transfer station or any other facility where solid waste is processed or treated in accordance with its permit, or the receipt of solid waste for processing or treatment.

(45) Temporary Storage. Proper accumulation and storage of solid waste between regularly scheduled refuse collection intervals.

(46) Transfer Station. A facility used as an adjunct to solid waste collection system. Such a facility may be fixed or mobile and is used to accommodate the collection of solid waste prior to being transported to a final disposal site.

(50) Vector (of Disease). An animal or insect having the capability of transmitting infectious diseases from one place to another. This includes the dispersal of flies, mosquitoes, rats, or any other disease vector.

(51) Water Pollution. Contamination, or other alteration of the physical, chemical or biological properties of the water supply, including the introduction of any material into the water supply, which may create a nuisance or render such water harmful, detrimental or injurious to health, to the use of the water for any purpose, to fish, wildlife or aquatic life of the city or state or to other legitimate beneficial uses.

(52) Wetlands. All streams, creeks, and springs, and all bodies of surface or ground water, whether natural or artificial, within the boundaries of the state.

(53) Yard Waste. All forms of botanical waste, including but not limited to grass clippings, leaves, tree trimmings, etc.

Section 2. Code Amended. That Section 15-404 of the Code of the City of Leawood is hereby amended to read as follows:

15-404. COLLECTION AND DISPOSAL OF SOLID WASTE. The City shall provide or allow for the collection of all residential solid waste by an applicable residential establishment and other non-residential establishments for the purpose of disposing of in the City. The City provides for the collection of solid waste by authorizing others, including, but not limited to, the City officials and agencies, residential solid waste contractors, and other non-residential establishments to be responsible for providing for the collection of solid waste and complying with all applicable federal, state, and local laws and regulations.

(a) The City shall provide or establish the parameters by which all solid waste is collected and disposed of in the City. The City provides for the collection of solid waste by authorizing others, including, but not limited to, the City officials and agencies, residential solid waste contractors, and other non-residential establishments to be responsible for providing for the collection of solid waste and complying with all applicable federal, state, and local laws and regulations.
ORDINANCE NO. 1198

AN ORDINANCE VACATING PORTIONS OF ROSEWOOD ARD 115TH STREET FOR THE LEAWOOD COMMONS OFFICE COMPLEX LOCATED AT APPROXIMATELY 113TH & NALL.

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

19-5, 113. Section 1. That the City of Leawood, Kansas, does hereby vacate portions of the existing right-of-way of Rosewood and 115th Street as described as follows:

All that part of Rosewood, and all that part of 115th Street, lying adjacent to Lot 19, Block 9, LEAWOOD COUNTRY MANOR, EIGHTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of said Lot 19; thence S 87° 46' W, along the South line of said Lot 19, a distance of 120.70 feet, to a point of curvature, said point also being the true point of beginning of subject tract; thence Westerly, Northwesterly, Northerly and Northeasterly, along the Southerly, Southwesterly and Westerly line of said Lot 19, said line being on a curve to the right, having a radius of 13 feet, and a central angle of 101° 23' 04", a distance of 23 feet, to a point of compound curvature; thence Northeasterly, along the Westerly line of said Lot 19, said line being on a curve to the right, having a radius of 550 feet, a central angle of 13° 26' 10", and whose initial tangent bearing is N 9° 09' 04" E, a distance of 128.98 feet, to a point of tangency; thence N 22° 35' 14" E, along the Westerly line of said Lot 19, a distance of 62 feet, to a point of curvature; thence Northeasterly, Easterly and Southeasterly, along the Westerly, Northerly and Northerly line of said Lot 19, said line being on a curve to the right, having a radius of 13 feet, and a central angle of 90°, a distance of 20.42 feet; thence N 67° 24' 46" W, along the Westerly extension of the Northerly line of said Lot 19, a distance of 38 feet, to a point on the centerline of Rosewood, as now established; thence S 22° 35' 14" W, along the centerline of said Rosewood, a distance of 75 feet, to a point of curvature; thence Southwesterly and Southerly, along the centerline of said Rosewood, said line being on a curve to the left, having a radius of 575 feet, and a central angle of 15° 30' 46", a distance of 155.68 feet, to a point on the Westerly extension of the South line of said Lot 19, said point also being 30 feet North of the South line of NW1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas; thence N 87° 46' E, along the South line of said Lot 19, and along a line 30 feet North of and parallel to the South line of the NW1/4 of said Section 16, a distance of 41 feet, to the point of beginning.
The above described tract of land contains 5,723 Square Feet, more or less.

19-5,114. Section 2. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

Section 3. That this ordinance shall take effect and be in force 30 days after its publication in the official City newspaper unless protest is made in the manner provided by K.S.A. 14-423 (1989 Supp.).

Passed by the Council the 7th day of January, 1991.

Approved by the Mayor the 7th day of January, 1991.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzler
City Attorney

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1991 APR -1 A 9:58.9

CERTIFICATE

SARA F. ULLMANN
REGISTER OF DEEDS

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. 1198 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said city this 27th day of March, 1991.
March 27, 1991

Sara Ullmann, Register of Deeds
Johnson County Courthouse
Olathe, Kansas 66061

Dear Ms. Ullmann:

Enclosed is a certified copy of Leawood's Ordinance No. 1198 to be refiled. The ordinance was originally filed for record on February 18, 1991, Volume 3304, Pages 448 and 449. It must be refiled since surplus language not intended to be part of the ordinance was removed.

Sincerely,

[Signature]
Martha Heizer
City Clerk
March 27, 1991

Beverly L. Baker, County Clerk
Johnson County Courthouse
Olathe, Kansas 66061

Dear Ms. Baker:

Enclosed is a certified copy of Leawood's Ordinance No. 1198 to replace the copy sent to you earlier on February 14, 1991. Surplus language not intended to be part of the ordinance was removed.

Sincerely,

[Signature]

Martha Heizer
City Clerk
ORDINANCE NO. 1198

AN ORDINANCE VACATING PORTIONS OF ROSEWOOD AND 115TH STREET FOR THE LEAWOOD COMMONS OFFICE COMPLEX LOCATED AT APPROXIMATELY 113TH & NALL.

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

19-5,113. Section 1. That the City of Leawood, Kansas, does hereby vacate portions of the existing rights-of-way of Rosewood and 115th Street as described as follows:

All that part of Rosewood, and all that part of 115th Street, lying adjacent to Lot 19, Block 9, LEAWOOD COUNTRY MANOR, EIGHTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of said Lot 19; thence S 87° 46' W, along the South line of said Lot 19, a distance of 120.70 feet, to a point of curvature, said point also being the true point of beginning of subject tract; thence Westerly, Northwesterly, Northerly and Northeasterly, along the Southerly, Southwesterly and Westerly line of said Lot 19, said line being on a curve to the right, having a radius of 13 feet, and a central angle of 101° 23' 04", a distance of 23 feet, to a point of compound curvature; thence Northeasterly, along the Westerly line of said Lot 19, said line being on a curve to the right, having a radius of 550 feet, a central angle of 13° 26' 10", and whose initial tangent bearing is N 9° 09' 04" E, a distance of 128.98 feet, to a point of tangency; thence N 22° 35' 14" E, along the Westerly line of said Lot 19, a distance of 62 feet, to a point of curvature; thence Northeasterly, Easterly and Southeasterly, along the Westerly and Southwesterly line of said Lot 19, said line being on a curve to the right, having a radius of 13 feet, and a central angle of 90° , a distance of 20.42 feet; thence N 67° 24' 46" W, along the Westerly extension of the Northerly line of said Lot 19, a distance of 38 feet, to a point on the centerline of Rosewood, as now established; thence S 22° 35' 14" W, along the centerline of said Rosewood, a distance of 75 feet, to a point of curvature; thence Southwesterly and Southerly, along the centerline of said Rosewood, said line being on a curve to the left, having a radius of 575 feet, and a central angle of 15° 30' 46", a distance of 155.68 feet, to a point on the Westerly extension of the South line of said Lot 19, said point also being 30 feet North of the South line of NW1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas; thence N 87° 46' E, along the South line of said Lot 19, and along a line 30 feet North of and parallel to the South line of the NW1/4 of said Section 16, a distance of 41 feet, to the point of beginning.
The above described tract of land contains 5,723 Square Feet, more or less.

19-5,114. **Section 2.** That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

**Section 3.** That this ordinance shall take effect and be in force 30 days after its publication in the official City newspaper unless protest is made in the manner provided by K.S.A. 14-423 (1989 Supp.).

Passed by the Council the 7th day of January, 1991.

Approved by the Mayor the 7th day of January, 1991.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:
R.S. Wetzler
City Attorney

STATE OF KANSAS
COUNTY OF JOHNSON
F I L E D F O R R E C O R D
1991 FEB 18 p 2:30 2

CERTIFICATE

SARA F. ULLMANN
REGISTER OF DEEDS

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. 1198 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said city this 14th day of February, 1991.

Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood, KS 66206
February 14, 1991

Beverly L. Baker, County Clerk
Johnson County Courthouse
Olathe, Kansas 66061

Dear Ms. Baker:

Enclosed is a certified copy of Leawood's Ordinance No. 1198 sent in accordance with Section 2 of said Ordinance.

Sincerely,

[Signature]

Martha Heizer
City Clerk

Sister City to I-Lan, Taiwan, R.O.C.
ORDINANCE NO. 1198

AN ORDINANCE VACATING PORTIONS OF ROSEWOOD AND 115TH STREET FOR THE LEAWOOD COMMONS OFFICE COMPLEX LOCATED AT APPROXIMATELY 113TH & NALL.

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

19-5,113. Section 1. That the City of Leawood, Kansas, does hereby vacate portions of the existing rights-of-way of Rosewood and 115th Street as described as follows:

All that part of Rosewood, and all that part of 115th Street, lying adjacent to Lot 19, Block 9, LEAWOOD COUNTRY MANOR, EIGHTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of said Lot 19; thence S 87° 46' W, along the South line of said Lot 19, a distance of 120.70 feet, to a point of curvature, said point also being the true point of beginning of subject tract; thence Westerly, Northwesterly, Northerly and Northeasterly, along the Southerly, Southwesterly and Westerly line of said Lot 19, said line being on a curve to the right, having a radius of 13 feet, and a central angle of 101° 23' 04", a distance of 23 feet, to a point of compound curvature; thence Northeasterly, along the Westerly line of said Lot 19, said line being on a curve to the right, having a radius of 550 feet, a central angle of 13° 26' 10", and whose initial tangent bearing is N 9° 09'04" E, a distance of 128.98 feet, to a point of tangency; thence N 22° 35' 14" E, along the Westerly line of said Lot 19, a distance of 62 feet, to a point of curvature; thence Northeasterly, Easterly and Southeasterly, along the Westerly, Northwesterly and Northerly line of said Lot 19, said line being on a curve to the right, having a radius of 13 feet, and a central angle of 90°, a distance of 20.42 feet; thence N 67° 24' 46" W, along the Westerly extension of the Northerly line of said Lot 19, a distance of 38 feet, to a point on the centerline of Rosewood, as now established; thence S 22° 35' 14" W, along the centerline of said Rosewood, a distance of 75 feet, to a point of curvature; thence Southwesterly and Southerly, along the centerline of said Rosewood, said line being on a curve to the left, having a radius of 575 feet, and a central angle of 15° 30' 46", a distance of 155.68 feet, to a point on the Westerly extension of the South line of said Lot 19, said point also being 30 feet North of the South line of NW1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas; thence N 87° 46' E, along the South line of said Lot 19, and along a line 30 feet North of and parallel to the South line of the NW1/4 of said Section 16, a distance of 41 feet, to the point of beginning.
The above described tract of land contains 5,723 Square Feet, more or less.

19-5,114. Section 2. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

Section 3. That this ordinance shall take effect and be in force 30 days after its publication in the official City newspaper unless protest is made in the manner provided by K.S.A. 14-423 (1989 Supp.).

Passed by the Council the 7th day of January, 1991.

Approved by the Mayor the 7th day of January, 1991.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzler
City Attorney
THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061
Phone (913) 780-5747

ORDINANCE NO. 1198

AN ORDINANCE VACATING PORTIONS OF ROSEWOOD AND 115TH STREET FOR THE LEAWOOD COMMONS OFFICE COMPLEX LOCATED AT APPROXIMATELY 113TH & NALL.

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

Section 1. That the City of Leawood, Kansas, does hereby vacate portions of the existing rights-of-way of Rosewood and 115th Street as described as follows:

All that part of Rosewood, and all that part of 115th Street, lying adjacent to Lot 19, Block 9, Leawood Commons Manor, Eighth Plat, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of said Lot 19, thence S 87° 46' 46" E, along the South line of said Lot 19, a distance of 120.70 feet, to a point of curvature, said point also being the true point of beginning of subject tract; thence Northeasterly, Northerly and Northwesterly, along the Southerly, Southwesterly and Westerly line of said Lot 19, said line being on a curve to the right, having a radius of 13 feet, and a central angle of 101° 33' 04", a distance of 23 feet, to a point of compound curvature; thence Northwesterly, along the Westerly line of said Lot 19, said line being on a curve to the right, having a radius of 550 feet, a central angle of 12° 46' 10", and whose initial bearing is N 8° 09' 04" E, a distance of 128.98 feet, to a point of tangency; thence N 22° 35' 14" E, along the Westerly line of said Lot 19, a distance of 62 feet, to a point of curvature; thence Northwesterly, Easterly and Southwesterly, along the Westerly, Northwesterly and Northerly line of said Lot 19, said line being on a curve to the right, having a radius of 13 feet, and a central angle of 99° , a distance of 20.42 feet; thence N 65° 24' 46" W, along the Westerly extension of the Northerly line of said Lot 19, a distance of 38 feet, to a point on the centerline of Rosewood, as now established; thence S 12° 35' 14" W, along the centerline of said Rosewood, a distance of 122 feet, to a point on the Westerly extension of the South line of said Lot 19, said point also being 30 feet North of the South line of NW1/4 of Section 13, Township 15, Range 25, now in the City of Leawood, Johnson County, Kansas; thence N 87° 46' E, along the South line of said Lot 19, and along a line 30 feet North of and parallel to the South line of NW1/4 of said Section 16, a distance of 41 feet, to the point of beginning.

The above described tract of land contains 5,723 Square Feet, more or less.

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

Section 3. That this ordinance shall take effect and become effective 30 days after its publication in the official City newspaper unless protest is made in the manner provided by K.S.A. 14-423 (1989 Supp.).

Passed by the Council the 7th day of January, 1991.
Approved by the Mayor the 7th day of January, 1991.

(S E A L)

Maggie Rinehart
Mayor

Attest:

Marcia Waiser
City Clerk

APPROVED AS TO FORM:

R.S. Welzler
City Attorney
ORDINANCE NO. 1197

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A BASE LEASE FROM THE CITY OF LEAWOOD, KANSAS, TO SECURITY BANK OF KANSAS CITY, KANSAS CITY, KANSAS, WHEREBY THE CITY LEASES TO SAID BANK, AS TRUSTEE, CERTAIN EQUIPMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT BETWEEN THE CITY AND SECURITY BANK OF KANSAS CITY, AS TRUSTEE, PROVIDING FOR THE ISSUANCE OF CERTAIN CERTIFICATES OF PARTICIPATION UPON TERMS AND CONDITIONS AND FOR THE PURPOSES SET FORTH THEREIN; APPROVING AND AUTHORIZING THE EXECUTION OF AN EQUIPMENT LEASE PURCHASE AGREEMENT FROM SECURITY BANK OF KANSAS CITY, AS TRUSTEE, TO THE CITY WHEREBY SAID BANK LEASES BACK TO THE CITY SUCH CERTAIN EQUIPMENT TO BE ACQUIRED FOR CITY PURPOSES WITHIN THE 36 MONTHS FOLLOWING DELIVERY OF THE CERTIFICATES.

WHEREAS, pursuant to Article 12, Section 5 of the Constitution of the State of Kansas, and K.S.A. 10-1116b, the governing body of the City of Leawood, Kansas (the "City"), has determined it necessary and desirable to enter into a certain lease purchase financing as hereinafter described to pay the cost of certain equipment necessary to the functions of the City (the "Equipment") as more fully described in the Trust Agreement hereinafter defined; and

WHEREAS, it has been determined to be in the best interest of the City for the City to enter into a Base Lease with Security Bank of Kansas City, Kansas City, Kansas, a state banking association organized under the laws of the State of Kansas, not individually, but in its capacity as Trustee (the "Trustee"), whereby the City leases the Equipment to the Trustee for a term commencing on or about December 1, 1990, and ending upon the payment of all Basic Lease Payments and other payments due under the Lease Agreement (hereinafter described); and

WHEREAS, it has been determined to be in the best interest of the City to enter into a Trust Agreement with the Trustee providing for the issuance of certain Certificates of Participation in the aggregate principal amount of $405,000 to provide funds to pay a portion of the cost of acquiring the Equipment, upon the terms and conditions set forth therein; and

WHEREAS, it has been determined to be in the best interest of the City for the City to enter into an Equipment Lease Purchase Agreement (the "Lease Agreement") whereby the City subleases the Equipment from the Trustee for a term commencing on or about December 1, 1990, and terminating upon the payment of all Basic Lease Payments and other amounts due under the Lease Agreement.
NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF LEAWOOD, KANSAS:

19-407. Section 1. The Base Lease between the City, as lessor, and
the Trustee, as lessee, relating to the Equipment, substantially
in the form attached hereto as Exhibit A, is hereby authorized
and approved with such additions, revisions and corrections as
may be approved by the Mayor and City Clerk, such approval to be
conclusively evidenced by their execution of the Base Lease on
behalf of the City.

19-408. Section 2. The Trust Agreement, providing for the issuance
of certain Certificates of Participation in the Lease Agreement,
in substantially the form attached hereto as Exhibit B, is hereby
authorized and approved with such additions, revisions and cor-
rections as may be approved by the Mayor and City Clerk, such
approval to be conclusively evidenced by their execution of the
Trust Agreement on behalf of the City.

19-409. Section 3. The Lease Agreement, relating to the Equipment,
in substantially the form attached hereto as Exhibit C, is hereby
authorized and approved with such additions, revisions and cor-
rections as may be approved by the Mayor and City Clerk, such
approval to be conclusively evidenced by their execution of the
Lease Agreement on behalf of the City.

19-410. Section 4. The Preliminary Official Statement relating to
the sale of Certificates of Participation in the Lease Agreement,
in substantially the form attached hereto as Exhibit D, is hereby
authorized and approved. The Governing Body of the City hereby
deems the Preliminary Official Statement "final" for purposes of
Securities and Exchange Commission Rule 15c2-12(b)(1), except for
the omissions of certain terms permitted by said Rule. The Gov-
erning Body hereby authorizes the preparation of a final Official
Statement in substantially the form attached as Exhibit D, and
the execution and delivery thereof by the Mayor and City Clerk on
behalf of the City.

19-411. Section 5. The Mayor and City Clerk are hereby authorized
to execute the Base Lease, the Trust Agreement and the Lease
Agreement, and to approve the Official Statement on behalf of the
City in the forms presented to the City this date with such modi-
fications as are approved by the Mayor and City Clerk, and the
Mayor and City Clerk and the Finance Director are hereby autho-
rized and directed to execute such ancillary certificates and
documents necessary to accomplish the purposes set forth herein
and in the Base Lease, the Trust Agreement and the Lease
Agreement.

19-412. Section 6. The City makes the following representations in
connection with the exception for small governmental units from
the arbitrage rebate requirements under Section 148(f)(4)(c) of
the Code:
(a) 95 percent or more of the net proceeds of the Certificates are to be used for local governmental activities of the City; and

(b) aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the City during the calendar year that the Bonds are issued is not reasonably expected to exceed $5,000,000.

19-413. Section 7. The City hereby designates the Certificates as "qualified tax-exempt obligations" as such term is defined in Section 265(b)(3) of the Code. In addition, the City hereby represents that:

(a) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds) which will be issued by the City during calendar year that the Bonds are issued does not exceed $10,000,000; and

(b) the aggregate principal amount of obligations designated by the City to be "qualified tax-exempt obligations" during calendar year that the Bonds are issued, including the Bonds, does not exceed $10,000,000.

19-414. Section 8. The City covenants and agrees that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Certificates under Section 103 of the Code. The City covenants and agrees that it will use the proceeds of the Certificates as soon as practicable and with all reasonable dispatch for the purpose for which the Certificates are issued as hereinbefore set forth, and that it will not directly or indirectly use or permit the use of any proceeds of the Certificates or any other funds of the City, or take or omit to take any action that would cause the Certificates to be "arbitrage bonds" within the meaning of Section 148(a) of the Internal Revenue Code of 1986 (the "Code"). To that end, the City will comply with all requirements of Section 148 of the Code to the extent applicable to the Certificates. In the event that at any time the City is of the opinion that for purposes of this Section it is necessary to restrict or limit the yield on the investment of any moneys held by the City or the Trustee under this Ordinance, the Lease Agreement or the Trust Agreement, the City shall take such action as may be necessary.

Section 9. This Ordinance shall be in full force and effect from and after its passage and approval and publication once in the official City newspaper.
PASSED by the Governing Body of the City of Leawood, Kansas, on this 17th day of December, 1990.

SIGNED by the Mayor this 17th day of December, 1990.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney
ORDINANCE NO. 1196

AN ORDINANCE ACCEPTING DRAINAGE EASEMENTS REQUIRED FOR INTERSECTION IMPROVEMENTS AT SOMERSET DRIVE AND LEE BOULEVARD IN THE CITY OF LEAWOOD.

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

19-6,231. **Section 1.** That the City of Leawood hereby accepts 2 permanent drainage easements, along with the restrictions and reservations set forth therein, granting the City of Leawood permanent easements described as follows for the location of a storm drainage facility:

From Leawood Shops, Inc.: All that part of Lot 70, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at a point on the north line of Lot 70 and 10 feet west of the northeast corner thereof; thence west along the north line of said lot a distance of 18.5 feet; thence southerly in a straight line to a point 29 feet westerly of the east boundary of Lot 70, measured normal to the west line of Lot 68, LEAWOOD, from the most northerly corner of said Lot 68; thence southerly, parallel to the west line of said Lot 68, a distance of 27 feet; thence southerly in a straight line to a point on the east boundary of said Lot 70 and 68 feet northeasterly of the most southerly corner of said Lot 70; thence northerly along the east boundary of said Lot 70 a distance of 35.5 feet to a point 13 feet west of and measured normal to the east boundary of said Lot 70; thence easterly, normal to the east boundary of Lot 70, to the east boundary of said Lot; thence northerly along said east boundary a distance of 15 feet; thence westerly, normal to the last described line, a distance of 7.5 feet; thence northerly, parallel to the east boundary of said Lot 70, a distance of 27 feet; thence northwesterly in a straight line to the point of beginning. (Contains 2578 square feet, more or less.)

From Ron B. and Millie R. Felkner: All that part of Lots 67 and 68, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the northeast corner of Grantor's land, said corner being a point on the west right-of-way line of Lee Boulevard and 35 feet northeasterly of the most southerly corner of said Lot 68; thence southwesterly along said west right-of-way line a distance of 18 feet; thence northwesterly in a straight line a distance of 90 feet to a point 19 feet...
neast of and measured normal to the south line of Lot 68; thence westerly in a straight line to a point on the north line of said Lot 67 and 4 feet southeasterly of the most northerly corner of said lot; thence southerly in a straight line to a point 43 feet northeast of and measured normal to the south line, and 27 feet southeasterly of and measured normal to the west line of Lot 67; thence southwesterly in a straight line to a point 22 feet northeast of and measured normal to the south line of said Lot 67 and 24 feet southeasterly of and measured parallel to the west line of said Lot 67; thence northwesterly, parallel to the south line of said Lot 67, to the west line of said Lot 67; thence northeasterly along the west line of said Lot 67 to the most northerly corner of said Lot 67; thence northeasterly along the west line of Lot 67 a distance of 24 feet; thence easterly in a straight line to a point on the north line of Grantor's land and 95 feet northwesterly of the point of beginning; thence southeasterly along the north line of Grantor's land to the point of beginning. (Contains 4100 square feet, more or less.)

19-6,232. Section 2. That copies of said easements 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 17th day of December, 1990.

Approved by the Mayor the 17th day of December, 1990.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM: 

R.S. Wetzler
City Attorney
PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this 23rd day of October, 1990, by and between

Ron B. Felkner, 8000-8002 Lee Boulevard and Millie R. Felkner

Part of the First Part, and the CITY OF LEAWOOD, Johnson County, State of 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 Lots 67 and 68, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at the northeast corner of Grantor's land, said corner being a point on the west right-of-way line of Lee Boulevard and 35 feet northeasterly of the most southerly corner of said Lot 68; thence southerly along said west right-of-way line a distance of 18 feet; thence northwesterly in a straight line a distance of 90 feet to a point 19 feet north of and measured normal to the south line of Lot 68; thence westerly in a straight line to a point on the north line of said Lot 67 and 4 feet southeasterly of the most northerly corner of said lot; thence southerly in a straight line to a point 43 feet northeast of and measured normal to the south line, and 27 feet southeasterly of and measured normal to the west line of Lot 67; thence southerly parallel to the south line of said Lot 67 to the most southeasterly corner of said Lot 67; thence southeasterly along the south line of said Lot 67 and 24 feet southwesterly of and measured normal to the line of said Lot 67; thence northwesterly, parallel to the south line of said Lot 67, to the west line of said Lot 67; thence northeast along the west line of said Lot 67 and 95 feet northwesterly of the point of beginning; thence southeasterly along the north line of Grantor's land to the point of beginning.

The above contains 4100 square feet, more or less.

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1990 DEC 26 P 3:33.8
SARA F. ULLMANN
REGISTER OF DEEDS
BY DEP.

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.

Ron B. Felkner

Millie R. Felkner
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF KANSAS:

COUNTY OF JOHNSON:

BE IT REMEMBERED, That on the 23rd day of October, 1990, before me, the undersigned, a Notary Public in and for said County and State, came Ron B. Felkner and Millie R. Felkner 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]

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:
1993630

PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this 15 day of October, 19 by and between Leawood Shops, Inc.,

Part of the First Part, and the CITY OF LEAWOOD, Johnson County, State of 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 70, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at a point on the north line of Lot 70 and 10 feet west of the northeast corner thereof; thence west along the north line of said lot a distance of 18.5 feet; thence southerly in a straight line to a point 25 feet westerly of the east boundary of Lot 70, measured normal to the west line of Lot 68, LEAWOOD, from the most northerly corner of said Lot 68; thence southerly, parallel to the west line of said Lot 68, a distance of 27 feet; thence southerly in a straight line to a point on the east boundary of said Lot 70 and 68 feet northeasterly of the most southerly corner of said Lot 70; thence northerly along the east boundary of said Lot 70 to an angle point at the most northerly corner of Lot 67; LEAWOOD, thence northeasterly along the east boundary of said Lot 70 a distance of 6 feet; thence northeasterly in a straight line a distance of 35.5 feet to a point 13 feet west of and measured normal to the east boundary of said Lot 70; thence easterly, normal to the east boundary of Lot 70, to the east boundary of said Lot; thence northerly along said east boundary a distance of 15 feet; thence westerly, normal to the last described line, a distance of 7.5 feet; thence northerly, parallel to the east boundary of said Lot 70, a distance of 27 feet; thence northwesterly in a straight line to the point of beginning.

The above contains 2576 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 some 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.

Leawood Shops, Inc.

Clifford M. Brisbois

Sara F. Ulmann

Register of Deeds
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF __________________:  
COUNTY OF __________________: SS:

BE IT REMEMBERED, That on the ______ day of __________, 19__, before me, the undersigned, a Notary Public in and for said County and State, came

______________________________

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

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

______________________________
Notary Public

My Commission Expires:

______________________________

CORPORATE ACKNOWLEDGEMENT

STATE OF MISSOURI:  
COUNTY OF JACKSON: SS:

BE IT REMEMBERED that on this 15 day of October, 1990, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came CLIFFORD M. BURBAN, President of

Leawood Shops, Inc., a corporation duly organized, incorporated and existing under and by virtue of the laws of Kansas;

and STANLEY M. BURBAN, 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, Leawood Shops

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

______________________________
Notary Public
Karen J. Brooks

My Commission Expires:

______________________________

KAREN J. BROOKS  
Notary Public, State of Missouri  
Commissioned in Johnson County  
My Commission Expires January 27, 1993

City of Leawood
THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061
Phone (913) 780-5747

ORD. 1196
First published in The Legal Record, Tuesday, December 18, 1990.

ORDINANCE NO. 1196
AN ORDINANCE ACCEPTING DRAINAGE EASEMENTS REQUIRED FOR INTERSECTION IMPROVEMENTS AT SOMERSET DRIVE AND LEE BOULEVARD IN THE CITY OF LEAWOOD.

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

Section 1. That the City of Leawood hereby accepts 2 permanent drainage easements, along with the restrictions and reservations set forth therein, granting therein permanent easements described as follows for the location of a storm drainage facility:

From Leawood Shops, Inc.: All that part of Lot 70, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at a point on the north line of Lot 70 and 10 feet west of the northeast corner thereof; thence west along the north line of said lot a distance of 18.5 feet; thence southerly in a straight line to a point 29 feet westerly of the east boundary of Lot 70, measured normal to the west line of Lot 68, LEAWOOD, from the most northerly corner of said Lot 68; thence southerly, parallel to the west line of said Lot 68, a distance of 27 feet; thence southerly in a straight line to a point on the east boundary of said Lot 70 and 68 feet northeasterly of the most northerly corner of said Lot 70; thence northerly along the east boundary of said Lot 70 to an angle point at the most northerly corner of Lot 67, LEAWOOD; thence northeasterly along the east boundary of said Lot 70 a distance of 6 feet; thence northeasterly in a straight line a distance of 35.5 feet to a point 13 feet west of and measured normal to the east boundary of said Lot 70; thence easterly, normal to the east boundary of Lot 70, to the east boundary of said Lot 57; thence northerly along said east boundary a distance of 15 feet; thence westerly, normal to the east described line, a distance of 7.5 feet; thence northerly, parallel to the east boundary of said Lot 70, a distance of 27 feet; thence northwesterly in a straight line to the point of beginning. (Contains 2578 square feet, more or less.)

From Ron B. and Millie R. Kelchner: All that part of Lots 67 and 68, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the northeast corner of Granor’s Lane and said corner being a point on the west right-of-way line of Lee Boulevard and 35 feet northeasterly of the most southerly corner of said Lot 68; thence southeasterly along said east right-of-way line a distance of 18 feet; thence northwesterly in a straight line a distance of 90 feet to a point 19 feet northeast of and measured normal to the south line of said Lot 67; thence westerly in a straight line to a point on the north line of said Lot 67 and 4 feet southeasterly of the most northerly corner of said Lot 67; thence southerly in a straight line to a point 43 feet northeast of and measured normal to the south line, and 27 feet southeasterly of and measured normal to the west line of Lot 67; thence southeasterly in a straight line to a point 22 feet northeast-of-and-measured normal to the south line of said Lot 67 and 24 feet southeasterly of and measured normal to the west line of said Lot 67; thence northeasterly, parallel to the south line of said Lot 67, to the west line of said Lot 67; thence northwesterly along the west line of said Lot 67 to the most northerly corner of said Lot 67; thence northwesterly along the west line of Lot 68 a distance of 24 feet; thence westerly in a straight line to a point on the north line of Granor’s land and 95 feet northwesterly of the point of beginning; thence southeasterly along the north line of Granor’s land to the point of beginning. (Contains 4100 square feet, more or less.)

Section 2. That copies of said easements 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 17th day of December 1990.
Approved by the Mayor the 17th day of December 1990.

(SEAL)
Marilyn Rinehart
Mayor

Attest:

Martha Neizer
City Attorney

APPROVED AS TO FORM:
R.G. Neizer
City Attorney
ORDINANCE NO. 1195

AN ORDINANCE ACCEPTING DEEDS FOR STREET PURPOSES (SOMERSET DRIVE/LEE BOULEVARD INTERSECTION IMPROVEMENTS).

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

19-5,111. Section 1. That the City of Leawood hereby accepts 2 deeds for land to be used for street purposes, the legal descriptions of which are as follows:

From Anne S. and Robert Royer: All that part of Lot 2, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the northwest corner of said lot; thence east along the north line thereof a distance of 22 feet; thence southwesterly in a straight line to a point on the west line of said lot and 25 feet south of the point of beginning; thence north along said west line to the point of beginning. (Contains 275 square feet, more or less.)

From Carl H. and Patricia R. Schupp: All that part of Lot 1, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southwest corner of said lot; thence northerly along the west boundary of said lot a distance of 40 feet; thence southeasterly in a straight line to a point on the south line of said lot and 22 feet east of the point of beginning; thence west along the south line of said lot to the point of beginning. (Contains 487 square feet, more or less.)

19-5,112. 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 17th day of December, 1990.

Approved by the Mayor the 17th day of December, 1990.

(Maria Rinehart)
Mayor
ORDINANCE NO. 1195

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Metzler
City Attorney
KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this 25th day of July, 1990, by and between

Carl H. Schupp and Patricia R. Schupp, 7951 High Drive

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

WITNESSETH:

That Part ___ of the First Part, in consideration of the sum of Two Thousand ___ Three hundred and Fifty Dollars and no cents

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

All that part of Lot 1, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at the southwest corner of said lot; thence northerly along the west boundary of said lot a distance of 40 feet; thence southeasterly in a straight line to a point on the south line of said lot and 22 feet east of the point of beginning; thence west along the south line of said lot to the point of beginning.

The above contains 487 square feet, more or less.

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, improvements, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Part ___ of the First Part, ___________ heirs, executors, administrators, successors, or assigns.

And the Part ___ of the First Part for ___________ heirs, executors, administrators, successors and assigns, do hereby covenant, promise, and agree to and with said Party of the Second Part that at the delivery of these presents ___________ lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except ___________, and that First Part ___ will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Part ___ of the First part, for ___________ heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First part ___ hereby agree that First Part ___ shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Part ___ further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF said Part ___ of the First Part have hereunto set hand and seal.

STATE OF KANSAS, IN
COUNTY OF JOHNSON,

____________________________
SARA F. ULMANN
REGISTER OF DEEDS

FILED FOR RECORD

1990 DEC 26 P 3:34.0

Carl H. Schupp
Patricia R. Schupp

Patricia R. Schupp
Carl H. Schupp
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Missouri:
COUNTY OF Jackson:

BE IT REMEMBERED, That on the 25th day of July, 1976, before me, the undersigned, a Notary Public in and for said County and State, came Patricia R. Schupp & Carl H. Schupp

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]
Marian J. Hall
Notary Public

My Commission Expires: __________________________
[Commission Expire Date]

CORPORATE ACKNOWLEDGEMENT

STATE OF Missouri:
COUNTY OF Jackson:

BE IT REMEMBERED that on this day of ____________ 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.

[Signature]
Notary Public

My Commission Expires:

[Commission Expire Date]

City of Lee's Summit
7677 Lee Blvd
P.O. Box 6626
KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this 10th day of AUGUST, 1990, by and between

Anne S. Royer and Robert Royer, 7955 High Drive

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

WITNESSETH:

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

$10,000.00

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

All that part of Lot 2, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at the northwest corner of said lot; thence east along the north line thereof a distance of 22 feet; thence southwesterly in a straight line to a point on the west line of said lot and 25 feet south of the point of beginning; thence north along said west line to the point of beginning.

The above contains 275 square feet, more or less.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances heretofore appertaining, and appurtenances thereto belonging or in any wise appertaining, forever.

And the Part of the First Part for heirs, executors, administrators, successors or assigns, do hereby covenant, 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. Part of the First part, for heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First Party hereby agree 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 Part of the First Part has hereunto set
hand and seal the day and year first above written.

STATE OF KANSAS
COUNTY OF JOHNSON

10th day of DEC, 1990

P 3:34.3

By

10th DEP.

SARA F. ULLMANN
REGISTER OF DEEDS

Leawood, Kansas
Somerset & Lee Blvd. Intersection
LA No. 98013

1990 DEC 26 P 3:34.3

Anne S. Royer
Robert Royer
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF KANSAS:
COUNTY OF JOHNSON:

BE IT REMEMBERED, That on the 30th day of July, 19_2_, before me, the undersigned, a Notary Public in and for said County and State, came ________________,

7000 State Ave, Leawood, KS 66208

who I 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.

Angela Petrie
Notary Public

My Commission Expires:
December 18, 19_2_

CORPORATE ACKNOWLEDGEMENT

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:

City of Leawood

Vol 3283 pg 508
CITY OF LEAWOOD

LEE BOULEVARD AND SOMERSET DRIVE IMPROVEMENT PROJECT

☐ By signature below, I hereby elect to donate the required easement(s), together with any related improvements involved within the acquisition area. I understand the sod will be replaced by the contractor. Furthermore, I may deduct that portion of the just compensation that is deductible pursuant to federal law.

☐ By signature below, I elect to receive just compensation in the amount of $1,400.00 for the acquisition of the required easement(s) and related improvements required for the above project.

Robert Royer
Anne S. Royer

[Signature] 7/30/90
Property Owner  Date

[Signature] 7/30/90
Robert Royer
Anne S. Royer
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, KS;
Dobra Dzidzura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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 Province 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:

12/18/90

Legal Notices Administrator

Subscribed and sworn to before me on this date:

12/18/90

Sharon L. Young
Notary Public

My appointment expires:
October 11, 1994

Publication Fees: $17.78

ORD. 1195

First published in The Legal Record, Tuesday, December 18, 1990.

ORDINANCE NO. 1195

AN ORDANCE ACCEPTING DEEDS FOR STREET PURPOSES (SOMERSET DRIVE/LEE BOULEVARD INTERSECTION IMPROVEMENTS).

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

Section 1. That the City of Leawood hereby accepts 2 deeds for land to be used for street purposes, the legal descriptions of which are as follows:

From Anne S. and Robert Royster: All that part of Lot 2, LEAMOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the northwest corner of said lot; thence east along the north line thereof a distance of 22 feet; thence southeasterly in a straight line to a point on the west line of said lot and 25 feet south of the point of beginning; thence north along said west line to the point of beginning. (Contains 275 square feet, more or less.)

From Carl H. and Patricia R. Schupp: All that part of Lot 1, LEAMOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southwest corner of said lot; thence northerly along the west boundary of said lot a distance of 40 feet; thence southeasterly in a straight line to a point on the south line of said lot and 25 feet east of the point of beginning; thence west along the south line of said lot to the point of beginning. (Contains 487 square feet, more or less.)

Section 2. That copies of said deeds are attached hereto and thereby incorporated by reference.

Section 1. 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 17th day of December, 1990.

Approved by the Mayor the 17th day of December, 1990:

(S E A L)

Sharon L. Young
Notary Public - State of Kansas

Martha Heizer
City Clerk

APPROVED AS TO FORM: R.S. Meister
City Attorney
ORDINANCE NO. 1194

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF CHARTWELL WEST.

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

19-6,229. Section 1. That the following described utility easement shown on the plat of Chartwell West, which was approved by the Governing Body July 2, 1990, is hereby vacated:

All of the North 2 feet of the South 15 feet of Lot 1, CHARTWELL WEST, a subdivision of land now in the City of Leawood, Johnson County, Kansas, except the West 20 feet thereof.

19-6,230. Section 2. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

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 17th day of December, 1990.

Approved by the Mayor the 17th day of December, 1990.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED AS TO FORM:

City Attorney
ORDINANCE NO. 1194

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF CHARTWELL WEST.

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

Section 1. That the following described utility easement shown on the plat of Chartwell West, which was approved by the Governing Body July 2, 1990, is hereby vacated:

All of the North 2 feet of the South 15 feet of Lot 1, CHARTWELL WEST, a subdivision of land now in the City of Leawood, Johnson County, Kansas, except the West 20 feet thereof.

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

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 17th day of December, 1990.

Approved by the Mayor the 17th day of December, 1990.

(SC A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED AS TO FORM:

City Attorney

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD
1991 JAN 14 A 11:10:1
SARA F. ULLMANN
REGISTER OF DEEDS
BY DEP.
City of Leawood
9617 Lee Blvd.
Leawood, KS 66206
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. 1194 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said City this 11th day of January, 1991.

[Signature]

[Seal]
January 11, 1991

Beverly L. Baker, County Clerk
Johnson County Courthouse:
Olathe, Kansas 66061

Dear Ms. Baker:

Enclosed is a certified copy of Leawood's Ordinance No. 1194 sent in accordance with Section 2 of said Ordinance.

Sincerely,

[Signature]
Martha Heizer
City Clerk
AFFIDAVIT OF PUBLICATION

SAS, JOHNSON COUNTY, ss: Georgiann Thacker being first Duty sworn, say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a newspaper printed in the State of Kansas, and published in and of general HNSON County, Kansas, and that said newspaper in not a trade, religious or tion.

This paper is a semi-weekly published at least weekly 50 times a year; has been so uously and uninterruptedly in said county and state for a period of more than 20 the first publication of said notice; and has been admitted at the post office of SION, KANSAS in said County as a second class matter.

The said notice is a true copy thereof and was published in the regular and entire newspaper for consecutive (weeks, days) the first publication thereof being made as aforesaid. day of January, 19- , with subsequent publications the following dates:

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

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

Georgiann Thacker

Subscribe and sworn to before me this day of January 19- .

Marguerite E. Baker

NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 3-15-92
ORDINANCE NO. 1193

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90L, PROJECT 117 (LEE BOULEVARD, PHASE I), 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, REGRADING, CURBING, RECURBING, GUTTERING, 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 reitprovement 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:

20-1,631. 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 90L, Project 117 (Lee Boulevard, Phase I), 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.

20-1,632. **Section Two:** Said issue of Temporary Notes, Series 90L, Project 117 (Lee Boulevard, Phase I), shall consist of bearer notes numbered from 1 through 10 inclusive, each in the denomination of $100,000. Said notes shall be dated December 10, 1990, and shall have the stated maturity date of August 15, 1991. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 5.375% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,633. **Section Three:** 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.

20-1,634. **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 99.89% of the principal amount thereof.
20-1,635. **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>(1) Temporary Notes Series L.I.D. 86-1-90A Roe Avenue, 112-121st St.</td>
<td>January 23, 1990</td>
<td>$270,000.00</td>
</tr>
<tr>
<td>(2) Temporary Notes Series L.I.D. 88-1-90B Tomahawk Creek Parkway</td>
<td>April 2, 1990</td>
<td>$350,000.00</td>
</tr>
<tr>
<td>(3) Temporary Notes Series 90C 95th, State Line-Wenonga</td>
<td>April 2, 1990</td>
<td>$500,000.00</td>
</tr>
<tr>
<td>(4) Temporary Notes Series 90D Lee Boulevard</td>
<td>April 2, 1990</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>(5) Temporary Notes Series 90E Police/Court/Fire #1 Remodel</td>
<td>July 10, 1990</td>
<td>$500,000.00</td>
</tr>
<tr>
<td>(6) Temporary Notes Series 90F Somerset, Belinder-Sagamore</td>
<td>July 10, 1990</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>(7) Temporary Notes Series L.I.D. 88-1-90G Tomshawk Creek Parkway</td>
<td>July 10, 1990</td>
<td>$700,000.00</td>
</tr>
</tbody>
</table>
Temporary Notes
Series 90H

Sept. 18, 1990 $600,000.00
119th Street, State Line-Mission

Temporary Notes
Series 90I

Sept. 18, 1990 $400,000.00
Lee Boulevard, Phase I

Temporary Notes
Series 90J

Sept. 18, 1990 $600,000.00
Police/Court/Fire #1 Remodel

Temporary Notes
Series L.I.D. 88-1-90K

Sept. 18, 1990 $1,100,000.00
Tomahawk Creek Parkway

General Obligation Improvement Bonds
Series 1990A

October 1, 1990 $1,848,653.00

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 3rd day of December, 1990.

SIGNED by the Mayor this 4th day of December, 1990.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
TO:
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadur, of lawful age, being first duly sworn, deposes and
says that she is Legal Notices Administrator of The Legal Record
which is a newspaper 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 1 consecutive week(s)
as follows:

12/4/90

__________________________
Legal Notices Administrator

Subscribed and sworn to before me on this date:
12/4/90

__________________________
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $75.28

Ordinance No. 1992
1993
ORDINANCE NO. 1192

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-90M, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $900,000 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 $1,392,017; 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:

20-1,625. 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. 88-1-90M, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Nine Hundred Thousand Dollars ($900,000), which amount does not exceed the total estimated costs of said improvements.

20-1,626. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-90M, Project 113, shall consist of bearer notes numbered from 1 through 9 inclusive, each in the denomination of $100,000. Each of said notes shall be dated December 10, 1990, and shall have the stated maturity date of August 15, 1991. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 5.375% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,627. **Section Three:** 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.

20-1,628. **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 99.89% of the principal amount thereof.

20-1,629. **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>(1) Temporal Notes</td>
<td>January 23, 1990</td>
<td>$ 270,000.00</td>
</tr>
<tr>
<td>Series L.I.D. 86-1-90A Roe Avenue, 112-121st St.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Temporal Notes</td>
<td>April 2, 1990</td>
<td>$ 350,000.00</td>
</tr>
<tr>
<td>Series L.I.D. 88-1-90B Tomahawk Creek Parkway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Temporal Notes</td>
<td>April 2, 1990</td>
<td>$ 500,000.00</td>
</tr>
<tr>
<td>Series 90C 95th, State Line-Wenonga</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Temporal Notes</td>
<td>April 2, 1990</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>Series 90D Lee Boulevard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5) Temporal Notes</td>
<td>July 10, 1990</td>
<td>$ 500,000.00</td>
</tr>
<tr>
<td>Series 90E Police/Court/Fire #1 Remodel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(6) Temporal Notes</td>
<td>July 10, 1990</td>
<td>$ 100,000.00</td>
</tr>
<tr>
<td>Series 90F Somerset, Belinder-Sagamore</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(7) Temporal Notes</td>
<td>July 10, 1990</td>
<td>$ 700,000.00</td>
</tr>
<tr>
<td>Series L.I.D. 88-1-90C Tomahawk Creek Parkway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(8) Temporal Notes</td>
<td>Sept. 18, 1990</td>
<td>$ 600,000.00</td>
</tr>
<tr>
<td>Series 90H 119th Street, State Line-Mission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(9) Temporal Notes</td>
<td>Sept. 18, 1990</td>
<td>$ 400,000.00</td>
</tr>
<tr>
<td>Series 90I Lee Boulevard, Phase I</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(10) Temporal Notes</td>
<td>Sept. 18, 1990</td>
<td>$ 600,000.00</td>
</tr>
<tr>
<td>Series 90J Police/Court/Fire #1 Remodel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(11) Temporal Notes</td>
<td>Sept. 18, 1990</td>
<td>$1,100,000.00</td>
</tr>
<tr>
<td>Series L.I.D. 88-1-90K Tomahawk Creek Parkway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(12) General Obligation Improvement Bonds</td>
<td>October 1, 1990</td>
<td>$1,848,653.00</td>
</tr>
<tr>
<td>Series 1990A</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 3rd day of December, 1990.

SIGNED by the Mayor this 4th day of December, 1990.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler, City Attorney
TO:
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

12/4/90

__________________________
Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:

__________________________
Notary Public

My appointment expires:
October 11, 1994

Publication Fees: $82.81
MARRIAGE

The City is a self-governing, single-member political unit, with an elected mayor and city council. The city council consists of five members, one of whom is elected as mayor. The mayor and council members are elected for two-year terms. The city has a mayor-council form of government.

The city of {City Name} has a population of {Population}. It is located in {County} County, {State}. The city's mayor is {Mayor Name} and the city manager is {City Manager Name}.

The city has a diverse economy with industries such as manufacturing, retail, and services. The city is known for its beautiful parks, museums, and cultural institutions.

For more information about the city of {City Name}, please visit the official city website at {Website URL}.
November 21.

THIRTY-DAY NOTE

$1,800,000.00

the City of Las Vegas, Nevada, (hereafter designated as the "City") is hereby

WITNESSETH, that

THIRTY-DAY NOTE

$1,800,000.00

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WITNESSETH, that
ORDINANCE NO. 1191

AN ORDINANCE ACCEPTING A DEED FOR STREET PURPOSES (NORTH HALF OF 117TH STREET).

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

19-5,109. 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 Ninety-Five West, L.P.: All that part of the N1/2 of the SE1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the N1/2 of the SE1/4 of said Section 16, said point also being on the centerline of 117th Street, as now established; thence Northerly, along the West line of the N1/2 of the SE1/4 of said Section 16, a distance of 40 feet, to a point 40 feet North of the South line thereof; thence Easterly, along a line 40 feet North of and parallel to the South line of the N1/2 of the SE1/4 of said Section 16, and along a line 40 feet North of and parallel to the centerline of said 117th Street, a distance of 1403.95 feet, to a point of curvature; thence Easterly and Southeasterly, along a line 40 feet Northerly of and parallel to the centerline of said 117th Street, said line being on a curve to the right, having a radius of 540 feet, to a point on the Westerly right-of-way line of Tomahawk Creek Parkway, as now established; thence Southwesterly, along the Westerly right-of-way line of said Tomahawk Creek Parkway, to a point on the South line of the N1/2 of the SE1/4 of said Section 16; thence Westerly, along the South line of the N1/2 of the SE1/4 of said Section 16, to the point of beginning, all subject to that part thereof dedicated for street purposes.

19-5,110. 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 19th day of November, 1990.

Approved by the Mayor the 19th day of November, 1990.

(S E A L)  

Marcia Rinehart  
Mayor
THESE PRESENTS, that this Deed, made and entered into this 17th day of September, 1990, by and between Ninety-Five West, L.P., a Delaware limited partnership, successor in interest to Ninety-Five West Company, a Missouri general partnership and to Frank Morgan, an individual, * of Clay County, State of Missouri, Party of the First Part, and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part, WITNESSETH:

That Party of the First Part, In consideration of the sum of Ten or more dollars ($10.00) to it in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents does GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all 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 N½ of the SE½ of Section 16, 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 the SE½ of said Section 16, said point also being on the center line of 117th Street, as now established; thence Northwesterly, along the West line of the N½ of the SE½ of said Section 16, a distance of 40 feet, to a point 40 feet North of the South line thereof; thence Easterly, along a line 40 feet North of and parallel to the South line of the N½ of the SE½ of said Section 16, and along a line 40 feet North of and parallel to the center line of said 117th Street, a distance of 1403.95 feet, to a point of curvature; thence Easterly and Southwesterly, along a line 40 feet Northerly of and parallel to the center line of said 117th Street, said line being on a curve to the right, having a radius of 540 feet, to a point on the Westerly right-of-way line of Tomahawk Creek Parkway, as now established; thence Southwesterly, along the Westerly right-of-way line of Tomahawk Creek Parkway, to a point on the South line of the N½ of the SE½ of said Section 16; thence Westerly, along the South line of the N½ of the SE½ of said Section 16, to the point of beginning, all subject to that part thereof dedicated for street purposes.

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

And the Party of the First Part for its heirs, executors, administrators, successors and assigns, does hereby convene, promise, and agree to and with said Party of the Second Part that at the delivery of these presents 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 as may be shown 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 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 its hand and seal the day and year first above written.

NINETY-FIVE WEST, L.P., a Delaware limited partnership

By: MD Management, Inc., a Missouri corporation, its authorized general partner

Name: Mark A. Morgan
Title: Vice President
INDIVIDUAL ACKNOWLEDGMENT

STATE OF MISSOURI: ss.
COUNTY OF Clay:

BE IT REMEMBERED, That on the 17th day September, 1990, before me, the undersigned, a Notary Public in and for said County and State, came Mark A. Morgan, 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.

Angela Sue Matney
Notary Public

My Commission Expires 7-27-1994

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 _________, 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
ORDINANCE NO. 1191

Attest:

Martha Helzer  City Clerk

APPROVED AS TO FORM:

R.S. Wetzler  City Attorney
TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:

Debra Dziadure, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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 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:

11/20/90

Legal Notices Administrator

Subscribed and sworn to before me on this date: 11/20/90

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires: October 11, 1994

Publication Fees: $23.71

ORD. 1191
First published in The Legal Record, Tuesday, November 20, 1990.

ORDINANCE NO. 1191

AN ORDINANCE ACCEPTING A DEED FOR STREET PURPOSES (NORTH HALF OF 117TH STREET):

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

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 Ninety-Five West L.P.: All that part of the N1/2 of the SE1/4 of Section 16, Township 12, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the N1/2 of the SE1/4 of said Section 16, said point also being on the centerline of 117th Street, as now established; thence Northerly, along the West line of the N1/2 of the SE1/4 of said Section 16, a distance of 40 feet, to a point 40 feet North of the South line thereof; thence Easterly, along a line 40 feet North of and parallel to the South line of the N1/2 of the SE1/4 of said Section 16, and along a line 40 feet North of and parallel to the centerline of said 117th Street, a distance of 1403.95 feet, to a point of curvature; thence Easterly and Southwesterly, along a line 40 feet Northerly of and parallel to the centerline of said 117th Street, said line being on a curve to the right; having a radius of 540 feet, to a point on the Westerly right-of-way line of Tonahawk Creek Parkway, as now established; thence Southwesterly, along the Westerly right-of-way line of said Tonahawk Creek Parkway, to a point on the South line of the N1/2 of the SE1/4 of said Section 16; thence Westerly, along the South line of the N1/2 of the SE1/4 of said Section 16, to the point of beginning, all subject to that part thereof dedicated for street purposes.

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 19th day of November, 1990.
Approved by the Mayor the 19th day of November, 1990.

(SEAL)

Attest:

Martha Reizer
City Clerk

APPROVED AS TO FORM:

R.A. Wooten
City Attorney
AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD TO REGULATE THE MANUFACTURE, STORAGE, POSSESSION, TRANSPORTATION, SALE, AND USE OF EXPLOSIVE MATERIALS AND BLASTING AGENTS IN THE CITY OF LEAWOOD.

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

Section 1. Code Amended. That Section 7-216 of the Code of the City of Leawood is hereby amended to read as follows:

7-216. SAME; ARTICLE 77, EXPLOSIVES AND BLASTING AGENTS. Article 77, Explosives and Blasting Agents, is hereby enacted in its entirety with the following changes and additions:

Sec. 77.01 is hereby added to read as follows: RESPONSIBILITY FOR ENFORCEMENT. The Director of Public Works, referred to in this article as the "Director" shall be responsible for the administration and enforcement of this Article as provided herein. In addition, the Fire and Police Departments shall have authority to enforce regulatory provisions set forth herein, provided further that the Director shall be notified of any enforcement action taken by Fire or Police Departments.

Sec. 77.02 is hereby added to read as follows: APPLICATION OF ARTICLE. (a) This Article shall apply to all persons, firms, corporations, partnerships, governmental agencies, and associations storing, handling, or using explosive or blasting agents and to the owner or lessee of any building, premises, or equipment in or on which explosives or blasting agents are stored, handled, or used. (b) A permit as provided by Sec. 77.104(a) will not be required to transport explosives or blasting agents where the explosives or blasting agents are not being shipped from, or delivered to a location within the corporate boundaries of the City of Leawood, provided that said explosives or blasting agents are being transported in accordance with applicable regulations of other governmental agencies having jurisdiction, including the Federal Department of Transportation. (c) The provisions of this Article shall apply to all private and public property within the City.
(d) The provisions of this article shall not be construed to relieve from or lessen the responsibility of any person, firm, corporation, partnership, governmental agency or association storing, handling, or using the explosive or blasting agents or to relieve from our lessen the responsibility of the owner or lessee of any building, premises, or equipment in or on which explosives or blasting agents are stored, handled, or used, nor shall the City or any of its agents be held as assuming any such liability by reason of the inspections authorized by this article or any permits or certificates of inspection issued by this Article.

Sec. 77.103.1 is hereby added to read as follows: PERMIT DEFINED. "Permit" whenever used in the Article means the written authorization of the Director of Public Works and Fire Chief or their designees authorizing any person, firm, corporation, partnership, governmental agency or association to manufacture, store, possess, transport, sell, and use explosive materials and blasting agents.

Sec. 77.104.1 is hereby added to read as follows: REISSUING OF PERMITS. All permits issued in accordance with the provisions of this Article shall, when reissued, be subject to any amendments to this Article.

Sec. 77.104.2 is hereby added to read as follows: FEE. Each applicant for a permit shall pay to the City at the time of application a nonrefundable application fee of fifty dollars ($50.00).

Sec. 77.105 is hereby amended to read as follows: INSURANCE REQUIRED. Before a permit is issued, as required by Section 77.104(a)3, the applicant shall secure and maintain the following insurance coverages:

1. Workers Compensation, Kansas Statutory Coverage shall be provided.

2. Employers Liability:
   Bodily Injury by Accident $1,000,000 each accident
   Bodily Injury by Disease $1,000,000 policy limit
   Bodily Injury by Disease $1,000,000 each employee

3. Commercial General Liability:
   Bodily Injury and Property $1,000,000 Combined Single Limit
   Damage $2,000,000 Aggregate
4. Business Automobile Policy:
Bodily Injury and Property $1,000,000 Combined
Single Limit

Damage or Bodily Injury $1,000,000 per Person
Bodily Injury $1,000,000 per Accident
Property Damage $1,000,000 per Accident

Sec. 77.105.1 is hereby added to read as follows: SCALE DRAWING. Before a permit shall be issued, the applicant shall furnish to the Director of Public Works a scale drawing accurately showing the surrounding land and all improvements thereon, all dimensions and all distances relative thereto. The scale drawing shall show distances to all houses, buildings, or other facilities within 500 feet of the blasting or demolition work. The scale drawing accompanying an application for a permit to store explosives or blasting agents must show distances to buildings and other features in accordance with the American Table of Distances for Storage of Explosives. All permit applications which are not accompanied by a scale drawing shall be refused and will not be considered until such scale drawing accompanies the application for permit. In addition, the Director of Public Works shall have authority to establish additional written standards for the submission of scaled drawings or other portions of the application process.

Sec. 77.105.2 is hereby added to read as follows: BLASTING PLAN. When blasting is to take place within 500 feet of a house, building, or other structure, the application for the permit must be accompanied by a Blasting Plan for the blasting operation. This Blasting Plan shall include specific information on the blasting operation as follows:

1. charge weights
2. delays
3. depths
4. patterns
5. protective mats or coverings required
6. seismographic monitoring
7. pre-blast surveys
8. written notification of property or utility owners within 500'.

Regardless of distance to nearby facilities, the blasting operations shall be carried out in such a manner that they will not cause fly rock or damage from air blast
overpressure or ground vibration. Seismic recordings may be required by the Director. The maximum peak particle velocity at any such recording site must not exceed one inch per second in any one of three mutually perpendicular directions. Proposed specific location(s) of the seismic recording(s) shall be included in the Blasting Plan.

Sec. 77.107 is hereby added to read as follows: PERMITS NONTRANSFERABLE. Permits shall not be transferable.

Sec. 77.108 is hereby added to read as follows: DURATION OF PERMIT. Each permit granted by the city shall be valid for such a period of time as may be specified but not to exceed one (1) year, or until revoked whichever shall first occur.

Sec. 77.109 is hereby added to read as follows: SEPARATE PERMITS REQUIRED FOR EACH OPERATION. Separate and distinct permits shall be required for each operation listed.

Sec. 77.110 is hereby added to read as follows: APPROVAL SUBJECT TO INSPECTION. Application for a permit to construct or erect facilities for the storage, handling, or use of explosives or blasting agents required in this Article shall be made in writing to the Director of Public Works. Prior to issuing any permit, the Director of Public Works shall determine that the applicant has a valid user's permit and storage permit issued by the State Fire Marshall. If the applicant has a valid user's permit issued by the State Fire Marshall the Director of Public Works shall then cause an inspection to be made of the premises and equipment proposed to be used. If said premises and equipment are found to be in compliance with this Article, a statement to that effect shall be included on the application and signed by the person making the inspection. If the Director determines to his or her best information and belief that the requirements of this ordinance have been complied with, he or she shall issue a permit as applied for or under such conditions as he or she shall determine necessary. During the inspection of any premises or equipment in connection with any application for a permit The Director or his or her designee may inspect premises, buildings, installations, or equipment to determine compliance with the applicable law for the storage, handling, or use of explosives or blasting agents. If a violation of this Article is found to exist, the Director or designee shall file with the owner, occupant, or operator a notice citing the violation and ordering its correction within a
specified time period. No permit shall be issued by the Director until he or she has determined that any known violations of this article have been corrected.

Sec. 77.111 is hereby added to read as follows: INSPECTIONS FOLLOWING ISSUANCE OF PERMIT. As a condition of the issuance of a permit the applicant shall consent that during the period of issuance of the permit the buildings, premises, installations, or equipment in or on which explosives or blasting agents are to be stored, handled or used may be inspected by the Director of Public Works or his or her designee so as to enable the Director or his or her designee to determine that the applicant or holder of the permit is complying with the requirements of this ordinance and any conditions for issuance of the permit. If a violation of this Article is found to exist during any such inspection, the Director or designee shall serve the owner, occupant, or operator with a notice citing the violation and ordering its correction within a specified time period. If such order is not complied with, the Director shall revoke the permit issued for such facility.

Sec. 77.301.1 is hereby added to read as follows: BLASTING OPERATIONS. All blasting operations shall be carried out only by skilled and experienced personnel who are currently licensed by the State of Kansas to conduct blasting operations. A daily blasting log and storage log, if applicable, shall be kept for all blasting operations and be made available for inspection by the Director or other authority having jurisdiction.

Sec. 77.501 is hereby added to read as follows: APPEALS. Any owner, lessee, agent, operator, or occupant aggrieved by any decision, order or permit issued pursuant to this Article may file an appeal to the City Council. The appeal shall be in written form and shall be made to the Director of Public Works. The Director shall cause the appeal to be heard at the next available City Council meeting. Such appeal shall not stay the execution of any decision, order or permit issued pursuant to this article until said order has been heard and reviewed, vacated, or confirmed by the City Council. The City Council shall at some hearing confirm, modify, revoke, or vacate such decision, order or issuance of permit. Unless revoked or vacated, such decision, order or permit shall then be complied with. Nothing contained in this article shall be deemed to deny the right of any person, firm, corporation, copartnership, or voluntary association to ap-
Sec 77.502 is hereby added to read as follows: COURT APPEALS. No decision, order or permit issued pursuant to this article shall be stayed by appeal to a court having appellate jurisdiction over the matter unless said court shall enter an order staying the execution of such decision, order or permit.

Sec. 77.503 is hereby added to read as follows:

PENALTIES. Any person who fails to comply with the provisions of this Article including but not limited to Uniform Fire Code, Article 77, Explosives and Blasting Agents, as amended, National Fire Protection Association 495 Explosive Materials Code (NFPA 495), 1990 edition, Kansas Administrative Regulations 22-4-2 through and including 22-4-3, Title 27 of the Code of Federal Regulations or with any order of the Director or other authority having jurisdiction issued pursuant thereto shall be subject to the penalties of Section 7-220 of the Code of the City of Leawood.

Section 2. Code Amended. That the Code of the City of Leawood is hereby amended by adding Section 7-216.1 which reads as follows:


Section 3. Code Amended. That the Code of the City of Leawood is hereby amended by adding Section 7-216.2 which reads as follows:

7-216.2. SAME. The City of Leawood, Kansas does hereby incorporate by reference under K.S.A. 12-3009 through 12-3012, the Code and Standard known as Kansas Administrative Regulations 22-4-1 through 22-4-3 as amended in its entirety.

Section 4. Code Amended. That the Code of the City of Leawood is hereby amended by adding Section 7-216.3 which reads as follows:
The City of Leawood, Kansas does hereby incorporate by reference under K.S.A. 12-3009 through 12-3012, the Code and Standard known as Title 27 of the Code of Federal Regulations in its entirety.

Section 5. Validity of Ordinance. That the City of Leawood, Kansas, hereby declares that should any article, paragraph, sentence or word of this ordinance be declared for any reason to be invalid, it is the intent of the City of Leawood that it would have passed all other portions of this ordinance independent of the elimination herefrom of any portion as may be declared invalid.

Section 6. Repeal of Existing Section. That existing Section 7-216 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. 1021C)

Section 7. 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 19th day of November, 1990.

Approved by the Mayor the 19th day of November, 1990.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED AS TO FORM:

R.S. Wetzel City Attorney
TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

11/20/90

[Signature]
Legal Notices Administrator

Subscribed and sworn to before me on this date:
11/20/90

[Signature]
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994
Publication Fees: $100.78

Ord. 1190C
ORDINANCE NO. 1189 C

AN ORDINANCE ADOPTING THE 1990 LEAWOOD DEVELOPMENT ORDINANCE AND REPEALING CERTAIN EXISTING ARTICLES AND SECTIONS 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 16-201 of the Code of the City of Leawood is hereby amended to read as follows:

16-201. ZONING ORDINANCE INCORPORATED. There is hereby incorporated by reference pursuant to K.S.A. 12-3009, K.S.A. 12-3010 and K.S.A. 12-3301, for the purpose of providing zoning regulations within the City of Leawood, Kansas, all of the regulations contained in that document hereafter known and referred to as the "1990 Leawood Development Ordinance."

No fewer than three copies of such 1990 Leawood Development Ordinance, marked or stamped "Official Copy" as incorporated by the ordinances of the City of Leawood, Kansas, shall be filed with the city clerk, to be open to inspection and available to the public during regular office hours, except that such official copies may not be removed from city hall. City officials requiring the use of such development ordinance shall be supplied at the expense of the city such number of official copies of the development ordinance as may be deemed expedient by the governing body.

Section 2. Code Amended. That Section 16-202 of the Code of the City of Leawood is hereby amended to read as follows:

16-202. FEES. To partially cover the cost of administering the procedures set forth in the 1990 Leawood Development Ordinance of the city, fees shall be required at the time of submission of plans and/or applications. The fees are set forth in the Fee Schedule established and maintained by the city administrator, as prescribed in section 1-701.

Applicant is responsible for the cost of publishing rezoning or special use permit ordinances following city council approval.

Section 3. Repeal of Certain Existing Articles and Sections. That the following existing sections and articles of the Code of the City of Leawood are hereby repealed:

Sections 16-201 and 16-202
Article 5 of Chapter 11 (Prior law: Ords. 835, 1188C)
Article 1 of Chapter 16
Sections 16-304 through and including 16-311
Section 4. 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 19th day of November, 1990.

Approved by the Mayor the 19th day of November, 1990.

(SEAL)

Marcia Rinehart, Mayor

Attest:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R.S. Wetsler, City Attorney
ORDINANCE NO. 1188C

AN ORDINANCE AMENDING THE LEAWOOD RESIDENTIAL SIGN ORDINANCE.

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

Section 1. Code Amended. That Section 11-506 of the Code of the City of Leawood is hereby amended to read as follows:

11-506. ADDITIONAL REQUIREMENTS. All signs, including signs which are excepted under the provisions of Section 11-505 from the permit requirements of this article and signs for which a permit is required, shall comply with the following requirements and no person shall construct, erect or maintain any signs contrary to the requirements:

(1) Not more than one sign per event, issue or candidate, excluding signs described in Section 11-505(1) and 11-505(2), shall be displayed upon any residence or lot at any one time;

(2) No sign other than a "developer sign" shall be greater in area than five square feet;

(3) No sign or any part thereof or attachment thereto other than a "developer sign" shall exceed three feet in overall height;

(4) No sign shall be placed closer than 15 feet from the edge of the pavement or the curb of the street;

(5) No sign will be placed on a public right-of-way;

(6) No real estate "for sale" sign shall be displayed longer than 24 hours subsequent to the sale of the residence; for purposes of this article sale shall be deemed to have occurred upon execution of a contract for sale by buyer and seller;

(7) No garage sale sign shall be displayed unless a valid permit for the sign has been issued and no permit shall be issued which permits display of any garage sale sign for more than four consecutive days;

(8) Not more than two permits authorizing the display of a garage sale sign upon any one residence shall be issued during any calendar year;

(9) No political campaign sign shall be placed upon any residential lot more than 15 days prior to the election which is the subject of the campaign sign and all campaign signs shall be removed not later than 48 hours following the election which is the subject of the campaign sign;

(10) No permit shall be issued which authorizes the erection upon any residence or lot any sign advertising the business of any person who has contracted or agreed with the owner of the residence or lot to perform maintenance, home improvements or repairs to or on the property;

(11) No twirlers, flags, balloons or other paraphernalia
shall be attached to any sign or displayed in conjunction with any sign unless the code official determines that the display or attachment will not be contrary to the intent and purposes of this article, and a permit specifically authorizing the display or attachment has been issued by code official;

(12) No sign shall be displayed which shall clearly adversely affect neighborhood aesthetics or result in visual clutter of a residential neighborhood;

(13) No sign permit shall be issued which allows a sign to be displayed for a period of time which is longer than reasonably necessary to accomplish the purpose or communicate the information which is the subject matter of the sign;

(14) No sign permit shall be issued for a period of time in excess of six months; however, a sign permit can be renewed for additional periods of time upon submission of a new application for issuance of a permit and compliance with all other provisions of this article;

(15) A builder's sign may be displayed in lieu of or as a part of a real estate "for sale" sign.

Section 2. Repeal of Existing Section. That existing Section 11-506 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 15th day of October, 1990.

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

(S.E.A.L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzel
City Attorney
ORDINANCE 1188C

First published in The Legal Record, Tuesday, October 16, 1990.

ORDINANCE NO. 1188C

AN ORDINANCE AMENDING THE LEAWOOD RESIDENTIAL SIGN ORDINANCE.

As is ordered by the governing body of the City of Leawood:

Section 1. Code Amended. That Section 11-506 of the Code of the City of Leawood is hereby amended to read as follows:

11-506. ADDITIONAL REQUIREMENTS. All signs, including signs which are exempted under the provisions of Section 11-505 of the permit requirements of this article and those for which a permit is required, shall comply with the following requirements and no person shall construct, erect, maintain or display any signs contrary to the requirements:

(1) No more than one sign per event, issue or candidate, excluding signs described in Section 11-505(a) and 11-505(b), shall be displayed upon any residence or lot at any one time;

(2) No sign other than a "developer sign" shall be greater in area than five square feet;

(3) No sign or any part thereof or attachment thereto other than a "developer sign" shall exceed three feet in overall height;

(4) No sign shall be placed closer than 15 feet from the edge of the pavement or the curb of the street;

(5) No sign will be placed on a public right-of-way;

(6) No real estate "for sale" sign shall be displayed longer than 24 hours subsequent to the sale of the residence; for purposes of this article an "article sale" shall be deemed to have occurred upon execution of a contract for sale by buyer and seller;

(7) No garage sale sign shall be displayed unless a valid permit for the sign has been issued and no permit shall be issued which permits display of any garage sale sign for more than four consecutive days;

(8) Not more than two permits authorizing the display of a garage sale sign upon any one residence shall be issued during any calendar year;

(9) No political campaign sign shall be placed upon any residential lot more than 30 days prior to the election which is the subject of the campaign sign and all campaign signs shall be removed not later than 48 hours following the election which is the subject of the campaign sign;

(10) No permit shall be issued which authorizes the erection upon any residence or lot any sign advertising the business of any person who has contracted or agreed with the owner of the residence or lot to perform maintenance, home improvements or repairs to or on the property;

(11) No tents, flags, balloons or other paraphernalia shall be attached to any sign or displayed in connection with any sign unless the code official determines that the display or attachment will not be contrary to the intent and purposes of this article and a permit specifically authorizing the display or attachment has been issued by code official;

(12) No sign shall be displayed which shall clearly adversely affect neighborhood aesthetics or result in visual clutter of a residential neighborhood;

(13) No sign permit shall be issued which allows a sign to be displayed for a period of time which is longer than reasonably necessary to accomplish the purpose or communicate the information which is the subject matter of the sign;

(14) No sign permit shall be issued for a period of time in excess of six months; however, a sign permit can be renewed for additional periods of time upon submission of a new application for issuance of a permit and compliance with all other provisions of this article;

(15) A builder's sign may be displayed in lieu of or as a part of a real estate "for sale" sign.

Section 2. Repeal of Existing Section. That existing Section 11-506 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 15th day of October, 1990.
Approved by the Mayor the 15th day of October, 1990.

(S E A L)

Marilyn Rinchard
Mayor

Approval as to Form:

A.R. Metzler
City Attorney
ORDINANCE NO. 1187

AN ORDINANCE GRANTING AN EASEMENT ACROSS THE TOMAHAWK CREEK GREENWAY FOR SANITARY SEWER PURPOSES.

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

19-6,227. Section 1. That the City of Leawood, Kansas, does hereby grant an easement for sanitary sewer purposes to Lateral Sewer District 17, of Tomahawk Creek Sewer Sub-District No. 5, on property described as follows:

A ten (10) foot wide permanent easement and a forty (40) foot wide temporary construction easement lying five (5) feet and twenty (20) feet, respectively, either side of the following described centerline: Commencing at the Southeast Corner of the Southeast One-Quarter (SE 1/4) of Section 16, Township 13S, Range 25E, in the City of Leawood, Johnson County, Kansas; thence North 0 degrees East on the East Line of said Southeast One-Quarter a distance of 133.06 feet; thence South 50 degrees 50 minutes 18 seconds West a distance of 56.25 feet; thence South 89 degrees 03 minutes 38 seconds West a distance of 229.28 feet; thence North 60 degrees 53 minutes 04 seconds West a distance of 53.95 feet to the True Point of Beginning; thence continuing North 60 degrees 53 minutes 04 seconds West a distance of 232.24 feet to a point lying on the centerline of the existing sanitary easement for Line A, Section 1, Tomahawk SSD #5, said point also being the Point of Terminus.

The above described easement being contiguous to and contained within the property lines of the tract in which it is contained.

19-6,228. 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 2nd day of October, 1990.

Approved by the Mayor the 2nd day of October, 1990.

(S.E.A.L.)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzler
City Attorney
February 1, 1991

Martha Heizer
City of Leawood
9615 Lee Boulevard
Leawood, Kansas 66206

Re: Church of the Nativity Easement

Dear Martha:

As requested I had the Register of Deeds file stamp the extra easements you sent to me for the above referenced project. However, they file stamped them with the wrong numbers. I have sent along a copy of the original with the "original compared with record" stamp so you can see what the correct filing information should be.

Thank you for your help in obtaining this easement. If you need any additional information please call.

Sincerely,

Stacy Gallick
Senior Engineering Technician

Sg/mjh
9091063
A ten (10) foot wide permanent easement and a forty (40) foot wide temporary construction easement lying five (5) feet and twenty (20) feet, respectively, either side of the following described centerline:

Commencing at the Southeast Corner of the Southeast One-Quarter (SE 1/4) of Section 16, Township 13S, Range 25E, in the City of Leawood, Johnson County, Kansas; thence North 0 degrees East on the East Line of said Southeast One-Quarter a distance of 133.06 feet; thence South 50 degrees 50 minutes 18 seconds West a distance of 56.25 feet; thence South 89 degrees 0 minutes 38 seconds West a distance of 229.28 feet; thence North 60 degrees 53 minutes 04 seconds West a distance of 63.95 feet to the True Point of Beginning; thence continuing North 60 degrees 53 minutes 04 seconds West a distance of 522.24 feet to a point lying on the centerline of the existing sanitary easement for Line A, Section 1, Tomahawk SSD #5, said point also being the Point of Terminus.

The above described easement being contiguous to and contained within the property lines of the tract in which it is contained.

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 or construction of sewers within said Sewer District.

All sod damaged by the installation of said line or by making future repairs or in removing said property, shall be replaced by grantee.

Grantor____agrees____ that the planting of any trees or placing of other improvements on said permanent right-of-way will be done at the risk of subsequent damage thereto without compensation therefore.

This agreement is binding upon the heirs, executors, administrators, successors, and assigns of the parties hereto, and it is understood that this agreement cannot be changed in any way except in writing, signed by the grantor __ and a duly authorized agent of the grantee.

IN WITNESS WHEREOF the Grantor____ has hereunto set its hand and seal____ on this, the 17th day of December, 1990.

THE CITY OF LEAWOOD, a municipal corporation

By: ____________________________
    Marcia Rinehart, Mayor

3204 PR 256
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas 
COUNTY OF Johnson SS:

BE IT REMEMBERED, That on this 17th day of December, 1990, before me, the undersigned Notary Public, personally came Marcia Rinehart, Mayor of the City of Leawood, Kansas who is personally known to me to be the same person who executed the foregoing instrument of writing and as such person duly acknowledged the execution of the same.

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

Notary Public

My Commission expires June 25, 1991

CORPORATE ACKNOWLEDGMENT

STATE OF

COUNTY OF SS:

BE IT REMEMBERED, That on this ______ day of __________, 19__, before me, the undersigned Notary Public in and for the County and State aforesaid, came ______ of ______ who is personally known to me to be the ______ of said ______ and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said ______.

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

Notary Public

My Commission expires ____________________________
RIGHT-OF-WAY GRANT

KNOW ALL MEN BY THESE PRESENTS, that The City of Leawood, Kansas, a municipal corporation,

of the Post Office of in the State of Kansas, in consideration of One Dollar ($1.00) in hand paid and other valuable consideration, receipt of which is hereby acknowledged, hereby grants and conveys unto Lateral Sewer District 17, of Tomahawk Creek Sewer Sub-District No. 5. Therein, its successors and assigns, a Right-of-Way to lay, construct, maintain, alter, repair, replace, and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

A ten (10) foot wide permanent easement and a forty (40) foot wide temporary construction easement lying five (5) feet and twenty (20) feet, respectively, either side of the following described centerline:

Commencing at the Southeast Corner of the Southeast One-Quarter (SE 1/4) of Section 16, Township 13S, Range 25E, in the City of Leawood, Johnson County, Kansas; thence North 0 degrees East on the East Line of said Southeast One-Quarter a distance of 133.06 feet; thence South 50 degrees 50 minutes 18 seconds West a distance of 56.25 feet; thence South 89 degrees 03 minutes 38 seconds West a distance of 229.28 feet; thence North 60 degrees 53 minutes 04 seconds West a distance of 53.96 feet to the True Point of Beginning; thence continuing North 60 degrees 53 minutes 04 seconds West a distance of 232.24 feet to a point lying on the centerline of the existing sanitary easement for Line A, Section 1, Tomahawk SSD #5, said point also being the Point of Terminus.

The above described easement being contiguous to and contained within the property lines of the tract in which it is contained.

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 its hand and seal on this, the 17th day of December, 1990.

THE CITY OF LEAWOOD, a municipal corporation

By: Marcia Rinehart, Mayor

VOL 3294PG 258
STATE OF Kansas COUNTRY OF Johnson SS:

BE IT REMEMBERED, That on this 17th day of December, 1990, before me, the undersigned Notary Public, personally came Marcia Rinehart, Mayor of the City of Leawood, Kansas, who is personally known to me to be the same person who executed the foregoing instrument of writing and as such person duly acknowledged the execution of the same.

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

Notary Public

My Commission expires June 25, 1991

CORPORATE ACKNOWLEDGMENT

STATE OF _________________ COUNTRY OF _________________ SS:

BE IT REMEMBERED, That on this ______ day of ______, 19____, before me, the undersigned Notary Public in and for the County and State aforesaid, came ______ of ______ who is personally known to me to be the ______ of said ______ and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said ______.

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

Notary Public

My Commission expires _________________.
TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66206

ORD. 1187
First published in The Legal Record, Tuesday, December 18, 1990.
ORDINANCE NO. 1187
AN ORDINANCE GRANTING AN EASEMENT ACROSS THE TOMAHAWK CREEK GREENWAY FOR SANITARY SEWER PURPOSES.

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

Section 1. That the City of Leawood, Kansas, does hereby grant an easement for sanitary sewer purposes to Lateral Sewer District 17, of Tomahawk Creek Sewer Sub-District No. 5, on property described as follows:

A ten (10) foot wide permanent easement and a forty (40) foot wide temporary construction easement lying five (5) feet and twenty (20) feet, respectively, either side of the following described centerline: Commencing at the Southeast Corner of the Southeast One-Quarter (SE 1/4) of Section 16, Township 12S, Range 25E, in the City of Leawood, Johnson County, Kansas; thence North 0 degrees East on the East Line of said Southeast One-Quarter a distance of 133.06 feet; thence South 50 degrees 50 minutes 13 seconds West a distance of 56.25 feet; thence South 89 degrees 03 minutes 38 seconds West a distance of 129.26 feet; thence North 60 degrees 53 minutes 04 seconds West a distance of 51.95 feet to the True Point of Beginning; thence continuing North 60 degrees 53 minutes 04 seconds West a distance of 232.24 feet to a point lying on the centerline of the existing sanitary easement for Line A, Section 1, Tomahawk SSD 5, said point also being the Point of Terminus.

The above described easement being contiguous to and contained within the property lines of the tract in which it is contained.

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 2nd day of October, 1990.
Approved by the Mayor the 2nd day of October, 1990.

(S E A L)         Marcia Ricehart         Mayor
Attest:

    Martha Heizer         City Clerk
  APPROVED AS TO FORM:

    W.S. Matheny         City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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 1 consecutive week(s) as follows:

12/18/90

Legal Notices Administrator

Subscribed and sworn to before me on this date:

12/18/90

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $14.82

Ord. No. 1187
ORDINANCE NO. 1186

OF

THE CITY OF LEAWOOD, KANSAS

ADOPTED OCTOBER 2, 1990

$1,848,653
GENERAL OBLIGATION IMPROVEMENT BONDS
SERIES 1990-A

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ORDINANCE NO. 1186

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $1,848,653 PRINCIPAL AMOUNT OF GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 1990-A, OF THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE THE COST OF CONSTRUCTION OF CERTAIN IMPROVEMENTS WITHIN THE CITY; PRESCRIBING THE FORM AND DETAILS OF SAID BONDS AND THE COVENANTS AND AGREEMENTS MADE BY THE CITY TO FACILITATE AND PROTECT THE PAYMENT THEREOF; MAKING PROVISION FOR THE COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND PROVIDING FOR EXECUTION OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH.

WHEREAS, pursuant to K.S.A. 12-6a01, et seq. and 12-685, et seq., each as amended, and other provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the governing body of the City of Leawood, Kansas (the "City") has heretofore authorized the following improvements within the City (the "Improvements"):

(a) Construction of improvements to that portion of Roe Avenue extending from 112th Street to 121st Street including necessary appurtenances, pursuant to K.S.A. 12-6a01 et seq., as authorized by Resolution No. 757 (the "Roe Avenue Improvement");

(b) Replacement of the bridge on Roe Avenue over Tomahawk Creek including necessary appurtenances, pursuant to K.S.A. 12-685 et seq., as authorized by Resolution No. 851; and

(c) Construction of improvements to 95th Street extending from State Line Road to Wenonga including necessary appurtenances, pursuant to K.S.A. 12-685 et seq., as authorized by Ordinance No. 1065;

and

WHEREAS, all legal requirements pertaining to the Improvements have been complied with, and the governing body of the City now finds and determines that the total cost of the Improvements including construction financing and related expenses is $3,167,132 with $505,509 of the cost to be paid by the owners of the property within the City benefited by the Roe Avenue Improvement and $2,661,633 of the cost to be paid by the City at large, and that none of said property owners have paid their respective assessments on account of the construction of the Roe Avenue Improvement and there are $1,318,479 of other funds available in the City Treasury to pay the remainder of the cost of the Improvements leaving $1,848,653 to be paid by the issuance and sale of the City's general obligation bonds; and

pp:whleaord
WHEREAS, the governing body of the City is authorized by law to issue general obligation bonds of the City to finance the costs of constructing the Improvements; and

WHEREAS, the City hereby finds and determines that it is necessary and essential to provide funds to finance the cost of constructing the Improvements by the issuance of General Obligation Improvement Bonds, Series 1990-A, in the principal amount of $1,848,653 (the "Bonds"); and

WHEREAS, the City intends that the Bonds be designated and has heretofore designated and hereby designates the Bonds "qualified tax-exempt obligations" within the meaning and for the purposes provided in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended;

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

ARTICLE I
DEFINITIONS

20-1,598. Section 101. Definitions of Words and Terms. In addition to words and terms defined in the recitals and elsewhere in this Ordinance, the following words and terms as used in this Ordinance shall have the following meanings, unless some other meaning is plainly intended:

"Bond Registrar" means the Treasurer of the State of Kansas in the City of Topeka, Kansas, and any successors or assigns.

"Construction Fund" means the Improvement Construction Fund created by Section 501 of this Ordinance.

"Cost of Issuance Fund" means the Cost of Issuance Fund created by Section 501 of this Ordinance.

"Ordinance" means this Ordinance as from time to time amended in accordance with the terms hereof.

"Paying Agent" means the Treasurer of the State of Kansas, in the City of Topeka, Kansas, and any successors and assigns.

"Principal and Interest Fund" means the Principal and Interest Fund for the Bonds created by Section 501 of this Ordinance.

"Underwriters" means Country Club Bank, Kansas City, Missouri.
ARTICLE II

AUTHORIZATION OF THE BONDS

20-1,599. Section 201. Authorization of the Bonds. The Bonds of the City are authorized and directed to be issued in the principal amount of $1,848,653 for the purpose of providing funds to finance the costs of constructing the Improvements, as provided in this Ordinance.

20-1,600. Section 202. Security for the Bonds. The Bonds shall be general obligations of the City payable in part from special assessments levied against properties benefited by the construction of the Roe Avenue Improvement and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property, real or personal, within the territorial limits of the City, and the balance shall be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the City.

20-1,601. Section 203. Details of the Bonds. The Bonds will be issued as a single series designated "General Obligation Improvement Bonds, Series 1990-A", in the aggregate principal amount of $1,848,653.

The Bonds shall consist of fully registered certificated bonds without coupons in the denominations of $5,000 or any integral multiple thereof except that one bond of the first maturity shall be issued in the denomination of $8,653. The Bonds shall be substantially in the form described in Article IV hereof and shall be subject to registration, transfer and exchange as provided in Section 206 hereof. All of the Bonds shall be dated October 1, 1990, shall become due serially on September 1 (the "Principal Payment Dates") in the years and in the principal amounts (subject to optional redemption prior to maturity as provided in Article III hereof) and shall bear interest at the respective rates per annum as follows:

SERIES 1990-A BONDS

<table>
<thead>
<tr>
<th>MATURITY DATE</th>
<th>PRINCIPAL AMOUNT</th>
<th>INTEREST RATE PER ANNUM</th>
<th>MATURITY DATE</th>
<th>PRINCIPAL AMOUNT</th>
<th>INTEREST RATE PER ANNUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1991</td>
<td>143,653</td>
<td>8.25%</td>
<td>1999</td>
<td>140,000</td>
<td>6.85%</td>
</tr>
<tr>
<td>1992</td>
<td>140,000</td>
<td>8.25%</td>
<td>2000</td>
<td>140,000</td>
<td>6.40%</td>
</tr>
<tr>
<td>1993</td>
<td>140,000</td>
<td>8.25%</td>
<td>2001</td>
<td>90,000</td>
<td>6.50%</td>
</tr>
<tr>
<td>1994</td>
<td>140,000</td>
<td>6.50%</td>
<td>2002</td>
<td>90,000</td>
<td>6.50%</td>
</tr>
<tr>
<td>1995</td>
<td>140,000</td>
<td>6.40%</td>
<td>2003</td>
<td>90,000</td>
<td>6.50%</td>
</tr>
<tr>
<td>1996</td>
<td>140,000</td>
<td>6.25%</td>
<td>2004</td>
<td>90,000</td>
<td>6.25%</td>
</tr>
<tr>
<td>1997</td>
<td>140,000</td>
<td>6.25%</td>
<td>2005</td>
<td>85,000</td>
<td>6.25%</td>
</tr>
<tr>
<td>1998</td>
<td>140,000</td>
<td>6.25%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The Bonds shall bear interest at the rates aforesaid (computed on the basis of a 360-day year composed of twelve 30-day months) from the date thereof or from the most recent interest payment date to which interest has been paid or duly provided for, payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1991 (the "Interest Payment Dates"), to the registered owners whose names appear on the books maintained by the Bond Registrar at the close of business on the 15th day of the month preceding the Interest Payment Dates (the "Record Dates").

20-1,602. Section 204. Designation of Paying Agent and Bond Registrar. The Treasurer of the State of Kansas in the City of Topeka, Kansas, is hereby designated as the City's paying agent for the payment of principal of, premium, if any, and interest on the Bonds and bond registrar with respect to the registration, transfer and exchange of Bonds (the "Paying Agent" and "Bond Registrar").

The Mayor of the City and the City Clerk of the City are hereby authorized and empowered to execute on behalf of the City an agreement with the Treasurer of the State of Kansas for said Treasurer to act as Bond Registrar and Paying Agent for the Bonds.

20-1,603. Section 205. Method and Place of Payment of Bonds. The principal of, premium, if any, and interest on the Bonds shall be payable in lawful money of the United States of America by check or draft of the Paying Agent.

The principal of and premium, if any, on the Bonds shall be payable at the office of the Paying Agent upon presentation and surrender of such Bonds as they respectively become due.

The interest on the Bonds shall be payable to the order of the registered owners thereof mailed by the Paying Agent to the addresses of such registered owners as they appear on the registration books maintained by the Bond Registrar or at such other address provided in writing by such registered owner to the Bond Registrar prior to the Record Dates.

The Paying Agent and Bond Registrar shall keep in its office a record of payment of principal of, premium, if any, and interest on the Bonds.

20-1,604. Section 206. Registration, Transfer and Exchange of Bonds. The City covenants that it will, as long as any of the Bonds herein authorized remain outstanding, cause to be kept at the office of the Bond Registrar books for the registration, transfer and exchange of Bonds as herein provided.

Upon presentation of the necessary documents as hereinafter described, the Bond Registrar shall transfer or exchange any Bond(s) for new Bond(s) in an authorized denomination of the same
maturity and for the same aggregate principal amount as the Bond(s) presented for transfer or exchange.

All Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the registered owner thereof or by the registered owner's duly authorized agent. In addition, all Bonds presented for transfer or exchange shall be surrendered to the Bond Registrar for cancellation.

Prior to delivery of the new Bond(s) to the transferee, the Bond Registrar shall register the same in the registration books kept by the Bond Registrar for such purpose and shall authenticate each Bond.

The City shall provide for the payment out of the Bond proceeds of the fees of the Bond Registrar for registration and transfer of the Bonds and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the bondowners.

The City, the Bond Registrar and the Paying Agent may deem and treat the person in whose name any Bond shall be registered as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal and redemption price, if any, or and interest on said Bond and for all other purposes, and all such payments so made to any such registered owner or upon such registered owner's order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Bond Registrar nor the Paying Agent shall be affected by any notice to the contrary, but such registration may be changed as herein provided.

The Bond Registrar shall not be required to register, transfer or exchange Bonds for a period extending from the Record Date to the following Interest Payment Date for the Bonds or to register, transfer or exchange any Bonds called for redemption during said period.

20-1,605. Section 207. Surrender and Cancellation of Bonds. Whenever any outstanding Bond shall be delivered to the Bond Registrar for cancellation pursuant to the Ordinance, upon payment of the principal amount thereof and interest thereon or for replacement pursuant to this Ordinance, such Bond shall be cancelled by the Bond Registrar and the cancelled Bond shall be returned to the City.

20-1,606. Section 208. Mutilated, Lost, Stolen or Destroyed Bonds. In the event any Bond is mutilated, lost, stolen or destroyed, the City may execute and the Bond Registrar may authenticate a new Bond of like date, maturity, denomination and interest rate as
that mutilated, lost, stolen or destroyed; provided, that in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the City or the Bond Registrar, and, in the case of any lost, stolen or destroyed Bond there shall be first furnished to the Bond Registrar and the City evidence of such loss, theft or destruction and an indemnity satisfactory to them. In the event any such Bond shall have matured, instead of issuing a duplicate Bond, the City and Bond Registrar may pay the same without surrender thereof. The City and Bond Registrar may charge to the registered owner of such Bond their reasonable fees and expenses in connection with replacing such Bond or Bonds mutilated, stolen, lost or destroyed.

20-1,607. Section 209. Execution, Registration and Delivery of the Bonds. Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be signed by the manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the City Clerk and shall have the corporate seal of the City affixed thereto or imprinted thereon. In case any officer whose signature or facsimile thereof appears on any Bonds shall cease to be such officer before the delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond shall be the proper officers to sign such Bond, although at the date of such Bond such persons may not have been such officers.

The Mayor of the City and the City Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner hereinbefore specified, to cause the Bonds to be registered in the office of the City Clerk and the State Treasurer as provided by law, and, when duly executed and registered, to deliver the Bonds to the Underwriters, upon receipt by the City of the purchase price of the Bonds, which purchase price shall be 100% of the principal amount of the Bonds plus accrued interest to the date of their delivery plus any premium thereon. The Mayor of the City and the City Clerk are also hereby further authorized to enter into an agreement with a depository trust company to have the executed, authenticated Bonds held in safe keeping prior to their delivery to the Underwriters.

The Bonds shall have endorsed thereon a Certificate of Authentication substantially in the form set forth in Exhibit A attached hereto, which shall be executed by the manual or facsimile signature of the Bond Registrar. No Bond shall be entitled to any security or benefit under the Ordinance nor shall it be valid or obligatory for any purpose unless and until such Certificate of Authentication shall have been duly executed by the Bond Registrar. Such executed Certificate of Authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under the Ordinance. The Certificate of Authentication on any Bond shall be deemed to have been duly
executed if signed by any authorized officer or employee of the
Bond Registrar, but it shall not be necessary that the same
officer or employee sign the Certificate of Authentication on all
of the Bonds that may be issued hereunder at any one time.

ARTICLE III

20-1,608. Section 301. Optional Redemption. At the option of the
City, Bonds maturing on September 1, 1999, and thereafter may be
called for redemption and payment prior to maturity on
September 1, 1998, and on any Interest Payment Date thereafter,
in whole or in part in inverse order of maturity at the redemp-
tion price of 100% of the principal amount thereof, plus accrued
interest thereon to the date fixed for redemption, without pre-
mium.

20-1,609. Section 302. Notice of Redemption. In the event the City
shall elect to redeem and pay any of the Bonds prior to the matu-
ry thereof, the City shall publish once in the Kansas Register
and in a financial journal published in New York, New York, a
notice of the intention of the City to redeem and pay said Bonds,
the same being described by number and maturity, said notice in
said financial journal to be published not less than 30 days
prior to the date on which said Bonds are called for redemption
and payment and said notice in the Kansas Register to be pub-
lished not less than 15 days prior to said redemption date. The
City shall also give written notice of its intention to redeem
and pay said Bonds on a specified date, the same being described
by number and maturity, said notice to be mailed by prepaid
United States registered or certified mail addressed to the State
Treasurer of the State of Kansas and to the Underwriters, said
notice to be mailed not less than 45 days prior to the redemption
date. The State Treasurer of Kansas will send notice of redemp-
tion by ordinary U.S. mail to the registered owners of said
Bonds, said notices to be mailed not less than 30 days prior to
the date fixed for redemption.

20-1,610. Section 303. Selection of Bonds to Be Redeemed. Bonds
shall be redeemed only in the principal amount of $5,000 or any
integral multiple thereof. When less an all of the outstanding
Bonds are to be redeemed and paid prior to maturity, such Bonds
shall be redeemed in inverse order of maturity from all of the
Bonds of both separate series taken as a single issue of Bonds,
Bonds of less than a full maturity to be selected by the Paying
Agent and Bond Registrar by lot in $5,000 units of face value in
such equitable manner as the Paying Agent and Bond Registrar may
determine.

In the case of a partial redemption of Bonds by lot when
Bonds of denominations greater than $5,000 are then outstanding,
then for all purposes in connection with such redemption each
$5,000 of face value shall be treated as though it were a sepa-
rate Bond of the denomination of $5,000. If it is determined
that one or more, but not all, of the $5,000 units of face value
represented by any fully registered Bond is selected for redemption, then upon notice of intention to redeem such $5,000 unit or units, the owner of such fully registered Bond or the owner's duly authorized agent shall forthwith present and surrender such Bond to the Paying Agent and Bond Registrar (1) for payment of the redemption price (including the interest to the date fixed for redemption) of the $5,000 unit or units of face value called for redemption, and (2) for exchange, without charge to the owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such fully registered Bond. If the owner of any such fully registered Bond of a denomination greater than $5,000 shall fail to present such Bond to the Paying Agent and Bond Registrar for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of the $5,000 unit or units of face value called for redemption (and to that extent only).

20-1,611. Section 304. Effect of Call for Redemption. Whenever any Bond is called for redemption and payment as provided in this Article, all interest on such Bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

ARTICLE IV
FORM OF THE BONDS

20-1,612. Section 401. Form of Bonds. The Bonds shall be printed in accordance with the format required by the Attorney General of the State of Kansas and shall contain information and recitals substantially as set forth in Exhibit A attached hereto or as may be required by the Attorney General pursuant to the Notice of Systems of Registration for Kansas Municipal Bonds, 2 Kan. Reg. 921 (1983) in accordance with the Kansas Bond Registration Law, K.S.A. 10-620 to 10-632, inclusive, as amended.

ARTICLE V
ESTABLISHMENT OF FUNDS

20-1,613. Section 501. Creation of Funds. There are hereby created and ordered to be established in the treasury of the City the following separate funds to be known respectively as follows:

(a) Principal and Interest Fund for the Bonds (the "Principal and Interest Fund");

(b) Improvement Construction Fund (the "Construction Fund"); and

(c) Cost of Issuance Fund (the "Cost of Issuance Fund").
20-1,614. Section 502. Administration of Funds. The funds established pursuant to the authority of Section 501 hereof shall be maintained and administered by the City solely for the purposes and in the manner as provided in the Ordinance so long as any of the Bonds remain outstanding and unpaid.

ARTICLE VI
APPLICATION OF BOND PROCEEDS

20-1,615. Section 601. Disposition of Bond Proceeds and Other Moneys.
(a) The proceeds received from the sale of the Bonds, including any premium and accrued interest thereon, shall be deposited simultaneously with the delivery of the Bonds, as follows:

(1) There shall be deposited in the Principal and Interest Fund any premium on the Bonds and any amount received on account of accrued interest on the Bonds.

(2) There shall be deposited in the Cost of Issuance Fund the sum of $77,653.00.

(3) The entire remaining balance of the proceeds shall be deposited in the Construction Fund.

20-1,616. Section 602. Application of Moneys in the Construction Fund. Moneys in the Construction Fund shall be separately accounted for and attributed to each of the individual Improvements and shall be used solely to pay the cost of such Improvements, including the retirement of temporary notes of the City previously issued to provide interim financing for the Improvements, and to pay costs of issuance of the Bonds. Upon completion of the Improvements and payment of all costs thereof, any moneys remaining in the Construction Fund shall be deposited into the Principal and Interest Fund.

20-1,617. Section 603. Application of Moneys in the Cost of Issuance Fund. Moneys in the Cost of Issuance Fund shall be used to pay the cost of issuing the Bonds, including all printing, signing and mailing expenses, legal fees, accounting expenses, fees for ratings received on the Bonds and any fiscal fees incurred in marketing the Bonds. Any moneys remaining in the Cost of Issuance Fund on November 20, 1990, shall be transferred to the Construction Fund.

ARTICLE VII
PAYMENT OF BONDS

20-1,618. Section 701. Levy of Taxes to Pay Bonds. The full faith, credit and resources of the City are hereby pledged to secure the payment of the principal of and interest on the Bonds as they severally become due and payable.
The governing body of the City shall make provision for the payment of said principal and interest on the Bonds by levying and collecting special assessments on property benefited by the Roe Avenue Improvement, and to the extent of the City's portion of the cost of said Improvements and to the extent such special assessments shall not be so collected, by levying and collecting an annual tax on all taxable tangible property within the territorial limits of the City in amounts sufficient to pay the installments of said principal and interest on the Bonds as the same accrue and become payable.

20-1,619. Section 702. Transfer of Funds to Paying Agent. The Treasurer of the City is hereby authorized and directed to withdraw from the Principal and Interest Fund sums sufficient to pay the principal of and interest on the Bonds and the fees of the Paying Agent and Bond Registrar when the same become due. If, through lapse of time or otherwise, the owners of Bonds shall no longer be entitled to enforce payment of their obligations, it shall be the duty of the Paying Agent forthwith to return said funds to the City. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Ordinance.

ARTICLE VIII
MISCELLANEOUS PROVISIONS

20-1,620. Section 801. Official Statement. Distribution of the Official Statement relating to the Bonds in substantially the form presented to the governing body of the City and the use thereof by the Underwriters of the Bonds is hereby approved, and the Mayor of the City and the City Clerk are hereby authorized to execute such Official Statement on behalf of the City, with such corrections, omissions, insertions or changes as they may approve.

20-1,621. Section 802. Special Tax Covenants. The City covenants to comply with each and every provision of the Internal Revenue Code of 1986 and the rules and regulations promulgated thereunder (the "Code"), which is or may be applicable to the Bonds or state and local obligations of the same character as the Bonds authorized and issued hereunder; provided, that, the City shall not be required to comply with any such provision if the City shall be provided with an opinion of nationally recognized bond counsel to the effect that such compliance is not required and to the effect that the failure to comply with any such provision will not cause interest on the Bonds to be subject to federal income taxation.

In particular, the City shall complete the construction of the Improvements that are financed with the proceeds of the Bonds not later than that day which is three years after the earlier of (i) the date of issue of the Bonds or (ii) the date construction of such Improvements began.
The City further covenants and agrees that no portion of the gross proceeds of the Bonds will be used (on a basis different from use by members of the general public of the Improvements) directly or indirectly in any trade or business carried on by any person (including exempt persons) other than the City, any other political subdivision of the State of Kansas or any governmental unit of the State of Kansas, or to make any loan to any such person.

The City will comply with all applicable information reporting requirements of the Code.

20-1,622. Section 803. Arbitrage Covenant. The City covenants and agrees that it will use the proceeds of the Bonds as soon as practicable and with all reasonable dispatch for the purpose for which the Bonds are issued as hereinbefore set forth, and that no part of the proceeds of the Bonds shall be invested in any securities or obligations except for the temporary period pending such use, nor used, at any time, directly or indirectly, in a manner which, if such use had been reasonably anticipated on the date of issuance of the Bonds, would have caused any of the Bonds to be or become "arbitrage bonds" within the meaning of Section 148 of the Code.

The City will abide by any applicable arbitrage rebate requirements of the Code; provided, that, the City shall not be required to abide by any such requirements if the City is provided with an opinion of nationally recognized bond counsel to the effect that such compliance is not required and to the effect that the failure of the City to abide by any such requirements will not cause the interest on the Bonds to be or become subject to federal income taxation.

20-1,623. Section 804. Covenants, Representations and Warranties Regarding Qualified Tax-Exempt Obligations. The governing body hereby finds, determines, represents and warrants, as follows:

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

<table>
<thead>
<tr>
<th>Project</th>
<th>Date Issued</th>
<th>Amount</th>
<th>Maturity Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roe Avenue</td>
<td>01-23-90</td>
<td>$270,000 (1)</td>
<td>01-22-91</td>
</tr>
<tr>
<td>Tomahawk Creek Parkway</td>
<td>07-10-90</td>
<td>700,000</td>
<td>04-01-91</td>
</tr>
<tr>
<td>Municipal Buildings</td>
<td>07-10-90</td>
<td>500,000</td>
<td>04-01-91</td>
</tr>
<tr>
<td>Somerset &amp; Lee Boulevard</td>
<td>07-10-90</td>
<td>100,000</td>
<td>04-01-91</td>
</tr>
<tr>
<td>Lee Boulevard</td>
<td>04-02-90</td>
<td>1,000,000</td>
<td>12-20-90</td>
</tr>
<tr>
<td>95th Street</td>
<td>04-02-90</td>
<td>500,000</td>
<td>12-20-90</td>
</tr>
<tr>
<td>Tomahawk Creek Parkway</td>
<td>04-02-90</td>
<td>350,000</td>
<td>12-20-90</td>
</tr>
</tbody>
</table>
2. The City does not reasonably anticipate issuing tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of $10,000,000;

3. Other than the Bonds, the City has not issued and does not expect to issue any other bonds 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 the issue.

The City hereby covenants and agrees that it shall not issue more than $10,000,000 of tax-exempt obligations during calendar year 1988.

The City hereby reaffirms its designation of the Bonds as "qualified tax-exempt obligations" within the meaning and for the purposes provided in Section 265(b)(3) of the Code.

20-1,624. Section 805. Authority to Redeem Outstanding Temporary Notes. The Governing Body hereby finds and determines that it is necessary and advisable to redeem and prepay the following described outstanding temporary notes of the City:

<table>
<thead>
<tr>
<th>Project</th>
<th>Date Issued</th>
<th>Series</th>
<th>Amount</th>
<th>Maturity Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roe Avenue</td>
<td>01-23-90</td>
<td>1990A</td>
<td>$270,000</td>
<td>01-22-91</td>
</tr>
<tr>
<td>95th Street</td>
<td>09-27-89</td>
<td>1989K</td>
<td>500,000</td>
<td>09-26-90</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>11-28-89</td>
<td>1989R</td>
<td>350,000</td>
<td>11-27-90</td>
</tr>
<tr>
<td>95th Street</td>
<td>12-20-89</td>
<td>1989S</td>
<td>110,000</td>
<td>12-19-90</td>
</tr>
<tr>
<td>95th Street</td>
<td>04-02-90</td>
<td>1990C</td>
<td>500,000</td>
<td>12-20-90</td>
</tr>
</tbody>
</table>

The City Clerk is hereby authorized and directed to give notice of the City's intention to redeem and prepay the aforesaid temporary notes on October 23, 1990, by publication of notices to the holders thereof, substantially in the form attached as Exhibit B hereto, at least once in the official newspaper of the City not less than 10 days prior to the date fixed for such redemption and prepayment.

Section 806. Severability. If any section or other part of the Ordinance shall for any reason be held invalid, the invalidity thereof shall not affect the validity of the other provisions of the Ordinance.

Section 807. Governing Law. This Ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

Section 808. Effective Date. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City and publication in the official newspaper of the City.
PASSED by the governing body of the City of Leawood, Kansas this 2nd day of October, 1990.

Approved by the Mayor this 2nd day of October, 1990.

(Seal)

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND CONTENT:

City Attorney
EXHIBIT A

(FORM OF FULLY REGISTERED BOND)

UNITED STATES OF AMERICA
STATE OF KANSAS

Registered
No. R-

Registered

CITY OF LEAWOOD, KANSAS

GENERAL OBLIGATION
IMPROVEMENT BOND
SERIES 1990-A

Rate of Maturity
Interest: ___% Date: September __, ___
Dated
Date: October 1, 1990
CUSIP
Number

Registered Owner:
Principal Amount: ___________________________ THOUSAND DOLLARS

THE CITY OF LEAWOOD in the County of Johnson, State of Kansas (the "City"), for value received, hereby promises to pay to the registered owner hereof shown above, or registered assigns, upon presentation and surrender of this Bond, the Principal Amount identified above, on the Maturity Date shown above, and to pay interest thereon from the Dated Date set forth above or from the most recent Interest Payment Date to which interest has been paid or duly provided for, at the Rate of Interest per annum shown above, payable semiannually on March 1 and September 1 in each year beginning March 1, 1991 (the "Interest Payment Dates"), until said Principal Amount shall have been paid.

The principal of and interest on this Bond shall be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the "Paying Agent" and "Bond Registrar"). The principal of this Bond shall be payable to the registered owner hereof upon presentation of this Bond at the maturity or redemption date to the Paying Agent for payment and cancellation. The interest on this Bond shall be mailed to the registered owner hereof at the address appearing on the registration books of the City maintained by the Bond Registrar at the close of business on the 15th day of the month preceding each Interest Payment Date (the "Record Date").

The Bonds are general obligations of the City payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of certain improvements within the City, and if not so paid, from ad valorem
taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property within the territorial limits of the City, and the balance being payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property within the territorial limits of the City. The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due.

The terms and provisions of this Bond are continued on the reverse hereof and shall for all purposes have the same effect as though fully set forth at this place.

This Bond has been duly registered in the office of the City Clerk and in the office of the Kansas State Treasurer.

It is hereby declared and certified that all acts, conditions, and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and laws of the State of Kansas, and that the total indebtedness of said City, including this series of Bonds, does not exceed any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IN WITNESS WHEREOF, the governing body of the City has caused this Bond to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk, and its corporate seal to be imprinted hereon, all as of the 1st day of October, 1990.

(City of Leawood, Kansas)

(facsimile seal) Mayor

(City Clerk)

(facsimile)

ATTEST:

By (facsimile)

City Clerk
CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of a series of General Obligation Improvement Bonds, Series 1990-A, of the City of Leawood, Kansas, described in the within-mentioned Ordinance.

Registration Date

Office of the State Treasurer,
Topeka, Kansas, as Bond Registrar and Paying Agent

By

Registration Number

FURTHER TERMS AND CONDITIONS

This Bond is one of an authorized issue of bonds of the City designated "General Obligation Improvement Bonds, Series 1990-A," in the aggregate principal amount of $1,848,653 (the "Bonds") issued for the purpose of providing funds to finance the costs of certain improvements within the City as identified in the Ordinance of the City authorizing the issuance of the Bonds (the "Ordinance"). The Bonds are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and laws of the State of Kansas, including K.S.A. 12-6a01, et seq., and K.S.A. 12-685, et seq., each as amended, and all other provisions of the laws of the State of Kansas applicable thereto.

Bonds of the series of which this Bond is a part becoming due on September 1, 1999, and thereafter may be redeemed and paid prior to maturity, at the option of the City as a whole or in part, in inverse order of maturity (selection of Bonds within the same maturity to be by lot by the Paying Agent and Bond Registrar in such equitable manner as it may determine) on September 1, 1998, or on any Interest Payment Date thereafter, at the redemption price of 100% of the principal amount thereof, plus accrued interest thereon to the date fixed for redemption, without premium.

Whenever Bonds are to be selected for the purpose of redemption, the Paying Agent and Bond Registrar shall, in the case of Bonds in denominations greater than $5,000, if less than all of the Bonds then outstanding are to be called for redemption, treat each $5,000 of face value of each such fully registered Bond as though it were a separate Bond of the denomination of $5,000.

If any Bonds are called for redemption and payment prior to maturity, the City shall publish once in the Kansas Register and
in a financial journal published in New York, New York, a notice of the intention of the City to redeem and pay said Bonds, the same being described by number and maturity. The notice in said financial journal shall be published not less than 30 days prior to the date on which said Bonds are called for redemption and payment and the notice in the Kansas Register shall be published not less than 15 days prior to said redemption date. The City will also give written notice of its intention to redeem and pay such Bonds on a specified date, the same being described by number and maturity, said notice to be mailed by prepaid United States registered or certified mail addressed to the State Treasurer of Kansas and the Underwriters of the Bonds, said notice to be mailed not less than 45 days prior to the redemption date. The State Treasurer will send notice of redemption by ordinary mail to the registered owners of said Bonds, said notices to be mailed not less than 30 days prior to the date fixed for redemption. All Bonds so called for redemption and payment as aforesaid shall cease to bear interest from and after the date for which such call is made, provided funds are available for the payment of such Bonds at the price hereinbefore specified.

The Bonds are issued in fully registered form in the denomination of $5,000 or any integral multiple thereof, except that one bond of the first maturity shall be issued in the denomination of $8,653. This Bond may be exchanged at the office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations upon the terms provided in the Ordinance.

The City and the Bond Registrar may deem and treat the registered owner hereof as the absolute owner hereof for purposes of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the City nor the Bond Registrar shall be affected by any notice to the contrary.

This Bond is transferable by the registered owner hereof in person or by the registered owner's agent duly authorized in writing, at the office of the Bond Registrar, but only in the manner, subject to the limitations and upon payment of the charges provided in the Ordinance and upon surrender and cancellation of this Bond. The City shall pay out of the proceeds of the Bonds all costs incurred in connection with the issuance, payment and initial registration of the Bonds and the cost of a reasonable supply of bond blanks.

=================================================================

LEGAL OPINION

I, the undersigned, City Clerk of the City of Leawood, Kansas, hereby certify that the following is a true and correct copy of the approving legal opinion of Linde Thomson Langworthy Kohn & Van Dyke, P.C., attorneys at law, Kansas City, Missouri, on the within Bond and the series of which it is a part, except that it
omits the date of such opinion; that said opinion was manually
executed and was dated and issued as of the date of delivery of
and payment for the Bonds, and is on file in my office.

By (facsimile) City Clerk

[PRINTED LEGAL OPINION]

==================================================================
(FORM OF CITY CLERK'S CERTIFICATE)

STATE OF KANSAS )
) SS.
COUNTY OF JOHNSON )

I, the undersigned, City Clerk of the City of Leawood, Kan-
sas, hereby certify that the within Bond has been duly registered
in my office according to law.

WITNESS my hand and official seal this __________________.
(facsimile seal) (facsimile) City Clerk

==================================================================

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned do(es) hereby sell,
assign and transfer to ________________________________

(Name and Address)

(Social Security or Taxpayer Identification No.)

the Bond to which this assignment is affixed in the outstanding
principal amount of $______________, standing in the name of the
undersigned on the books of the Treasurer of the State of Kansas
(the "Bond Registrar"). The undersigned do(es) hereby irrevoca-
bly constitute and appoint ________________________________ as agent to transfer
said Bond on the books of said Bond Registrar with full power of
substitution in the premises. Dated ____________.

________________________________________
Name

________________________________________
Social Security or
Taxpayer Identification No.

________________________________________
Signature
(Sign here exactly as name(s)
appear on the face of Certificate)
Signature guarantee:
By______________________________

=================================================================

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

I, JOAN FINNEY, Treasurer of the State of Kansas, do hereby certify that a transcript of the proceedings leading up to the issuance of this Bond has been filed in my office, and that this Bond was registered in my office according to law on __________.

WITNESS my hand and official seal.

_____________________________________________________________________

Treasurer of the State of Kansas

(facsimile)
(Seal)

=================================================================

pp:whleaord A-6
NOTICE OF REDEMPTION
TO THE HOLDERS OF
CITY OF LEAWOOD, KANSAS
TEMPORARY NOTES
SERIES L.I.D. 
DATED , 19

Notice is hereby given to the holders of City of Leawood, Kansas (the "City") Temporary Notes, Series L.I.D. , ( ) dated , 19 , in the aggregate principal amount of $ (the "Notes"), that in accordance with the provisions of Ordinance No. (the "Ordinance") and the terms of said Notes, the City hereby exercises its right to redeem and pay said Notes in whole prior to the stated maturity thereof.

Redemption and payment of said Notes will be made on , , 19 , in accordance with the terms of said Ordinance and said Notes.

CITY OF LEAWOOD, KANSAS

Dated: , 19 

By: City Clerk

pp: whlleaord
TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66206

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 a newspaper 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 same attached, and has been admitted at the post office as second class matter.

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

10/9/90

Business Manager

Subscribed and sworn to before me on this date:
10/9/90

DANA LEWIS
Notary Public - State of Kansas

My appointment expires:
February 12, 1994

Publication Fees: $181.55

Ordinance No. 1186
ORD. 1186
First published in The Legal Record, Tuesday, October 5, 1960

ORDINANCE NO. 1186

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $1,848,653 PRINCIPAL AMOUNT OF GENERAL OBLIGATION IMPROVEMENT BONDS; PROVIDING FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE THE COSTS OF CONSTRUCTION OR IMPROVEMENTS WITHIN THE CITY; PRESCRIBING THE FORM AND DETAILS OF SAID BONDS AND THE FORM AND DETAILS OF THE SECURITY TO FACILITATE AND PROTECT THE PAYMENT THEREOF, MAKING PROVISION FOR THE ISSUANCE, SALE, AND DELIVERY OF SAID BONDS AS THEY BECOME DUE; AND PROVIDING FOR EXECUTION OF CERTAIN AGREEMENTS IN CONNECTION THERewith.

WHEREAS, the City of Leamond, a city in the County of Los Angeles, State of California, has by a majority vote of the qualified electors of the City at the last general election as shown by the returns of said election, resolved to authorize the issuance of $1,848,653 principal amount of general obligation improvement bonds, Series 1960-A, for the following purposes within the City (the improvements):

(a) Construction of improvements to that portion of Rose Avenue over Brook Avenue to 1134 Street, including necessary appurtenances, pursuant to S.A. 1958-9588-3958, as authorized by Resolution No. 7180, (the "Rose Avenue Improvement");

(b) Replacement of the Bridge on Rose Avenue over Towahank Road, including necessary appurtenances, pursuant to S.A. 1958-9588-3958, as authorized by Resolution No. 7181, (the "Rose Avenue Bridge");

(c) Construction of improvements to 95th Street extending from 123rd Street to 124th Street, including necessary appurtenances, pursuant to S.A. 1958-9588-3958, as authorized by ordinance No. 1958;

AND

WHEREAS, all legal requirements pertaining to the improvements have been complied with, and the governing body of the City, now finds, and do hereby find, that all costs of planning, design, engineering, construction, and related expenses, including construction financing and related expenses, in excess of $1,848,653, together with the property and improvements within the City benefitted by the Rose Avenue Improvement, Rose Avenue Bridge, and improvements on 95th Street, and that none of said property owners have paid their respective assessments, and there are $1,216,479 of other funds available in Improvement Bonds, Series 1960-A, for the funds necessary to pay $1,848,653 to be paid by the issuance and sale of the City's General Obligation Bonds, Series 1960-A;

WHEREAS, the governing body of the City is authorized by law to authorize the issuance of the bonds and the City has approved the issuance of the bonds to provide funds for the cost of constructing the improvements; and

AND

WHEREAS, the City intends that the bonds be designated and has inserted designation and hereby designates the bonds "qualified tax-exempt revenue bonds for the City of Leamond" to ensure that the proceeds provided in Section 155(b)(1) of the Internal Revenue Code of 1954, as amended, are not taxed to the recipients thereof;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAMOND, KANSAS, AS FOLLOWS:

ARTICLE I
DEFINITIONS

Section 101. Definitions of Terms and Phrases. In addition to words and terms defined in the statutes and ordinances of the City, the following definitions shall have the following meanings, unless some other meaning is given to them in this ordinance:

"Bond Register" means the Treasurer of the State of Kansas in the City of Topeka, Kansas, and any successors or assigns.

"Construction Fund" means the Improvement Construction Fund created by this ordinance.

"Cost of Issuance Fund" means the Cost of Issuance Fund created by Section 501 of this Ordinance.

ARTICLE II
AUTHORIZATION OF THE BONDS

Section 201. Authorization of the Bonds. The Bonds of the City are authorized and directed to be issued in the principal amount of $1,848,653, to provide funds for the costs of constructing the City's improvements.

ARTICLE III
SECURITY FOR THE BONDS

Section 301. Security for the Bonds. The Bonds shall be general obligations of the City payable in part from special revenue funds authorized to be raised by the construction of the City's improvements, including the net ad valorem taxes which may be levied without limitation as to rate or amount, but which may not be levied within the territorial limits of the City, and the balance shall be secured by a first lien on the net values of taxable property within the territorial limits of the City, and the balance shall be secured by a first lien on the net values of taxable property within the territorial limits of the City, and the balance shall be secured by a first lien on the net values of taxable property within the City's improvements, as hereinafter provided.

ARTICLE IV
DETAILS OF THE BONDS

Section 401. The Bonds. The Bonds will be issued in the form of registered bonds, the interest and principal of which bonds shall be payable semi-annually in the manner set forth in Section 202 hereof. All of the Bonds shall be signed by the City Treasurer, and shall bear interest at the respective rate per annum.
The Bonds are payable at the addresses stated in the body of the Bond, the rate and manner of computing the interest being in accordance with the provisions of the Act. The interest on the Bonds is payable in lawful money of the United States of America by check or draft of the Paying Agent.

All Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or assignment and acknowledged by the owner or owners thereof in the manner prescribed by law, and no transfer or assignment of any Bond shall be valid or effectual unless the same has been authenticated as provided in such instrument or instruments. The instrument or instruments of transfer or assignment shall be signed by the owner or owners of the Bond or by his or their duly authorized agent. The instrument or instruments of transfer or assignment shall be on form approved by the Board of Directors of the Bond Registrar, and all Bonds transferred or assigned shall be registered in the name of the transferee as such.

The Board of Directors may, in its discretion, grant to the transferee a certificate of transfer or assignment in lieu of a Bond, provided the Bond is in proper form and has been registered in the name of the transferee as such, and shall, upon the request of the holder of a Bond, issue a Bond for any interest therein which has not been represented by a Bond, in a like manner as a Bond for any interest therein which has been represented by a Bond.

All Bonds transferred or assigned shall be accompanied by the transfer or assignment and an acknowledgment of the same, duly executed by the owner or owners of the Bond or by his or their duly authorized agent, and shall be registered in the name of the transferee as such, and shall be subject to all taxes, duties, and other charges levied or imposed by law. Any Bond transferred or assigned shall be paid to the transferee at the address specified in the Bond, or at the place of business of the Paying Agent, if any, and at the rate and manner of computing the interest thereon being in accordance with the provisions of the Act.

The Bonds are subject to the provisions of the Act relating to the transfer and exchange of Bonds, and the operation of the Board of Directors of the Bond Registrar, and of the Paying Agent, as provided in such Act, and the provisions of the Act relating to the transfer and exchange of Bonds shall be binding upon the holders of such Bonds.

The Bonds are subject to the provisions of the Act relating to the transfer and exchange of Bonds, and the operation of the Board of Directors of the Bond Registrar, and of the Paying Agent, as provided in such Act, and the provisions of the Act relating to the transfer and exchange of Bonds shall be binding upon the holders of such Bonds.

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The City and the City Clerk are hereby authorized and directed to enter into an agreement with a depository bank in the State of New York, in accordance with the provisions hereof, for the deposit in said bank of any moneys received by the City or the City Clerk in the performance of their respective duties and the delivery of their records to the Underwriters.

The Bonds shall have endorsed thereon a Certificate of Authentication to the effect that the Bonds are valid as provided by law, and shall be authenticated hereof, which shall be executed by the Mayor or the Clerk of the City and delivered to the Underwriters, and delivered to any party to any security or benefit under the Ordinance nor shall it be void or affected thereby, unless and until the City shall have caused a Certificate of Authentication to be delivered to the Underwriters, and such Certificate of Authentication shall be conclusive evidence that such Bond has been duly authenticated as aforesaid.

The City shall have the right to sell the Bonds at any time prior to the date fixed for redemption, without prejudice to the rights of the Underwriters.

Section 102. Notice of Redemption. In the event the City shall desire to redeem any of the Bonds prior to the maturity thereof, the City shall give written notice of the intention to do so, and the Underwriters, on the date of sale of the Bonds to the Underwriters, shall cause to be published in the New York Times, and in any newspaper published in the City and in the State of New York, a notice of the intention of the City to redeem the Bonds, and said notice in printed and published in such newspapers shall contain the following statement: The City of New York, By: Treasurers of the City of New York, will on the day of the month, in the year of our Lord one thousand eight hundred and eighty-three, redeem...
ARTICLE XV
PAYMENT OF BONDS

Section 1. Any of the Bonds of the City shall be payable at the City Hall, or at the office of the City Clerk, or at any other place of business where the City may authorize the payment of the same, and may be received in payment of any claim or demand that may be lawfully so assigned the said Bonds.

Section 2. Any of the Bonds of the City shall be payable at the City Hall, or at the office of the City Clerk, or at any other place of business where the City may authorize the payment of the same, and may be received in payment of any claim or demand that may be lawfully so assigned the said Bonds.

ARTICLE XVI
MUNICIPALITIES: PROCESSIONS

Section 1. The City shall allow any applicable municipal processions to use the public streets of the City for the purpose of parading or other similar functions, subject to the following conditions:

1. The processions shall not interfere with the normal operation of the City's public services or facilities.
2. The processions shall not cause any damage to public property.
3. The processions shall not interfere with any other activities taking place in the City.

ARTICLE XVII
INCOME TAX

Section 1. The City shall collect an income tax on all income derived from within the City, including but not limited to:

1. All income derived from the sale of goods or services.
2. All income derived from the rental of real or personal property.
3. All income derived from the employment of individuals within the City.

ARTICLE XVIII
CONSTRUCTION OF RAILROADS

Section 1. No railroad shall be constructed within the City without the consent of the City Council. The City shall also have the authority to regulate the operation of railroads within the City, including the establishment of regulations regarding safety and maintenance.

ARTICLE XIX
ANNUAL REPORT

The City shall submit an annual report to the State Department of Revenue, describing the financial condition of the City for the preceding fiscal year.
ORDINANCE NO. 1185

AN ORDINANCE VACATING THREE EASEMENTS AS SHOWN ON THE PLAT OF PATRICIAN WOODS, NINTH PLAT.

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

19-6,225. Section 1. That the following described utility easements shown on the plat of Patrician Woods, Ninth Plat, which was approved by the Governing Body August 7, 1989, are hereby vacated:

All of the Southerly 5 feet of Lot 23, except the Easterly 7.50 feet thereof; all of the Northerly 5 feet of Lot 22, except the Easterly 10 feet thereof; all of the Southerly 5 feet of Lot 20, except the Easterly 7.50 feet thereof, and except that part thereof occupied by an existing 10-foot sanitary sewer easement, as now established; all of the Northerly 5 feet of Lot 19, except the Easterly 7.50 feet thereof, and except that part thereof occupied by said 10-foot sanitary sewer easement; all of the Southerly 5 feet of Lot 18, except the Easterly 7.50 feet thereof, and except that part thereof occupied by said 10-foot sanitary sewer easement; and all of the Northerly 5 feet of Lot 17, except the Easterly 7.50 feet thereof, and except that part thereof occupied by said 10-foot sanitary sewer easement, all in Block 6, PATRICIAN WOODS, NINTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

19-6,226. Section 2. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

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 17th day of September, 1990.

Approved by the Mayor the 18th day of September, 1990.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED AS TO FORM:

R.S. Wetzler City Attorney
ORDINANCE NO. 1185

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19-6,225. Section 1. That the following described utility easements shown on the plat of Patrician Woods, Ninth Plat, which was approved by the Governing Body August 7, 1989, are hereby vacated:

All of the Southerly 5 feet of Lot 23, except the Easterly 7.50 feet thereof; all of the Northerly 5 feet of Lot 22, except the Easterly 10 feet thereof; all of the Southerly 5 feet of Lot 20, except the Easterly 7.50 feet thereof, and except that part thereof occupied by an existing 10-foot sanitary sewer easement, as now established; all of the Northerly 5 feet of Lot 19, except the Easterly 7.50 feet thereof, and except that part thereof occupied by said 10-foot sanitary sewer easement; all of the Southerly 5 feet of Lot 18, except the Easterly 7.50 feet thereof, and except that part thereof occupied by said 10-foot sanitary sewer easement; and all of the Northerly 5 feet of Lot 17, except the Easterly 7.50 feet thereof, and except that part thereof occupied by said 10-foot sanitary sewer easement, all in Block 6, PATRICIAN WOODS, NINTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

19-6,226. Section 2. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

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 17th day of September, 1990.

Approved by the Mayor the 18th day of September, 1990.

Marcia Rinehart
Mayor

Attest: 
SARA F. ULLMANN
REGISTER OF DEEDS

Martha Heizer
City Clerk

APPROVED AS TO FORM:
R.S. Wetzel
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 attached is a true and correct copy of Ordinance No. 1185 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said City this 24th day of September, 1990.

[Signature]

Martha Heizer
ORDINANCE 1185
First published in The Legal Record, Tuesday, September 18, 1990.

ORDINANCE NO. 1185

AN ORDINANCE VACATING THREE EASEMENTS AS SHOWN ON THE PLAT OF PATRICIAN WOODS, NINTH PLAT.

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

Section 1. That the following described utility easements shown on the plat of Patrician Woods, Ninth Plat, which was approved by the Governing Body August 7, 1989, are hereby vacated:

All of the Southerly 5 feet of Lot 23, except the Easterly 7.50 feet thereof; all of the Northerly 5 feet of Lot 22, except the Easterly 10 feet thereof; all of the Southerly 5 feet of Lot 20, except the Easterly 7.50 feet thereof, and except that part thereof occupied by an existing 10-foot sanitary sewer easement, as now established; all of the Northerly 5 feet of Lot 19, except the Easterly 7.50 feet thereof, and except that part thereof occupied by said 10-foot sanitary sewer easement; all of the Southerly 5 feet of Lot 18, except the Easterly 7.50 feet thereof, and except that part thereof occupied by said 10-foot sanitary sewer easement; and all of the Northerly 5 feet of Lot 17, except the Easterly 7.50 feet thereof, and except that part thereof occupied by said 10-foot sanitary sewer easement, all in Block 6, PATRICIAN WOODS, NINTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

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

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 17th day of September, 1990.
Approved by the Mayor the 18th day of September, 1990.

(S E A L)

Hardin Rinnehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM: /s/ R.S. Wetzler
R.S. Wetzler
City Attorney

DANA LEWIS
Notary Public - State of Kansas

My appointment expires:
February 12, 1994

Publication Fees: $14.82

Ordinance 1185
ORDINANCE NO. 1184

AN ORDINANCE ACCEPTING A DEED FOR STREET PURPOSES (95TH STREET IMPROVEMENT PROJECT).

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

19-5,107. 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 Gregory and Christine Pitts: All that part of Lot 1348, "LEAWOOD", a subdivision in Leawood, Johnson County, Kansas, described as follows: Beginning at the Southeast corner of said Lot 1348; thence South 90° -00'-00" West along the South line of said Lot 1348, a distance of 103.00 feet; thence North 86°-43'-00" East, a distance of 87.29 feet; thence North 0°-00'-00" East, a distance of 14.00 feet; thence North 90°-00'-00" East, a distance of 16.00 feet to a point on the East line of said Lot 1348; thence South 0° -26'-00" West along said East line, a distance of 19.00 feet to the point of beginning.

19-5,108. 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 17th day of September, 1990.
Approved by the Mayor the 18th day of September, 1990.

(S E A L)  

[Signature]  

Marcia Rinehart  
Mayor

Attest:

[Signature]  

Martha Heizer  
City Clerk

APPROVED AS TO FORM:  

[Signature]  

R.S. Wetlzer  
City Attorney
THENCE NORTH 90° -00'-00" EAST, A DISTANCE OF 16.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1348; THENCE SOUTH 87°.29 FEET; THENCE NORTH 0°-26'-00" WEST ALONG SAID EAST LINE, A DISTANCE OF 19.00 FEET TO THE POINT OF BEGINNING.

DESCRIPTION: ALL THAT PART OF LOT 1348, "LEAWOOD", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1348; THENCE SOUTH 90°-00'-00" WEST ALONG THE SOUTH LINE OF SAID LOT 1348, A DISTANCE OF 103.00 FEET; THENCE NORTH 87°-43'-00" EAST, A DISTANCE OF 87.29 FEET; THENCE NORTH 0°-00'-00" EAST, A DISTANCE OF 14.00 FEET; THENCE NORTH 90°-00'-00" EAST, A DISTANCE OF 16.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1348; THENCE SOUTH 0°-26'-00" WEST ALONG SAID EAST LINE, A DISTANCE OF 19.00 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 way appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Part(y) of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Part(y) of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convey, promise, and agree to and with said Party of the Second Part that at the delivery of these presents it 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 the premises hereby granted and which are owned by First Party.

In Witness Whereof, said Part(y) of the First Part have hereunto set their hands and seal this the day and year first above written.

GREGORY PITTS AND CHRISTINE PITTS, HUSBAND AND WIFE

\[Signature\]

Beaver L. Baker

Johnson County Clerk

11/24/81
INDIVIDUAL ACKNOWLEDGMENT

STATE OF  
COUNTY OF  

BE IT REMEMBERED, That on the 4 day of 1989, before me, the undersigned, a Notary Public in and for said County and State, came  

who are 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.

JULIE A. BUTLER  
My Commission Expires:  

Notary Public

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 above-said, 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.

Notary Public

My Commission Expires

City and County of

TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66206

ORDINANCE 1184
First published in The Legal Record, Tuesday, September 18, 1990.

ORDINANCE NO. 1184

AN ORDINANCE ACCEPTING A DEED FOR STREET PURPOSES (95TH STREET IMPROVEMENT PROJECT).

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

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 Gregory and Christine Pitts: All that part of Lot 1348, "LEAWOOD", a subdivision in Leawood, Johnson County, Kansas, described as follows: Beginning at the Southeast corner of said Lot 1348; thence South 90°-00'-00" West along the South line of said Lot 1348, a distance of 103.00 feet; thence North 86°-43'-00" East, a distance of 87.29 feet; thence North 0°-00'-00" East, a distance of 14.00 feet; thence North 90°-00'-00" East, a distance of 16.00 feet to a point on the East line of said Lot 1348; thence South 9°-26'-00" West along said East line, a distance of 19.00 feet to the point of beginning.

Section 2. That a copy of said deed is attached hereto and thereby incorporated by reference.

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

Approved by the Mayor the __________ day of September, 1990.

(SEAL)

Mayor

Attest:

City Clerk

APPROVED AS TO FORM: /s/ R.S. Wetzler

R.S. Wetzler

City Attorney
ORDINANCE NO. 1183

AN ORDINANCE ACCEPTING A PERMANENT DRAINAGE EASEMENT REQUIRED FOR IMPROVEMENTS AT 119TH AND MISSION ROAD IN THE CITY OF LEAWOOD.

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

19-6,223. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept a permanent drainage easement, along with the restrictions and reservations set forth therein, granting the City of Leawood the easement described as follows:

From Church of the Nativity: A strip of land 20 feet in width for a permanent drainage easement in the Southwest 1/4 of the Southwest 1/4 of Section 15, Township 13, Range 25, lying 10 feet on each side of the following described centerline: Commencing at the Southwest corner of said Section 15; thence North 87°-40'-20" East, a distance of 35.89 feet; thence North 2°-19'-40" West, at right angles to said South line, a distance of 40.00 feet to a point on the North right-of-way of 119th Street, said point being the point of beginning of the centerline herein described; thence North 63°-51'-22" West, a distance of 17.17 feet to a point on the East right-of-way of Mission Road, said point being the termination of said easement. The outer limits of said easement to be extended or shortened to terminate on the right-of-way of 119th Street or Mission Road. Containing 352.34 square feet or 0.008 Acre, more or less.

19-6,224. 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 4th day of September, 1990.

Approved by the Mayor the 5th day of September, 1990.

(Marcia Rinehart)
Mayor

(S E A L)

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzel
City Attorney
PERMANENT DRAINAGE EASEMENT

This Agreement made and entered into this 18th day of August, 1989, by and between Ignatius J. Strecker, Roman Catholic Archbishop of the Archdiocese of Kansas City in Kansas, herein Party of the First Part, and the City of Leawood, Kansas, a municipal corporation organized and existing pursuant to the laws of the State of Kansas, herein Party of the Second Part:

WITNESSETH:

In consideration of the sum of ONE and no/100 Dollars ($1.00), and other valuable consideration, receipt of which is hereby acknowledged, the undersigned Party of the First Part does hereby convey, remise, let, and release to the Party of the Second Part the following described real estate in Johnson County, Kansas:

See attached Exhibit "A".

for the use by said Party of the Second Part as and for drainage purposes within the City of Leawood, Kansas, until such time as the above-described property shall cease to be used for such drainage purposes, at which time this grant shall be of no further force and effect and the property shall revert to the Party of the First Part, or his heirs, successors, and assigns; provided that the Party of the Second Part shall, at its own cost, restore the surface of the above-described real estate to as near its condition at the date of this grant as is possible, given the intended use of this easement, and further provided that the Party of the Second Part shall pay the Party of the First Part for any damages sustained by the Party of the First Part due to any action, negligence, or omissions by the Party of the Second Part in connection with the use of this easement.

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

[Signature]
Ignatius J. Strecker, Roman Catholic Archbishop of the Archdiocese of Kansas City in Kansas

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD
1990 AUG 13 A 11:27.4
BY____________________ DEP.
INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS SS.

COUNTY OF WYANDOTTE

BE IT REMEMBERED, That on this 18th day of August 1989, before me, the undersigned, a Notary Public in and for said County and State, came Ignatius J. Strecker, Roman Catholic Archbishop of the Archdiocese of Kansas City in 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.

SISTER DAMIAN BODEING
Notary Public Sister Damian Boding
My Commission Expires

CORPORATE ACKNOWLEDGMENT

STATE OF SS.

COUNTY OF

BE IT REMEMBERED, That on this day of 19__, 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

A Strip of Land 20 Feet in width for a Permanent Drainage Easement in the Southwest 1/4 of the Southwest 1/4 of Section 15, Township 13, Range 25, Lying 10 feet on each side of the following described centerline: Commencing at the Southwest corner of said section 15; Thence North 87°-40'20" East, a distance of 35.89 Feet; Thence North 2°-19'-40" West, at right angles to said south line, a distance of 40.00 Feet to a point on the North Right-of-Way of 119th Street, said point being the point of beginning of the centerline herein described; Thence North 63°-51'-22" West, a distance of 17.17 Feet to a point on the East Right-of-Way of Mission Road, said point being the termination of said Easement. The outer limits of said easement to be extended or shortened to terminate on the Right-of-Way of 119th Street or Mission Road. Containing 352.34 Square Feet or 0.008 Acre, more or less.
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 one consecutive -(weeks, days) the first publication thereof being made as aforesaid on the -day of September, 19- , with subsequent publications being made on the following dates:

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

Georgiann Thacker

Subscribe and sworn to before me this- day of September, 19-

NOTARY PUBLIC

My Commission expires: 19-

Printer's Fee$ -

Additional copies $
ORDINANCE NO. 1183

AN ORDINANCE ACCEPTING A PERMANENT DRAINAGE EASEMENT REQUIRED FOR IMPROVEMENTS AT 119th AND MISSION ROAD IN THE CITY OF LEAWOOD.

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

Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept a permanent drainage easement, along with the restrictions and reservations set forth herein, granting the City of Leawood the easement described as follows:

From Church of the Nativity: A strip of land 20 feet in width for a permanent drainage easement in the Southwest

1/4 of the Southwest 1/4 of Section 15, Township 13, Range 25, to the 10 feet on each side of the following described centerline: Commencing at the Southwest corner of said Section 15; thence North 89°-40'-20" East, a distance of 35.69 feet; thence North 2°-19'-40" West, at right angles to said South line, a distance of 40.00 feet to a point on the North right-of-way of 119th Street, said point being the point of beginning of the centerline herein described; thence North 63°-51'-22" West, a distance of 17.17 feet to a point on the East right-of-way of Mission Road, said point being the termination of said easement. The outer limits of said easement to be extended or shortened to terminate on the right-of-way of 119th Street or Mission Road containing 352.34 square feet or 0.008 Acre, more or less.

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 4th day of September, 1990.

Approved by the Mayor the 5th day of September, 1990.

(S E A L)
Marcia Rinehart, Mayor

Attest:
/s/ Martha Heizer, City Clerk

APPROVED AS TO FORM:
/s/ R. S. Wetzler, City Attorney
(7800-11-JC)
ORDINANCE NO. 1182

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90J, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 REMODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $600,000 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 90J, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of Six Hundred Thousand Dollars ($600,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 90J, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 6, each in the denomination of $100,000. Said notes shall be dated September 18, 1990, and shall have the stated maturity date of May 30, 1991. 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.

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 Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefore 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, 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>(1)</td>
<td>January 23, 1990</td>
<td>$270,000.00</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>Series L.I.D. 86-1-90A</td>
<td>Roe Avenue, 112-121st St.</td>
</tr>
<tr>
<td>(2)</td>
<td>April 2, 1990</td>
<td>$350,000.00</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>Series L.I.D. 88-1-90B</td>
<td>Tomahawk Creek Parkway</td>
</tr>
<tr>
<td>(3)</td>
<td>April 2, 1990</td>
<td>$500,000.00</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>Series 90C</td>
<td>95th, State Line-Wenona</td>
</tr>
<tr>
<td>(4)</td>
<td>April 2, 1990</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>Series 90D</td>
<td>Lee Boulevard</td>
</tr>
<tr>
<td>(5)</td>
<td>July 10, 1990</td>
<td>$500,000.00</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>Series 90E</td>
<td>Police/Court/Fire #1 Remodel</td>
</tr>
<tr>
<td>(6)</td>
<td>July 10, 1990</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>Series 90F</td>
<td>Somerset, Belinder-Sagamore</td>
</tr>
<tr>
<td>(7)</td>
<td>July 10, 1990</td>
<td>$700,000.00</td>
</tr>
<tr>
<td>Temporary Notes</td>
<td>Series L.I.D. 88-1-90G</td>
<td>Tomahawk Creek Parkway</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.

24-336. **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 September, 1990.

SIGNED by the Mayor this 5th day of September, 1990.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
COUNTY, ss: Georgiann Thacker being first Duty sworn, publications manager of THE JOHNSON COUNTY SUN, a newspaper of the State of Kansas, and published in and of general circulation published at least weekly 50 times a year; has been so published in said county and state for a period of more than one year; and has been admitted at the post office of said County as a second class matter.

The affidavit hereof and was published in the regular and entire copy thereof and was published in the regular and entire copy thereof and was published in the regular and entire copy thereof and was published in the regular and entire copy thereof and was published in the regular and entire copy thereof

19

7th day of September 1990

Geoiiann Thacker

NOTARY PUBLIC

My Commission expires: 11-18-99

Printer's Fee $ 0.70

Additional copies $ ..........................

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My April Expires Jan 25, 1992
ORDINANCE NO. 1181

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-90K, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $1,100,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LAINES, 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. 88-1-90K, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of One Million One Hundred Thousand Dollars ($1,100,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-90K, Project 113, shall consist of bearer notes numbered from 1 through 11 inclusive, each in the denomination of $100,000. Each of said notes shall be dated September 18, 1990, and shall have the stated maturity date of May 30, 1991. 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 sur-
render 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 par-
ticular 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.

20-1,594. **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.

20-1,595. **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 ex-
ecuted 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.

20-1,595. **Section Five:** The proceeds of said temporary notes shall be depos-
ited 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 ev-
ery 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>(1)</td>
<td>Temporary Notes</td>
<td>January 23, 1990</td>
</tr>
<tr>
<td>Series L.I.D. 86-1-90A</td>
<td>Roe Avenue, 112-121st St.</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td>Temporary Notes</td>
<td>April 2, 1990</td>
</tr>
<tr>
<td>Series L.I.D. 88-1-90B</td>
<td>Tomahawk Creek Parkway</td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td>Temporary Notes</td>
<td>April 2, 1990</td>
</tr>
<tr>
<td>Series 90C</td>
<td>95th, State Line-Wenonga</td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td>Temporary Notes</td>
<td>April 2, 1990</td>
</tr>
<tr>
<td>Series 90D</td>
<td>Lee Boulevard</td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td>Temporary Notes</td>
<td>July 10, 1990</td>
</tr>
<tr>
<td>Series 90E</td>
<td>Police/Court/Fire #1 Remodel</td>
<td></td>
</tr>
<tr>
<td>(6)</td>
<td>Temporary Notes</td>
<td>July 10, 1990</td>
</tr>
<tr>
<td>Series 90F</td>
<td>Somerset, Belinder-Sagamore</td>
<td></td>
</tr>
<tr>
<td>(7)</td>
<td>Temporary Notes</td>
<td>July 10, 1990</td>
</tr>
<tr>
<td>Series L.I.D. 88-1-90G</td>
<td>Tomahawk Creek Parkway</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 4th day of September, 1990.

SIGNED by the Mayor this 5th day of September, 1990.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler, City Attorney
COUNTY, ss: Georgiann Thacker being first Duty sworn, the publications manager of THE JOHNSON COUNTY SUN, a State of Kansas, and published in and of general Kansas, and that said newspaper is not a trade, religious or political organ.

Published at least weekly 50 times a year; has been so for ten years in said county and state for a period of more than ten of said notice; and has been admitted at the post office of said County as a second class matter.

The first publication thereof being made as aforesaid November 19, 19—.

Published at least weekly 50 times a year; has been so for ten years in said county and state for a period of more than ten of said notice; and has been admitted at the post office of said County as a second class matter.

The first publication thereof being made as aforesaid November 19, 19—.

Published at least weekly 50 times a year; has been so for ten years in said county and state for a period of more than ten of said notice; and has been admitted at the post office of said County as a second class matter.

The first publication thereof being made as aforesaid November 19, 19—.

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The first publication thereof being made as aforesaid November 19, 19—.

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The first publication thereof being made as aforesaid November 19, 19—.

Published at least weekly 50 times a year; has been so for ten years in said county and state for a period of more than ten of said notice; and has been admitted at the post office of said County as a second class matter.

The first publication thereof being made as aforesaid November 19, 19—.
ORDINANCE NO. 1180

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 901, PROJECT 117 (LEE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $400,000 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, 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 901, Project 117 (Lee Boulevard), 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.

20-1,587. **Section Two:** Said issue of Temporary Notes, Series 901, Project 117 (Lee Boulevard), shall consist of ten bearer notes numbered from 1 through 4 inclusive, each in the denomination of $100,000. Said notes shall be dated September 18, 1990, and shall have the stated maturity date of May 30, 1991. The notes shall bear interest from the 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 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.

20-1,588. **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.

20-1,589. **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, 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>(1) Temporary Notes Series L.I.D. 86-1-90A Roe Avenue, 112-121st St.</td>
<td>January 23, 1990</td>
<td>$270,000.00</td>
</tr>
<tr>
<td>(2) Temporary Notes Series L.I.D. 88-1-90B Tomahawk Creek Parkway</td>
<td>April 2, 1990</td>
<td>$350,000.00</td>
</tr>
<tr>
<td>(3) Temporary Notes Series 90C 95th, State Line-Wenonga</td>
<td>April 2, 1990</td>
<td>$500,000.00</td>
</tr>
<tr>
<td>(4) Temporary Notes Series 90D Lee Boulevard</td>
<td>April 2, 1990</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>(5) Temporary Notes Series 90E Police/Court/Fire #1 Remodel</td>
<td>July 10, 1990</td>
<td>$500,000.00</td>
</tr>
<tr>
<td>(6) Temporary Notes Series 90F Somerset, Belinder-Sagamore</td>
<td>July 10, 1990</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>(7) Temporary Notes Series L.I.D. 88-1-90G Tomahawk Creek Parkway</td>
<td>July 10, 1990</td>
<td>$700,000.00</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.

20-1,591. 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 5th day of September, 1990.

SIGNED by the Mayor this 5th day of September, 1990.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
COUNTY, ss: Georgiann Thacker being first Duty sworn, official publications manager of THE JOHNSON COUNTY SUN, is the State of Kansas, and published in and of general Kansas, and that said newspaper in not a trade, religious or political organization, or a trade name of an organization.

My publish at least weekly 5 times a year; has been so improperly said county and state for a period of more than 15 days of said notice; and has been admitted at the post office of said County as a second class matter.

The first publication thereof being made as aforesaid September 19, 1970, with subsequent publications:
ORDINANCE NO. 1179

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90H, PROJECT 119 (119TH STREET, STATE LINE TO MISSION ROAD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $600,000.00 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, GUTTERING, 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:

20-1,580. 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 90H, Project 119 (119th Street, State Line Road to Mission Road), in the aggregate principal amount of Six Hundred Thousand Dollars ($600,000.00) which
amount does not exceed the total estimated costs of said improvements.

20-1,581. **Section Two:** Said issue of Temporary Notes, Series 90H, Project 119 (119th Street, State Line to Mission Road), shall consist of bearer notes numbered 1 through 6 inclusive, each in the denomination of $100,000.00. Said notes shall be dated September 18, 1990, and shall have the stated maturity date of May 30, 1991. 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 12-689 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.

20-1,582. **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.

20-1,583. **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.
20-1,584. **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, 1990, the City has not issued any bonds or obligations other than the following described obligations:

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<tr>
<th>ISSUE</th>
<th>DATE</th>
<th>PRINCIPAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Temporary Notes Series L.I.D. 86-1-90A Roe Avenue, 112-121st St.</td>
<td>January 23, 1990</td>
<td>$ 270,000.00</td>
</tr>
<tr>
<td>(2) Temporary Notes Series L.I.D. 88-1-90B Tomahawk Creek Parkway</td>
<td>April 2, 1990</td>
<td>$ 350,000.00</td>
</tr>
<tr>
<td>(3) Temporary Notes Series 90C 95th, State Line-Wenonga</td>
<td>April 2, 1990</td>
<td>$ 500,000.00</td>
</tr>
<tr>
<td>(4) Temporary Notes Series 90D Lee Boulevard</td>
<td>April 2, 1990</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>(5) Temporary Notes Series 90E Police/Court/Fire #1 Remodel</td>
<td>July 10, 1990</td>
<td>$ 500,000.00</td>
</tr>
<tr>
<td>(6) Temporary Notes Series 90F Somerset, Belinder-Sagamore</td>
<td>July 10, 1990</td>
<td>$ 100,000.00</td>
</tr>
<tr>
<td>(7) Temporary Notes Series L.I.D. 88-1-90G Tomahawk Creek Parkway</td>
<td>July 10, 1990</td>
<td>$ 700,000.00</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 4th day of September, 1990.

SIGNED by the Mayor this 5th day of September, 1990.

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

R. S. Wetzler, City Attorney
The City Council of Leawood, KS, hereby does authorize and direct the issue and sale of certain bonds, thereby creating an aggregate amount of not to exceed $100,000.00 of principal amount to be used for the purpose of meeting the current and necessary expenses of the City of Leawood, KS, as the same may be determined by the Board of Commissioners and by the City Council of Leawood, KS, and the City of Leawood, KS, hereby does authorize and direct the issue and sale of certain bonds, thereby creating an aggregate amount of not to exceed $100,000.00 of principal amount to be used for the purpose of meeting the current and necessary expenses of the City of Leawood, KS, as the same may be determined by the Board of Commissioners and by the City Council of Leawood, KS.

Pursuant to the provisions of the Temporary Ordinance No. 1948-9 of the City of Leawood, KS, hereby does authorize and direct the issue and sale of certain bonds, thereby creating an aggregate amount of not to exceed $100,000.00 of principal amount to be used for the purpose of meeting the current and necessary expenses of the City of Leawood, KS, as the same may be determined by the Board of Commissioners and by the City Council of Leawood, KS.
ORDINANCE NO. 1178

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF HALLBROOK FARMS, FIRST PLAT.

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

19-6,221. Section 1. That the following described utility easement shown on the plat of Hallbrook Farms, First Plat, which was approved by the Governing Body September 8, 1987, is hereby vacated:

All that part of Lot 15, Block 3, HALLBROOK FARMS, FIRST PLAT, a subdivision in Leawood, Johnson County, Kansas, described as follows: Commencing at the Northwest corner of said Lot 15; thence South 17 degrees 46 minutes 54 seconds East, along the Westerly line of said Lot, 36.60 feet; thence North 49 degrees 48 minutes 33 seconds East, along the Southerly line of a 20 foot utility easement, 52.00 feet, to the True Point of Beginning; thence North 17 degrees 40 minutes 38 seconds West, 1.39 feet; thence North 72 degrees 32 minutes 28 seconds East, 3.32 feet; thence South 49 degrees 48 minutes 33 seconds West, 3.59 feet to the Point of Beginning.

19-6,222. Section 2. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

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 4th day of September, 1990.

Approved by the Mayor the 5th day of September, 1990.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer City Clerk

APPROVED AS TO FORM:

R.S. Wetzler
City Attorney
ORDINANCE NO. 1178

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF HALLBROOK FARMS, FIRST PLAT.

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

Section 1. That the following described utility easement shown on the plat of Hallbrook Farms, First Plat, which was approved by the Governing Body September 8, 1987, is hereby vacated:

All that part of Lot 15, Block 3, HALLBROOK FARMS, FIRST PLAT, a subdivision in Leawood, Johnson County, Kansas, described as follows: Commencing at the Northwest corner of said Lot 15; thence South 17 degrees 46 minutes 54 seconds East, along the Westerly line of said Lot, 36.60 feet; thence North 49 degrees 48 minutes 33 seconds East, along the Southerly line of a 20 foot utility easement, 52.00 feet, to the True Point of Beginning; thence North 17 degrees 40 minutes 38 seconds West, 1.39 feet; thence North 72 degrees 32 minutes 28 seconds East, 3.32 feet; thence South 49 degrees 48 minutes 33 seconds West, 3.59 feet to the Point of Beginning.

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

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 4th day of September, 1990.

Approved by the Mayor and the County of Johnson, September 4th, 1990.

(S E A L) [Signature]

[Seal]

Martha Heizer
City Clerk

APPROVED AS TO 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 attached is a true and correct copy of Ordinance No. 1178 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said City this 10th day of September, 1990.

[Signature]

Marta Heizer
City Clerk
AFFIDAVIT OF PUBLICATION

SAS, JOHNSON COUNTY, ss: Georgiann Thacker being first Duty sworn, that she is legal publications manager of THE JOHNSON COUNTY SUN, a newspaper printed in the State of Kansas, and published in and of general Johnson County, Kansas, and that said newspaper in not a trade, religious or editorial.

The paper is a semi-weekly published at least weekly 50 times a year; has been continuously and uninterruptedly in said county and state for a period of more than one year to the first publication of said notice; and has been admitted at the post office of JOHNSON, KANSAS in said County as a second class matter.

The enclosed notice is a true copy thereof and was published in the regular and entire newspaper for consecutive one (1) week(s) the first publication thereof being made as aforesaid September 19, 1990, with subsequent publications on the following dates:

19- 19- 19-

Georgiann Thacker

Subscribe and sworn to before me this 7th day of September 1990.

NOTARY PUBLIC

My Commission expires: 19-

Printer's Fee $ 15.00

Additional copies $
ORDINANCE NO. 1177C

AN ORDINANCE AMENDING SECTION 11-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR PUBLIC OFFENSE LOCAL PROVISIONS.

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

Section 1. Code Amended. That 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", 1990 Edition, as incorporated by reference by Section 11-101 of this Chapter.

Section 2. Repeal of Existing Section. That existing Section 11-201 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1127C)

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 21st day of August, 1990.

Approved by the Mayor the 22nd day of August, 1990.

Marcia Rinehart Mayor

(S E A L)

Attest:

Martha Heizer City Clerk

APPROVED AS TO FORM:

R.S. Wetzler City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

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 a newspaper 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 published continuously and uninterruptedly in said County and State for period of more than five (5) years prior to the first publication of the Ordinance 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:

8/28/90

Business Manager

Subscribed and sworn to before me on this date:
8/28/90

Notary Public

DANA LEWIS
Notary Public - State of Kansas

My appointment expires:
February 12, 1994

Publication Fees: $14.82

ORD. 1177C

First published in The Legal Record, Tuesday, August 28, 1990.

ORDINANCE NO. 1177C

AN ORDINANCE AMENDING SECTION 11-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR PUBLIC OFFENSE LOCAL PROVISIONS.

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

Section 1. Code Amended. That Section 11-201 of the Code of the City of Leawood is hereby amended to read as follows:

11-201. PENALTIES. Unless otherwise specified herein, the penalties for violation of any of the following sections shall be classed in the manner set out in Article 12 of the "Uniform Public Offense Code for Kansas Cities", 1990 Edition, as incorporated by reference by Section "11-101" of this chapter.

Section 2. Repeal of Existing Section. That existing Section 11-201 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1127C)

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 21st day of August, 1990.

Approved by the Mayor the 22nd day of August, 1990.

(S E A L)

Attest:

Marcia Rinahart

Mayor

Martha Heizer

City Clerk

APPROVED AS TO FORM:

R.S. Metzler

City Attorney
ORDINANCE NO. 1176C

AN ORDINANCE ADOPTING THE 1990 EDITION OF THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES".

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

Section 1. Code Amended. That Article 1 of Chapter 11 ("Public Offenses") of the Code of the City of Leawood is hereby amended to read as follows:

ARTICLE 1. UNIFORM OFFENSE CODE

11-101. UNIFORM CODE INCORPORATED. There is hereby incorporated by reference the "Uniform Public Offense Code for Kansas Cities", 1990 Edition, 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 uniform 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.

11-102. SAME; AMENDMENT. Section 10.13 of the uniform code incorporated in Section 11-101 above shall be amended to read as follows:

10.13. BARBED WIRE. It shall be unlawful for any person to construct, set up or maintain any barbed wired 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 shall be amended to read as follows:

10.1. UNLAWFUL USE OF WEAPONS. (a) Unlawful use of weapons is knowingly:

(1) 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 shall be 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 Existing Article. That existing Article 1 of Chapter 11 (Sections 11-101:104) of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1126C)

Section 3. Validity of Ordinance. That 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. 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 21st day of August, 1990.

Approved by the Mayor the 22nd day of August, 1990.

(S.E.A.L.)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzel
City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

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 a newspaper 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:

8/28/90

[Signature]
Business Manager

Subscribed and sworn to before me on this date:
8/28/90

[Signature]
Notary Public

My appointment expires:
February 12, 1994

Publication Fees: $51.87

Ordinance No. 1176C
ORD. 1178C

ADOPTED BY THE CITY COUNCIL OF THE CITY OF KANSAS CITY, MISSOURI
APPROVED AS TO FORM AND LEGALITY BY THE CITY ATTORNEY

CH 3-333

ARTICLE 1. UNIFORM OFFENSE CODE

11-211. UNIFORM CODE INOPERATIVE. There is hereby adopted, in place of the then current Kansas City Uniform Code, the Uniform Offense Code in Section 11-211 above, which section shall be read as follows:

"11-211. UNIFORM CODE INOPERATIVE. There is hereby adopted, in place of the then current Kansas City Uniform Code, the Uniform Offense Code in Section 11-211 above, which section shall be read as follows:"

This ordinance shall take effect immediately after its passage, and all offenses remaining under the old code shall continue to be offenses in the City of Kansas City until the expiration of such offenses, or until the new ordinance shall be in full effect, whichever shall first occur.

Passed by the City Council the 27th day of August, 1933.
Approved by the Mayor the 31st day of August, 1933.
ORDINANCE NO. 1175C

AN ORDINANCE ADOPTING THE 1990 EDITION OF THE "STANDARD TRAFFIC ORDINANCE".

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

Section 1. Code Amended. That Article 1 of Chapter 14 ("Traffic") of the Code of the City of Leawood is hereby amended to read as follows:

ARTICLE 1. STANDARD TRAFFIC ORDINANCE

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 1990, 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. SAME; AMENDMENT. 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. The title of Section 37 of the standard traffic ordinance incorporated in Section 14-101 of this article shall be amended to read as follows: Racing on Highways; Drag Race, Racing, Exhibition of Speed or
14-104. SAME. 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 Existing Article. That existing Article 1 of Chapter 14 (Sections 14-101:104) of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1120C)

Section 3. Validity of Ordinance. That 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. 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 21st day of August, 1990.

Approved by the Mayor the 22nd day of August, 1990.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Metzler
City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

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 a
newspaper 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 1 consecutive week(s)
as follows:
8/28/90

Business Manager

Subscribed and sworn to before me on this date:
8/28/90

Notary Public

DANA LEWIS
Notary Public - State of Kansas

My appointment expires:
February 12, 1994

Publication Fees: $44.46

Ordinance No. 1175C
ORD. 1178C

SIGNING THE 1990 EDITION OF THE "TRAFFIC ORDINANCE",

As it is ordered by the Governing Body of the City of Leawood,

Section 1. Code Amended. That Article 1 of Chapter 14 ("Traffic") of the Code of the City of Leawood is hereby amended as follows:

ARTICLE 1. STANDARD TRAFFIC ORDINANCE

14-101. INCORPORATION OF "STANDARD TRAFFIC ORDINANCE". This Code shall incorporate by reference for the purpose of regulating traffic within the City of Leawood the provisions of the Standard Traffic Ordinance of the Kansas Department of Transportation, hereinafter known as the "Standard Traffic Ordinance for Kansas Cities". Said Ordinance shall become a part of the ordinances of the City of Leawood, and the same shall be subject to revision or amendment in the manner prescribed by the Kansas Department of Transportation. Said Ordinance shall be a part of this Code and shall be enforceable by the City. The Ordinance shall be available to the public at all reasonable hours.

14-102. SAEC: ANSWER. Section 33 of the standard traffic ordinance, in Section 14 of Article 14 of the Revised Statutes of the State of Kansas, shall be amended to read as follows:

(1) All vehicles shall be kept in motion in any business, commercial, or public recreation district and dwellings or areas.

(2) All vehicles shall be kept in motion in any park or recreation area.

(3) All vehicles shall be kept in motion in any school, between a speed in excess of the speed limit or within the City of Leawood.

(4) All vehicles shall be kept in motion in the City of Leawood.

14-103. SEC: ANSWER. Section 32 of the standard traffic ordinance, in Section 14 of Article 14 of the Revised Statutes of the State of Kansas, shall be amended to read as follows:

Racing, Racing, Inhibition of Speed Automation.

14-104. SEC: ANSWER. Section 32 of the standard traffic ordinance, in Section 14 of Article 14 of the Revised Statutes of the State of Kansas, shall be amended to read as follows:

Pedestrians on Highways. (a) Where there is a sidewalk or side path, no pedestrian walk, jog or run on any public street, or the sidewalk or side path, as far as practicable.

(b) Where there is a sidewalk, no pedestrian walk, jog or run on the sidewalk or side path.

(c) Where a sidewalk is not available, any pedestrian walk, jog or run on any public street, or the sidewalk or side path, as far as practicable.

Where neither a sidewalk nor a pedestrian walk, jog or run on any public street, or the sidewalk or side path, as far as practicable.
ORDINANCE NO. 11740

AN ORDINANCE RELATING TO THE EFFECT OF WARD BOUNDARY CHANGES ON COUNCIL MEMBERSHIP.

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

Section 1. Code Amended. That Article 1 of Chapter 6 of the Code of the City of Leawood is hereby amended by adding Section 6-102 which shall read as follows:

6-102. EFFECT OF WARD BOUNDARY CHANGES ON COUNCIL MEMBERSHIP. Whenever the residence of any councilmember shall be transferred from one ward of the City to another solely as a result of a change in ward boundaries, said councilmember's office shall not become vacant and said councilmember shall be eligible to represent the ward from which he or she was elected or appointed until the end of the term for which he or she was originally elected or appointed as long as he or she is otherwise qualified to serve as a councilmember. No councilmember shall represent more than one ward on the council at any one time.

Section 2. 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 21st day of August, 1990.

Approved by the Mayor the 22nd day of August, 1990.

(S.E.A.L.)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Metzler
City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

ORD. 1174C
First published in The Legal Record, Tuesday, August 28, 1990.

ORDINANCE NO. 1174C
AN ORDINANCE RELATING TO THE EFFECT OF WARD BOUNDARY CHANGES ON COUNCIL MEMBERSHIP.

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

Section 1. Code Amended. That Article I of Chapter 6 of the Code of the City of Leawood is hereby amended by adding Section 6-102 which shall read as follows:

6-102. EFFECT OF WARD BOUNDARY CHANGES ON COUNCIL MEMBERSHIP. Whenever the residence of any councilmember shall be transferred from one ward of the City to another solely as a result of a change in ward boundaries, said councilmember's office shall not become vacant and said councilmember shall be eligible to represent the ward from which he or she was elected or appointed until the end of the term for which he or she was originally elected or appointed as long as he or she is otherwise qualified to serve as a councilmember. No councilmember shall represent more than one ward on the council at any one time.

Section 2. 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 21st day of August, 1990.
Approved by the Mayor the 22nd day of August, 1990.

(S E A L)
Marcia Minehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:
City Attorney

8/28/90

Business Manager

Subscribed and sworn to before me on this date: 8/28/90

Notary Public

DANA LEWIS
Notary Public - State of Kansas

My appointment expires:
February 12, 1994

Publication Fees: $14.82

Ordinance No. 1174C
Be it ordained by the Governing Body of the City of Leawood:

Section 1. Code Amended. That Article 2 of Chapter 6 ("Elections") of the Code of the City of Leawood is hereby amended to read as follows:

ARTICLE 2. WARDS

6-201. DIVISION OF CITY INTO WARDS. The City shall be divided into four wards for election purposes, pursuant to the provisions of Charter Ordinance No. 6, having their boundaries as set out in Sections 6-202, 205.

6-202. BOUNDARIES OF WARD 1. That territory of the City of Leawood beginning at the northeast corner of the present limits of the City; thence south along the eastern limits of the City to the centerline of 95th Street; thence west along the centerline of 95th Street to the western limits of the City; thence northerly and easterly along the western limits to the centerline of Somerset Drive; thence easterly along the northern limits of the City to the point of beginning.

6-203. BOUNDARIES OF WARD 2. That territory of the City of Leawood beginning at the centerline of 95th Street at the eastern limits of the City; thence south along the eastern limits of the City to the centerline of 119th Street; thence west along the centerline of 119th Street to the western limits of the City; thence northerly and easterly along the western limits to the centerline of 95th Street; thence east along the centerline of 95th Street to the point of beginning.

6-204. BOUNDARIES OF WARD 3. That territory of the City of Leawood beginning at the centerline of 119th Street at the eastern limits of the City; thence south along the eastern limits of the City to the centerline of 135th Street; thence west along the centerline of 135th Street to the centerline of Mission Road; thence north along the centerline of Mission Road to the junction with the centerline of 127th Street; thence east along the centerline of 127th Street to the junction with the centerline of Pawnee Lane; thence south along the centerline of Pawnee Lane to the junction with the centerline of Cherokee Lane; thence easterly and northerly along the centerline of Cherokee Lane to the junction with the centerline of Overbrook Road; thence north along the centerline of Overbrook Road to the junction with the
centerline of Ensley Lane; thence north and west along the centerline of Ensley Lane to the junction with the centerline of Cherokee Lane; thence east and north along the centerline of Cherokee Lane to the junction with the centerline of 123rd Street; thence west along the centerline of 123rd Street to the junction with the centerline of Wenonga Lane; thence north along the centerline of Wenonga Lane to the junction with the centerline of 119th Street; thence east along the centerline of 119th Street to the point of beginning.

6-205. BOUNDARIES OF WARD 4. That territory of the City of Leawood beginning at the centerline of 135th Street at the eastern limits of the City; thence southerly and westerly along the eastern limits of the City to the junction with the southern limits of the City; thence westerly along the southern limits to the junction with the western limits of the City; thence northerly along the western limits to the junction with the centerline of 119th Street; thence east along the centerline of 119th Street to the junction with the centerline of Wenonga Lane; thence south along the centerline of Wenonga Lane to the junction with the centerline of 123rd Street; thence east along the centerline of 123rd Street to the junction with the centerline of Cherokee Lane; thence south along the centerline of Cherokee Lane to the junction with the centerline of Ensley Lane; thence southerly and westerly along the centerline of Ensley Lane to the junction with the centerline of Overbrook Road; thence southerly along the centerline of Overbrook Road to the junction with the centerline of Cherokee Lane; thence westerly and southerly along the centerline of Cherokee Lane to the junction with the centerline of Pawnee Lane; thence north along the centerline of Pawnee Lane to the junction with the centerline of 127th Street; thence west along the centerline of 127th Street to the junction with the centerline of Mission Road; thence south along the centerline of Mission Road to the junction with the centerline of 135th Street; thence east along the centerline of 135th Street to the point of beginning.

Section 2. Repeal of Existing Article. That existing Article 2 of Chapter 6 (Sections 6-201:205) of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1072C)

Section 3. Take Effect. That this ordinance shall take effect and be in force from and after December 2, 1990.

Passed by the Council the 21st day of August, 1990.

Approved by the Mayor the 22nd day of August, 1990.
ORDINANCE NO. 1173C

(Marcia Rinehart Mayor)

Martha Helzer City Clerk

R.S. Wetzler City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

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 a
newspaper 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 1 consecutive week(s)
as follows:

8/28/90

Business Manager

Subscribed and sworn to before me on this date:
8/28/90

Notary Public

DANA LEWIS
Notary Public - State of Kansas

My appointment expires:
February 12, 1994

Publication Fees: $33.35

Ordinance No. 1173C
ORDINANCE NO. 1173C

AN ORDINANCE RELATING TO WARD CHANGES IN THE CITY OF LEAWOOD, KANSAS

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

Section 1. Code Amended. That Article 2 of Chapter 6 ("Elections") of the Code of the City of Leawood is hereby amended to read as follows:

ARTICLE 2. WARDS

6-201. DIVISION OF CITY INTO WARDS. The City shall be divided into four wards for election purposes, pursuant to K.S.A. 12-1905, as follows:

6-202. BOUNDARIES OF WARD 1. That territory of the City of Leawood beginning at the northeast corner of the present limits of the City, thence south along the eastern limits of the City to the centerline of 95th Street; thence west along the centerline of 95th Street to the western limits of the City; thence northerly and easterly along the western limits to the centerline of Somerset Drive; thence easterly along the northern limits of the City to the point of beginning.

6-203. BOUNDARIES OF WARD 2. That territory of the City of Leawood beginning at the centerline of 95th Street along the eastern limits of the City; thence south along the eastern limits of the City to the centerline of 115th Street; thence west along the centerline of Mission Road to the junction with the centerline of 127th Street; thence north along the centerline of 127th Street to the centerline of 123rd Street; thence west along the centerline of 123rd Street to the centerline of 111th Street; thence south along the centerline of 111th Street to the point of beginning.

6-204. BOUNDARIES OF WARD 3. That territory of the City of Leawood beginning at the centerline of 115th Street at the centerline of Mission Road; thence south along the eastern limits of the City to the centerline of 135th Street; thence west along the centerline of 135th Street to the centerline of Mission Road; thence north along the centerline of Mission Road to the junction with the centerline of 127th Street; thence east along the centerline of 127th Street to the centerline of 129th Street; thence north along the centerline of 129th Street to the centerline of 123rd Street; thence west along the centerline of 123rd Street to the junction with the centerline of 111th Street; thence north along the centerline of 111th Street to the point of beginning.

6-205. BOUNDARIES OF WARD 4. That territory of the City of Leawood beginning at the centerline of 115th Street at the centerline of Mission Road; thence south along the eastern limits of the City to the junction with the centerline of 119th Street; thence northerly along the eastern limits of the City to the centerline of 123rd Street; thence west along the centerline of 123rd Street to the centerline of 111th Street, thence south along the centerline of 111th Street to the junction with the centerline of 107th Street; thence north along the centerline of 107th Street to the junction with the centerline of 111th Street; thence south along the centerline of 111th Street to the junction with the centerline of 107th Street; thence west along the centerline of 107th Street to the centerline of 95th Street; thence south along the centerline of 95th Street to where the centerline of 95th Street intersects the point of beginning.

Section 2. Repeal of Existing Article. That existing Article 6 ("Elections") of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1072C.)

Section 3. Take Effect. That this ordinance shall take effect and be in force from and after December 2, 1990.

Passed by the Council the 21st day of August, 1990.

Approved by the Mayor the 2nd day of August, 1990.

(S F A L)

Kecia Rinhardt
Mayor

Attest:

Martha Heister

APPROVED AS TO FORM

R.G. Netter
City Attorney
ORDINANCE NO. 1172

AN ORDINANCE ESTABLISHING THE 1991 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

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

28-313. Section 1. 1991 ANNUAL ASSESSMENT. That pursuant to the terms of Section 15-104 of the Code of the City of Leawood, the following shall be the formula to establish the 1991 annual assessment for all users of the Leawood Sewer System:

\[
\text{User Charge} = \text{Volume Charge} + \text{Customer Service Charge} + \text{Replacement Cost Charge;}
\]

\[
\text{Volume Charge} = \$1.2440 \text{ per 1000 gallons of water used.}\]

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;

\[
\text{Customer Service Charge} = \$90.00 \text{ per user per unit;}
\]

\[
\text{Replacement Cost} = \$0.00/\text{account (for 1991);}
\]

\[
\text{Special Charge} = \$25.95/\text{account; Debt Service, Public Works Facility; 1986 Sewer Repair}
\]

28-314. Section 2. PUBLICATION. That this ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

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 21st day of August, 1990.

Approved by the Mayor the 22nd day of August, 1990.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Wetzler
City Attorney
KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker being first Duty sworn, and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a daily 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 political publication.

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

The attached notice is a true copy thereof and was published in the regular and entire newspaper for two consecutive weeks (weeks, days) the first publication thereof being made as aforesaid on the following dates:

- 21st day of August 1990, with subsequent publications

Subscribe and sworn to before me this 31st day of August 1990

[Signature]

MARGUERITE E. BAKER
NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 3-15-92
AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF PAYING FOR THE COST OF IMPROVING ROE AVENUE FROM APPROXIMATELY 112TH STREET TO 121ST STREET (IMPROVEMENT DISTRICT ROE AVE, PROJECT 106).

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood:

Improvement of Roe Avenue from a point 894.60'S. of N.W. corner of the N.E. 1/4 Sec. 21, Township 13, Range 25, to a point 665.07'S. of the N.W. corner of the N.E. 1/4 Section 16, Township 13, Range 25.

and such contracts have been duly performed; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to the City is $943,396.00; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to be assessed against the improvement district is $505,509.00 and such property, within the improvement district abutting the improvement, shall be assessed on a front foot basis of $73,279.37864 per abutting front foot; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessment;

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

20-1,575. Section 1. Special assessments to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessments for said improvement as set out on assessment roll on file in the City Clerk's Office.

20-1,576. Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in annual installments. The first installment shall be payable at the time of the first payment of general property taxes following the adopting and publication of this ordinance unless this ordinance is adopted and certified too late to permit collection at such time.

20-1,577. Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.
20-1,578. Section 4. The owner of any property so assessed may at any time prior to 4:00 p.m., Wednesday, September 5, 1990, pay the whole of the assessment against any lot or parcel of ground, without interest, to the City Treasurer.

20-1,579. Section 5. Assessments not paid prior to 4:00 p.m., Wednesday, September 5, 1990, shall be certified, together with the interest accrued or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Governing Body this 6th day of August, 1990.

Approved by the Mayor this 7th day of August, 1990.

(S E A L)  

Margia Rinehart  
Mayor

Attest:  

Martha Heizer  
City Clerk

APPROVED FOR FORM:  

R.S. Wetzler  
City Attorney
ORDINANCE NO. 1171

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF PAYING FOR THE COST OF IMPROVING ROE AVENUE FROM APPROXIMATELY 112TH STREET TO 121ST STREET (IMPROVEMENT DISTRICT ROE AVE, PROJECT 106).

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood:

Improvement of Roe Avenue from a point 894.60'S. of N.W. corner of the N.E. 1/4 Sec. 21, Township 13, Range 25, to a point 665.07'S. of the N.W. corner of the N.E. 1/4 Section 16, Township 13, Range 25.

and such contracts have been duly performed; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to the City is $943,396.00; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to be assessed against the improvement district is $505,509.00 and such property, within the improvement district abutting the improvement, shall be assessed on a front foot basis of $73.27937864 per abutting front foot; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessment;

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

20-1,575. Section 1. Special assessments to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessments for said improvement as set out on assessment roll on file in the City Clerk's Office.

20-1,576. Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in annual installments. The first installment shall be payable at the time of the first payment of general property taxes following the adopting and publication of this ordinance unless this ordinance is adopted and certified too late to permit collection at such time.

20-1,577. Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.
20-1,578. Section 4. The owner of any property so assessed may at any time prior to 4:00 p.m., Wednesday, September 5, 1990, pay the whole of the assessment against any lot or parcel of ground, without interest, to the City Treasurer.

20-1,579. Section 5. Assessments not paid prior to 4:00 p.m., Wednesday, September 5, 1990, shall be certified, together with the interest accrued or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Governing Body this 6th day of August, 1990.
Approved by the Mayor this 7th day of August, 1990.

(SEAL)

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 with attached assessment roll is a true and correct copy of Ordinance No. 1171 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 August, 1990.

(SEAL)
CORRECTED
ASSESSMENT ROLL

Improvement District 86-1
Roe Avenue (112th - 121st St.)

Assessment Factor
$73.27937864

<table>
<thead>
<tr>
<th>Property I.D. #</th>
<th>Ownership</th>
<th>Front Footage</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>HP09250000-0005</td>
<td>Valley View State Bank</td>
<td>276.00</td>
<td>$ 20,225.11</td>
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<tr>
<td>HF251321-3006</td>
<td>Wilson M. Williams</td>
<td>160.00</td>
<td>$ 11,724.70</td>
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<td>Frank S. Morgan</td>
<td>1,301.33</td>
<td>$ 95,360.65</td>
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<tr>
<td>HF251316-3007</td>
<td>Julius D. Spears</td>
<td>1,133.57</td>
<td>$ 83,067.31</td>
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<tr>
<td>HF251316-2003</td>
<td>Marned Corporation</td>
<td>2,572.65</td>
<td>$188,522.19</td>
</tr>
</tbody>
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## ASSESSMENT ROLL

**Improvement District 86-1**  
Roe Avenue (112th - 121st St.)

**Assessment Factor**  
$73.27937864$

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</tr>
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</table>
ORDINE NO. 1171

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF PAYING FOR THE COST OF IMPROVING ROE AVENUE FROM APPROXIMATELY 1317TH STREET TO 123ST STREET (IMPROVEMENT DISTRICT ROE AVE, PROJECT 106). WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood:

Improvement of Roe Avenue from a point 894.60' S. of N.W. corner of the N.E. 1/4 Sec. 21, Township 13, Range 25, to a point 665.07' S. of the N.W. corner of the N.E. 1/4 Section 16, Township 13, Range 25.

and such contracts have been duly performed; and WHEREAS, said Governing Body has determined that the total cost of such improvement to the City is $943,396.00; and WHEREAS, said Governing Body has determined that the total cost of such improvement to be assessed against the improvement district is $505,509.00 and such property, within the improvement district abutting the improvement, shall be assessed on a front foot basis of $73.7937864 per abutting front foot; and WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessment;

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

20-1,575. Section 1. Special assessments to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessments for said improvement as set out on assessment roll on file in the City Clerk’s Office.

20-1,576. Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in annual installments. The first installment shall be payable at the time of the first payment of general property taxes following the adopting and publication of this ordinance unless this ordinance is adopted and certified too late to permit collection at such time.

20-1,577. Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.

20-1,578. Section 4. The owner of any property so assessed may at any time prior to 4:00 p.m., Wednesday, September 5, 1990, pay the whole of the assessment against any lot or parcel of ground, without interest, to the City Treasurer.

20-1,579. Section 5. Assessments not paid prior to 4:00 p.m., Wednesday, September 5, 1990, shall be certified, together with the interest accrued or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Governing Body this 6th day of August, 1990.
Approved by the Mayor this 7th day of August, 1990.

(S E A L) Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

A. J. [Signature] City Attorney
AN ORDINANCE AUTHORIZING AND PROVIDING FOR ACQUISITION OF PERMANENT DRAINAGE EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE IMPROVEMENT OF THE INTERSECTION OF LEE BOULEVARD AND SOMERSET STREET IN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood did by resolution, approved on July 16, 1990, 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:

19-133. 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 the intersection of Lee Boulevard and Somerset Street 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:

Permanent Drainage Easement

All that part of 70, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at a point on the north line of Lot 70 and 10 feet west of the northeast corner thereof; thence west along the north line of said lot a distance of 18.5 feet; thence southerly in a straight line to a point 29 feet westerly of the east boundary of Lot 70, measured normal to the west line of Lot 68, LEAWOOD, from the most northerly corner of said Lot 68; thence southerly,
parallel to the west line of said Lot 68, a distance of 27 feet; thence southerly in a straight line to a point on the east boundary of said Lot 70 and 68 feet northeasterly of the most southerly corner of said Lot 70; thence northerly along the east boundary of said Lot 70 to an angle point at the most northerly corner of Lot 67; LEAWOOD, thence northeasterly along the east boundary of said Lot 70 a distance of 6 feet; thence northeasterly in a straight line a distance of 35.5 feet to a point 13 feet west of and measured normal to the east boundary of said Lot 70; thence easterly, normal to the east boundary of Lot 70, to the east boundary of said Lot; thence northerly along said east boundary a distance of 15 feet; thence westerly, normal to the last described line, a distance of 7.5 feet; thence northerly, parallel to the east boundary of said Lot 70, a distance of 27 feet; thence northwesterly in a straight line to the point of beginning.

The above contains 2,578 square feet, more or less.

Owner: Leawood Shops, Inc.

Temporary Construction Easement

All that part of Lots 68, 69 and 70, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas described as follows:

Beginning at a point on the east boundary of said Lot 70 and 50 feet north of the most southerly corner of said Lot 70; thence northeasterly along the east boundary of said Lot 70 to the most northerly corner of Lot 67, LEAWOOD; thence northeasterly along the east boundary of said Lot 70 a distance of 31.63 feet to an angle point on the east boundary of said Lot 70; thence northeasterly along the east boundary of said Lot 70 to a point 1.66 feet southerly of a point on the west line of Lot 68, which is 35 feet northeasterly of the southwest corner of Lot 68; thence easterly along the boundary of Grantor's property a distance of 5 feet; thence northerly in a straight line to a point on the north line of Lot 69 and 20 feet east of the northwest corner of said Lot 69; thence west along the north line of Lots 69 and 70 a distance of 58 feet; thence southeasterly in a straight line to a point 34 feet westerly of the east boundary of said Lot 70, measured normal to the west line of Lot 68, from the most northerly corner of said Lot 68; thence southerly, parallel to the east boundary of said Lot 70.
a distance of 42 feet; thence southwesterly in a straight line a distance of 60 feet to a point 30.5 feet northwesterly of and measured normal from the most southerly line of the east boundary of said Lot 70; thence southerly in a straight line to a point on the south boundary of Grantors land and 11.6 feet northwesterly of the point of beginning; thence southeasterly along the south boundary of Grantor's land to the point of beginning, except that part thereof in permanent drainage easement. ALSO beginning at the southeast corner of Grantor's land at a point on the east line of Lot 68 and 35 feet northeasterly of the most southerly corner of said Lot 68; thence northeasterly, along the east boundary of Lots 68 and 69, a distance of 138 feet; thence westerly, measured radially to the east boundary of Lot 69, a distance of 7 feet; thence southwesterly in a straight line to the south line of Grantor's land and 7 feet northwesterly of the point of beginning; thence southeasterly along the south line of Grantor's land to the point of beginning.

The above contains 4,551 square feet, more or less.

Owner: Leawood Shops, Inc.

Section 2. This Ordinance shall take effect and be enforced from and after its passage, approval and publication as provided by law.


(S. E. A. L)

Mayor

ATTEST:

Martia Herring

City Clerk

Approved as to form: ____________________

City Attorney
STATE OF KANSAS, JOPOLON COUNTY, SS.

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

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

7/17/79

DANA LEWIS

Notary Public - State of Kansas
My Appt, Expires:

February 12, 1994

Publication Fees: $40.75

Orindance No. 1170

ORD. 1170

AN ORDINANCE AUTHORIZING AND PROVIDING FOR ACQUISITION OF PERMANENT DRAINAGE EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE INFECTION OF THE BOUNDARY AND BIOERITY STREET IN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood did by resolution, approved on July 17, 1990, 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 damaged 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:

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 the intersection of the Boulevard and Sunrise Street 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:

Permanent Easement

All that part of 70, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at a point on the east boundary of said Lot 70 and 60 feet north of the most southerly corner of said lot 70; thence northeasterly along the east boundary of said Lot 70 to the most northerly corner of said Lot 67; thence southerly along the said boundary of Lot 67 to a point of 13 feet south and 30 feet west of the northerly boundary of said Lot 67, along a distance of 39.9 feet; thence northeasterly along the east boundary of said Lot 67 a distance of 6 feet; thence northeasterly in a straight line a distance of 19.9 feet; thence northeasterly along the east boundary of said Lot 70, a distance of 5 feet; thence northeasterly in a straight line to the point of beginning.

The above contains 2,578 square feet, more or less.

Owner: Leawood Sheds, Inc.

Temporary Construction Easement

All that part of Lots 69, 60 and 70, LEAWOOD, a subdivision of land in the City of Leawood, Johnson County, Kansas described as follows:

Beginning at a point on the east boundary of said Lot 70 and 60 feet north of the most southerly corner of said Lot 70; thence northeasterly along the east boundary of said Lot 70 to the most northerly corner of said Lot 67; thence southerly along the said boundary of Lot 67 to a point of 13 feet south and 30 feet west of the northerly boundary of said Lot 67, along a distance of 39.9 feet; thence northeasterly along the east boundary of said Lot 67 a distance of 6 feet; thence northeasterly in a straight line a distance of 19.9 feet; thence northeasterly along the east boundary of said Lot 70, a distance of 5 feet; thence northeasterly in a straight line to the point of beginning.

The above contains 2,591 square feet, more or less.

Owner: Leawood Sheds, Inc.

Section 3. This Ordinance shall take effect and be enforced immediately after its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 16th DAY OF JULY, 1990.

[Signature]

Mayor

APPROVED AS SO FORTH

City Clerk

[Signature]

City Attorney

[Signature]
AN ORDINANCE RELATING TO ZONING OF ANNEXED PROPERTY SOUTH OF 151ST STREET IN THE CITY OF LEAWOOD, KANSAS.

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

18-132. Section 1. That 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 by Johnson County, Kansas, as R1B (Single Family Residential) and Agriculture:

9-14-25 W 1/2 NE1/4 EX E 15.27 ACS & EX 30.706 ACRS PLATTED & EX 2.12 AC PLATTED (31.904 ACRS M/L) AND
10-14-25 BG 829.6' S NW CR NW 1/4 E 2409.6' S 1320' W
1465.8' N 600' W 943.8' N 720' TO BG (60.02 ACRS M/L) AND
GUILDFORD DOWNS LOTS 1 THROUGH 41 AND LEAWOOD MISSION VALLEY FIRST PLAT.

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 16th day of July, 1990.

Approved by the Mayor the 16th day of July, 1990.

(S.E.A.L.)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Metzler
City Attorney
TO:

City of Leawood
9617 Lee Blvd.
Leawood KS 66221

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 a newspaper 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 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:

7/17/90

Business Manager

Subscribed and sworn to before me on this date:
7/17/90

Notary Public

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

My appointment expires:
February 12, 1994

Publication Fees: $11.11

ORD. 1169

First published in The Legal Record and News, Tuesday, July 17, 1990.

ORDINANCE NO. 1169

AN ORDINANCE RELATING TO ZONING OF ANNEXED PROPERTY SOUTH OF 1521ST STREET IN THE CITY OF LEAWOOD, KANSAS.

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

Section 1. That 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 by Johnson County, Kansas, as R-1 (Single Family Residential) and Agriculture:

9-14-25 W 1/2 NE1/4 EX E 15.27 ACS & EX 30.706 ACRES
PLATTED & EX 2.12 AC PLATTED (31.904 ACS M/L) AND
10-14-25 BG 329.6' S NW CR NW 1/4 E 2409.6' S 1320' W
1465.8' N 600' W 943.8' N 720' TO BG (60.02 ACS M/L) AND
GUIDFORD DOWNS LOTS 1 THROUGH 41 AND LEAWOOD MISSION VALLEY FIRST PLAT.

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 16th day of July, 1990.

Approved by the Mayor the 16th day of July, 1990.

(S E A L)

Mayor

Marci Rinehart

Attest:

Martha Rezler
City Clerk

APPROVED AS TO FORM:

R.S. Metzler
City Attorney
ORDINANCE NO. 1168

AN ORDINANCE RELATING TO ACCEPTANCE OF DRAINAGE EASEMENTS REQUIRED FOR THE 1990 STREET REHABILITATION PROGRAM, SPECIFICALLY AT 98TH AND BELINDER IN THE CITY OF LEAWOOD.

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

19-6,219. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept 2 permanent drainage easements, along with the restrictions and reservations set forth therein, granting the City of Leawood, Kansas, permanent easements described as follows for the location of a storm drainage facility:

From Timothy A. and Joyce L. Gauss: All that part of Lot 420, LEAWOOD ESTATES, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeasterly corner of said Lot 420; thence Westerly, along the Northerly line of said Lot 420, a distance of 7 feet; thence Southerly, to a point on the Southerly line of said Lot 420, and 12 feet Westerly of the Southeasternly corner thereof, as measured along said Southerly line; thence Easterly, along the Southerly line of said Lot 420, a distance of 12 feet, to the Southeasternly corner thereof; thence Northerly, along the Easterly line of said Lot 420, to the point of beginning.

From George P. and Juana G. Jacobsen: All that part of Lot 421, LEAWOOD ESTATES, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeasterly corner of said Lot 421; thence Westerly, along the Southerly line of said Lot 421, a distance of 15 feet; thence Northeasterly, to a point on the Easterly line of said Lot 421, and 15 feet Northerly of the Southeasterly corner thereof, as measured along said Easterly line; thence Southerly, along the Easterly line of said Lot 421, a distance of 15 feet, to the point of beginning.

19-6,220. Section 2. That copies of said easements 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 2nd day of July, 1990.
This agreement made and entered into this 26 day of March, 1970
by and between

George P. Jacobsen  Joanna L. Jacobsen

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, lot and release to the party of the second part, the following described real estate to-wit:

All that part of Lot 421, LEAWOOD ESTATES, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeasterly corner of said Lot 421; thence Westerly, along the Southerly line of said Lot 421, a distance of 15 feet; thence Northeasterly, to a point on the Easterly line of said Lot 421, and 15 feet Northerly of the Southeasterly corner thereof, as measured along said Easterly line; thence Southerly, along the Easterly line of said Lot 421, a distance of 15 feet, to the point of beginning.

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

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

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

George P. Jacobsen

Joanna L. Jacobsen

Vol 3183 Page 789
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas: SS.
COUNTY OF Johnson:

BE IT REMEMBERED, That on the 26th day of March, 1990, before me, the undersigned, a Notary Public in and for said County and State, came George and Juanita Jacobsen

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:
04/25/91

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

City of Lawrence
7617 Lee Blvd.
Lawrence, K. 66046

Vol. 3183 Page 790
This agreement made and entered into this 23 day of May, 1990

by and between Timothy A. and Joyce L. Gauss

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 420, LEAWOOD ESTATES, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeasterly corner of said Lot 420; thence Westerly, along the Northerly line of said Lot 420, a distance of 7 feet; thence Southerly, to a point on the Southerly line of said Lot 420, and 12 feet Westerly of the Southeastern corner thereof, as measured along said Southerly line; thence Easterly, along the Southerly line of said Lot 420, a distance of 12 feet, to the Southeastern corner thereof; thence Northerly, along the Easterly line of said Lot 420, to the point of beginning:

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

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

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

Timothy A. Gauss

Joyce L. Gauss
STATE OF Kansas
COUNTY OF Johnson

BE IT REMEMBERED, That on the 23 day of May, 1990, before me, the undersigned, a Notary Public in and for said County and State, came Timothy A. and Joyce L. Gauss 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

City of Leawood

CORPORATE ACKNOWLEDGEMENT

STATE OF Kansas
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
ORDINANCE NO. 1168

Approved by the Mayor the 2nd day of July, 1990.

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

R.S. Metzler
City Attorney
ORDINANCE NO. 1168

AN ORDINANCE RELATING TO ACCEPTANCE OF DRAINAGE EASEMENTS REQUIRED FOR THE 1990 STREET REHABILITATION PROGRAM, SPECIFICALLY AT 98TH AND BELLINDER IN THE CITY OF LEAWOOD.

As it is ordained by the Governing Body of the City of Leawood:

Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept 2 permanent drainage easements, along with the restrictions and reservations set forth herein, granting the City of Leawood, Kansas, permanent easements described as follows for the location of a storm drainage facility:

From Timothy A. and Joyce L. Gauss: All that part of Lot 420, LEAWOOD ESTATES, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of said Lot 420, thence Westerly, along the Northern line of said Lot 420, a distance of 7 feet; thence Southerly, to a point on the Southerly line of said Lot 420, and 12 feet Westerly of the Southeasterly corner thereof, as measured along said Southerly line; thence Easterly, along the Southerly line of said Lot 420, a distance of 12 feet, to the Southeasterly corner thereof; thence Northerly, along the Easterly line of said Lot 420, to the point of beginning.

From George P. and Juana G. Jocobson: All that part of Lot 421, LEAWOOD ESTATES, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of said Lot 421; thence Westerly, along the Southerly line of said Lot 421, a distance of 15 feet; thence Northerly, to a point on the Easterly line of said Lot 421, and 15 feet Northerly of the Southwesterly corner thereof, as measured along said Easterly line; thence Southerly, along the Easterly line of said Lot 421, a distance of 15 feet, to the point of beginning.

Section 2. That copies of said easements 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 2nd day of July, 1990.
Approved by the Mayor the 2nd day of July, 1990.

(M.S.F.)
Marcia Rinehart, Mayor

Attest:

Martha Heizer, City Clerk

APPROVED AS TO FORM: /s/ R.S. Wetzler
R.S. Wetzler, City Attorney
ORDINANCE NO. 1167

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF WELCREEK ESTATES.

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

19-6,217. Section 1. That the following described drainage easement shown on the Plat of Welcreek Estates which was approved by the Governing Body May 16, 1988, is hereby vacated:

All that part of Lots 1 & 2, WELCREEK ESTATES, a subdivision of land in Section 34, Township 13, Range 25, City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of said Lot 1; thence South 65° 31'26" West, along the common lot line of said Lots 1 & 2, a distance of 160.00 feet to the Point of Beginning, said point being on the existing drainage easement line; thence South 06° 43'39" West, along said existing drainage easement line, a distance of 164.89 feet; thence South 39° 56'01" West, along said existing drainage easement line, a distance of 85.65 feet; thence North 07°44'40" West, a distance of 185.91 feet to a point on the common lot line of Lots 1 & 2, said point being 269.16 feet Southwesterly of the Northeast corner of said Lot 1; thence continuing North 07°44'40" West, a distance of 111.55 feet to a point on the existing drainage easement; thence North 89°59'04" East, along said existing drainage easement, a distance of 80.00 feet; thence South 27°45'18" East, along said existing drainage easement, a distance of 73.82 feet to the Point of Beginning.

19-6,218. Section 2. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

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 2nd day of July, 1990.

Approved by the Mayor the 2nd day of July, 1990.

(S E A L).

Marcia Rinehart
Mayor
ATTEST:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

H.S. Netzler
City Attorney
ORDINANCE NO. 1167

AN ORDINANCE VACATING AN EASEMENT AS SHOWN ON THE PLAT OF WELCREEK ESTATES.

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

19-6,217. Section 1. That the following described drainage easement shown on the Plat of Welcreek Estates which was approved by the Governing Body May 16, 1988, is hereby vacated:

All that part of Lots 1 & 2, WELCREEK ESTATES, a subdivision of land in Section 34, Township 13, Range 25, City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of said Lot 1; thence South 65° 31'26" West, along the common lot line of said Lots 1 & 2, a distance of 160.00 feet to the Point of Beginning, said point being on the existing drainage easement line; thence South 06° 43'39" West, along said existing drainage easement line, a distance of 164.89 feet; thence South 39° 56'01" West, along said existing drainage easement line, a distance of 85.65 feet; thence North 07°44'40" West, a distance of 185.91 feet to a point on the common lot line of Lots 1 & 2, said point being 269.16 feet Southwesterly of the Northeast corner of said Lot 1; thence continuing North 07°44'40" West, a distance of 111.55 feet to a point on the existing drainage easement; thence North 89°59'04" East, along said existing drainage easement, a distance of 80.00 feet; thence South 27°45'18" East, along said existing drainage easement, a distance of 73.82 feet to the Point of Beginning.

19-6,218. Section 2. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

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 2nd day of July, 1990.

Approved by the Mayor the 2nd day of July, 1990.

STATE OF KANSAS
COUNTY OF JOHNSON

(SEAL) FILED FOR RECORD

1990 JUL 10 A 11:40.2
SARA F. ULLMANN
REGISTER OF DEEDS
BY DEP.

Marcia Rinehart
Mayor

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ORDINANCE NO. 1167

ATTEST:

Martha Heizer
City Clerk

APPROVED AS TO 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. 1167 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said City this 4th day of July, 1990.
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

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 a newspaper 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 (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:

7/3/90

Business Manager

Subscribed and sworn to before me on this date:

7/3/90

Notary Public

[Signature]

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

My appointment expires:
February 12, 1994

Publication Fees: $18.52

Ordonance 1167
AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90F, PROJECT 114 (SOMERSET, BELINDER-SAGAMORE), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $100,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF SOMERSET, BELINDER-SAGAMORE, INCLUDING GRADING, REGRADING, CURBING, RECURBING, GUTTERING, 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, SIGNALIZATION, 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 Somerset, Belinder-Sagamore, 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 reimp.ovement of certain sections of said main trafficway by the approval of Ordinance No. 1131 on October 2, 1989; and

WHEREAS, total cost of improvements to Somerset, Belinder-Sagamore, is estimated to be $859,500.00.

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 90F, Project 114 (Somerset, Belinder-Sagamore), 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.

20-1,570. Section Two: Said issue of Temporary Notes, Series 9OF, Project
117 (Somerset, Belinder-Sagamore), shall consist of bearer note number 1 in the
denomination of $100,000. Said note shall be dated July 10, 1990, and shall have
the stated maturity date of April 1, 1991. The note shall bear interest from the
dated date, payable at maturity or upon redemption prior thereto at a rate of in-
terest of 6.09% 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 sur-
render of said note. The principal of said note shall be payable at maturity
from date of 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 re-
demption to the last known holder to be at least ten days prior to the redemption
date fixed in such notice.

20-1,571. Section Three: The date of delivery of said note shall be and for
all purposes constitute the 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.

20-1,572. Section Four: The Mayor and City Clerk of Leawood, Kansas, are
hereby authorized and directed to prepare and execute said temporary note 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 ex-
ecuted 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.
20-1,573. **Section Five:** The proceeds of said temporary note 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 note, 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 note.

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 Series L.I.D., 86-1-90A Roe Avenue, 112th-121st Street</td>
<td>January 23, 1990</td>
<td>$270,000</td>
</tr>
<tr>
<td>(b) Temporary Notes Series L.I.D. 88-1-90B Tomahawk Creek Parkway</td>
<td>April 2, 1990</td>
<td>$350,000</td>
</tr>
<tr>
<td>(c) Temporary Notes Series 90C 95th, State Line-Wenonga</td>
<td>April 2, 1990</td>
<td>$500,000</td>
</tr>
<tr>
<td>(d) Temporary Notes Series 90D Lee Boulevard</td>
<td>April 2, 1990</td>
<td>$1,000,000</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 $10,000.00;

3. Other than the temporary note, 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 note and bonds to retire said temporary note;
4. No portion of the proceeds of the sale of the note 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 note to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,574. 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 note 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 June, 1990.

SIGNED by the Mayor this 18th day of June, 1990.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. St. Wetzler, City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

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 a newspaper 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 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:

6/19/90

(signature)
Business Manager

Subscribed and sworn to before me on this date:
6/19/90

(signature)
Notary Public

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

My appointment expires:
February 12, 1994

Publication Fees: $75.87
ORDINANCE NO. 1165

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90E, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 REMODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000 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:

24-325. 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 90E, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of Five Hundred Thousand Dollars ($500,000) which amount does not exceed the total estimated costs of said improvements.

24-326. Section Two: Said issue of Temporary Notes, Series 90E, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 5, each in the denomination of $100,000. Said notes shall be dated July 10, 1990, and shall have the stated maturity date of April 1, 1991. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.09% 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.

24-327. **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.

24-328. **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.

24-329. **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, 1990, the City has not issued any bonds or obligations other than the following described obligations:

<table>
<thead>
<tr>
<th>ISSUE</th>
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<tr>
<td>(a) Temporary Notes</td>
<td>January 23, 1990</td>
<td>$270,000</td>
</tr>
<tr>
<td>Series L.I.D., 86-1-90A,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roe Avenue, 112-121st Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Temporary Notes</td>
<td>April 2, 1990</td>
<td>$350,000</td>
</tr>
<tr>
<td>Series L.I.D. 88-1-90B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tomahawk Creek Parkway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) Temporary Notes</td>
<td>April 2, 1990</td>
<td>$500,000</td>
</tr>
<tr>
<td>Series 90C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>95th, State Line-Wenonga</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Temporary Notes</td>
<td>April 2, 1990</td>
<td>$1,000,000</td>
</tr>
<tr>
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<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 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.

24-330. 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 June, 1990.

SIGNED by the Mayor this 18th day of June, 1990.

Marcia Rinehart, Mayor

ATTEST:

Marcha Neizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler, City Attorney
Proof of Publication

STATE OF KANSAS

JOHNSON COUNTY, SS.

John Lewis, of Lawrence, being duly sworn, depose and say:

That on the 23 day of October, 1961, in the presence of the undersigned, which is the
notary public of the State of Kansas, in said County and State, I, John Lewis, did publish a
true, correct and accurate copy of the following notice in the Lawton Beacon, which is a
weekly newspaper printed in said County and State, to-wit:

TO:

Melissa Walker
City of Lawton
6227 Lee Blvd.
Lawton KS 66526

Said notice is as follows:

WE, the City of Lawton, do hereby authorize and instruct all persons in authority to
post the following notice in the said Beacon:

The City of Lawton is committed to ensuring that its programs and activities are
accessible to individuals with disabilities. To request reasonable accommodations or
information about the accessibility of this website, contact the City Attorney at
(785) 244-1031. For more information about the City of Lawton, visit www.lawtonks.org.

1961

The City of Lawton

1961

NOTICE

TO:

Melissa Walker
City of Lawton
6227 Lee Blvd.
Lawton KS 66526

Said notice is as follows:

WE, the City of Lawton, do hereby authorize and instruct all persons in authority to
post the following notice in the said Beacon:

The City of Lawton is committed to ensuring that its programs and activities are
accessible to individuals with disabilities. To request reasonable accommodations or
information about the accessibility of this website, contact the City Attorney at
(785) 244-1031. For more information about the City of Lawton, visit www.lawtonks.org.

I, John Lewis, do hereby certify that the above-stated copy of this notice was
published as directed.

6/24/61

John Lewis
Manager, Lawton Beacon

My appointment expires: February 12, 1964

Publication Fees: $71.17

City 1168
ORDINANCE NO. 1164

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-90G, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $700,000 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:

20-1,563. 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. 88-1-90G, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Seven Hundred Thousand Dollars ($700,000), which amount does not exceed the total estimated costs of said improvements.

20-1,564. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-90G, Project 113, shall consist of bearer notes numbered from 1 through 7 inclusive, each in the denomination of $100,000. Each of said notes shall be dated July 10, 1990, and shall have the stated maturity date of April 1, 1991. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.09% 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.

20-1,565. **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.

20-1,566. **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.

20-1,567. **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:

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<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.

20-1,568. 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 June, 1990.

SIGNED by the Mayor this 18th day of June, 1990.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler, City Attorney
TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

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 a newspaper 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
interrupted in said County and State for a period of more than five
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:

6/19/90

[Signature]
Business Manager

Subscribed and sworn to before me on this date:
6/19/90

[Signature]
Notary Public

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

My appointment expires:
February 12, 1994

Publication Fees: $75.87

Ord. 1164
"P. _, Petz

C. Atty

Mayor

200 S. E. BB. 130 and the employing board of the City of Kansas on November 30, 1950, and
the satisfactory completion of the construction of the new building was approved by the City of
Kansas City, Kansas, on November 14, 1950.

The Board of Public Affairs of the City of Kansas on November 14, 1950, approved the
satisfactory completion of the construction of the new building and authorized the Mayor to
accept it on behalf of the City of Kansas City, Kansas, on November 30, 1950.

The Board of Public Affairs of the City of Kansas on November 14, 1950, approved the
satisfactory completion of the construction of the new building and authorized the Mayor to
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The Board of Public Affairs of the City of Kansas on November 14, 1950, approved the
satisfactory completion of the construction of the new building and authorized the Mayor to
accept it on behalf of the City of Kansas City, Kansas, on November 30, 1950.

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satisfactory completion of the construction of the new building and authorized the Mayor to
accept it on behalf of the City of Kansas City, Kansas, on November 30, 1950.
ORDINANCE NO. 1163 C

AN ORDINANCE RELATING TO BUILDING IDENTIFICATION (ADDRESS) REQUIREMENTS.

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

Section 1. Code Amended. That the Code of the City of Leawood is hereby amended by adding thereto Article 7 to Chapter 11 (Public Offenses) which reads as follows:

ARTICLE 7. PREMISES IDENTIFICATION

11-701. Short Title. This article shall hereafter be known and cited as the Leawood Address Ordinance.

11-702. Purpose. It is the intent of this article to establish criteria that will provide a standard means for responding emergency personnel to be able to readily identify all buildings within the City, and allow any person to properly identify the location of an emergency situation to the appropriate agency.

11-703. Definitions.

a) Address - The numbers and/or letters assigned by the City to identify the location of a building.

b) Building - Any structure used or intended for supporting or sheltering any use or occupancy.

c) Numerals - The digits 0, 1, 2, 3, 4, 5, 6, 7, 8, 9 and combinations of those digits.

d) Stroke - One of the lines of a digit.

11-704. Premises Identification. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. The address shall be posted with numerals that are at least three (3) inches (101.6 mm) in height and have a minimum stroke of one half (1/2) inch (12.7 mm).

Buildings where it is not practical to post the address on the building, due to distance from the street, geographic considerations, or obstructions, may post the address in an approved location near the vehicular entry point to the property, on an approved sign. The location of sign, size of numbers, and height of the sign shall be subject to the approval of the building official and the fire official, or
their designee(s).

EXCEPTION: Buildings with existing address numbers that are not in strict compliance with the size of numbers required by this ordinance, that are plainly visible and legible from the street or road fronting the property, may be allowed to continue, subject to the approval of the building official and the fire official, or their designee(s).

Section 2. 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 18th day of June, 1990.

Approved by the Mayor the 18th day of June, 1990.

(Marcia Rinehart)
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzler
City Attorney
ORDINANCE NO. 1163C
AN ORDNANCE RELATING TO BUILDING IDENTIFICATION (ADDRESS) REQUIREMENTS.

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

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Buildings where it is not practical to post the address on the building, due to distance from the street, geographic considerations, or obstructions, may post the address in an approved location near the vehicular entry point to the property, on an approved sign. The location of sign, size of numbers, and height of the sign shall be subject to the approval of the building official and the fire official, or their designee(s).

EXCEPTION: Buildings with existing address numbers that are in strict compliance with the size of numbers required by this ordinance, that are plainly visible and legible from the street or road fronting the property, may be allowed to continue, subject to the approval of the building official and the fire official, or their designee(s).

Section 2. 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 18th day of June, 1990.

Approved by the Mayor the 18th day of June, 1990.

(S E A L)

Mayor

Attest:

[Signature]  City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler
R.S. Wetzler  City Attorney
ORDINANCE NO. 1162 C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD, KANSAS, BY ADDING THERETO SECTION 1-412 OF CHAPTER I (ADMINISTRATION) RELATING TO THE DUTIES OF THE ASSISTANT CITY CLERK.

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 Section 1-412 which reads as follows:

1-412. ASSISTANT CITY CLERK. The Assistant City Clerk shall provide administrative assistance to the City Clerk. The Assistant City Clerk shall act officially in behalf of the City Clerk in his/her absence from his/her office in the City Hall due to illness, vacation, or out-of-town City business. Under such circumstances, the Assistant City Clerk shall have the powers and duties of the City Clerk as set forth in Section 1-406 of the Code of the City of Leawood. In addition, the Assistant City Clerk shall have the power and duty to execute all documents required by law or ordinance to be executed by the City Clerk, and affix the seal of the City thereto whenever required. When signing any documents, the Assistant City Clerk shall sign the name of the City Clerk followed by the word "By" and the Assistant City Clerk's own name and the words "Assistant City Clerk".

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 ___ day of ___, 1990.

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

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzel
City Attorney
ORD. 1162 C

ORDINANCE NO. 1162 C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD, KANSAS, BY ADDING THERETO SECTION 1-412 OF CHAPTER I (ADMINISTRATION) RELATING TO THE DUTIES OF THE ASSISTANT CITY CLERK.

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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 7th day of May, 1990.

Approved by the Mayor the 8th day of May, 1990.

(S E A L)  
Marcia Rinehart  
Mayor

Attest:  

(Martha Wazlar)  
City Clerk

APPROVED FOR FORM:  

R.S. Wetzler  
City Attorney

Publication Fees: $11.86
ORDINANCE NO. 1161C

AN ORDINANCE AMENDING ARTICLE 4 OF CHAPTER 15 (UTILITIES) OF THE CODE OF THE CITY OF LEAWOOD, RELATING TO SOLID WASTE MANAGEMENT IN THE CITY OF LEAWOOD.

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

Section 1. Code Amended. That Article 4 of Chapter 15 (Utilities) of the Code of the City of Leawood is hereby amended to read as follows:

Article 4. Solid Waste

15-401. SOLID WASTE MANAGEMENT PLAN. The City shall regulate the collection and disposal of solid waste within the City. Regulations shall include parameters for the operation of the system of collection, storage and transportation of the solid waste generated within the City. Regulation of solid waste shall be consistent with the Johnson County Solid Waste Management Plan and the provisions of this Article.

15-402. DEFINITIONS. For the purposes of this article, the following terms, phrases, words and their derivation shall have the meanings given in this section:

(1) Agricultural Waste. Solid waste resulting from the production of farm or agricultural products.

(2) Air Pollution. The presence in the outdoor atmosphere of one or more air contaminants in such quantities and duration as is, or tends significantly to be, injurious to human health or welfare, animal or plant life, or property, or would unreasonably interfere with the enjoyment of life or property.

(3) Approved container. All containers designed for the disposal of solid waste which may include cans and recycling containers. All such containers shall be of rigid construction with tight fitting covers and be water tight. Yard waste may be placed in other suitable containers. Containers shall have a maximum capacity of 55 gallons and be so constructed as to adequately contain all contents placed therein without spillage, leakage or emission of odors while awaiting collection. The weight of any individual container and its contents shall not exceed 75 pounds.

(4) Bulky Waste. Items either too large or too heavy to be loaded in solid waste collection vehicles with safety and convenience by solid waste collectors, with the equipment available therefor, including but not limited to appliances, furniture, large auto parts, trees, etc.

(5) City. The City of Leawood, Kansas.

(7) **Collection.** Removal and transportation of solid waste from its place of storage to its place of processing or disposal.

(8) **Collector.** Any person, public or private, engaged in collecting solid waste.

(9) **Combined Refuse Collection.** The collection of mixed refuse (putrescible and non-putrescible).

(10) **Combined Solid Waste.** Solid waste containing both garbage and rubbish (see mixed refuse).

(11) **Commercial Waste.** Solid waste emanating from establishments engaged in business. This category includes, but is not limited to solid waste originating in stores, markets, office buildings, restaurants, shopping centers, theaters and schools.

(12) **Commissioners.** The Johnson County Board of County Commissioners.

(13) **Composting.** A controlled process of microbial degradation of organic material into stable, nuisance free humus-like product.

(14) **Construction Waste.** Waste building materials and rubble resulting from construction, remodeling or repair operations on houses, commercial buildings, or other structures and pavements.

(15) **Contractor.** The person or corporation holding a valid SWMS contract, whether public or private operation.

(16) **Demolition Waste.** Waste material from the destruction of residential, industrial or commercial structures.

(17) **Department.** The Kansas State Department of Health.

(18) **Disposable Solid Waste Container.** Approved containers which are designed to be disposed of with the solid waste contained therein.

(19) **Disposal.** Depositing solid waste in or at a facility approved by the City, Johnson County SWMP and the Kansas State Board of Health for such purpose.

(20) **Dump.** A collection or consolidation of solid waste from one or more sources at a central disposal site which does not meet standards for proper disposal.

(21) **Dwelling Unit.** Any room or group of rooms located within a structure, and forming a single habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking and eating.

(22) **Engineer.** The Johnson County Engineer, designate and his or her department.

(23) **Garbage.** The animal and vegetable waste resulting from the handling, processing, storage, packaging, preparation, sale, cooking and serving of meat, produce and other foods, including unclean containers.

(24) **Hazardous Waste.** Solid and liquid waste which requires special handling and disposal to protect and conserve the environment and human health including, but not limited
to, pesticides, acids, caustic, pathological waste, radioactive materials, flammable or explosive materials, oils and solvents, and similar organic and inorganic chemicals and materials, containers and materials that have been contaminated with hazardous waste.

(25) **Incineration.** The controlled process of burning solid and/or liquid waste.

(26) **Leawood Integrated Solid Waste Management Program.** A combination of the collection of household waste, same day curbside recycling, yardwaste management and household hazardous waste removal. This represents the entire process of collecting, sorting, storing, processing, recycling, reclaiming and disposing of refuse.

(27) **License.** The permission for a contractor to be allowed to operate SWMS vehicles or facilities within the City upon payment of a specified fee upon meeting licensing requirements of the City and County.

(28) **Mixed Refuse.** A mixture of solid waste containing putrescible and non-putrescible materials. (See Combined Solid Waste).

(29) **Nuisance.** Anything which (1) is injurious to health or is offensive to the senses or any obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property, and (2) affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and (3) occurs during or as a result of the handling or disposal of solid waste.

(30) **Official Adopted Solid Waste Management Plan.** Referred to herein as "Official Plan" and "Official Plan for Solid Waste Management" means a comprehensive plan for the provision of an adequate solid waste management system adopted by any authority to provide such a system or having jurisdiction over the provision of such system, and submitted to and approved by the department as provided in K.S.A. 65-3405 and acts amendatory thereto.

(31) **Occupant.** Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or any other improved real property, either as owner, guest, or as a tenant, either with or without the consent of the owner thereof.

(32) **Owner.** Any person who, alone or jointly or severally with others, has legal title to, or sufficient proprietary interest in, or have charge, care or control of any dwelling unit or any other improved real property, as title holder, as employee or agent of the title holder, as landlord or manager or as trustee or guardian of the estate or person of the title holder.

(33) **Person.** Individual, partnership, corporation, insti-
stitution, political subdivision, homes-association or state agency.

34) **Putrescible Waste.** Organic Wastes which progressively decompose with the production of foul smelling compounds and/or material that attracts insect or animal life.

35) **Refuse.** (See Solid Waste).

36) **Rubbish.** Non-putrescible solid wastes consisting of combustible and/or noncombustible waste materials from: dwelling units, commercial, industrial, institutional, or agricultural establishments, including yard wastes and items commonly referred to as "trash".
   (a) Bulky rubbish - (See Bulky Waste).
   (b) Commercial Rubbish - rubbish resulting from commercial, industrial, institutional, or agricultural activities.
   (c) Residential rubbish - rubbish resulting from the maintenance and operation of dwelling units.

37) **Sanitary Landfill.** An area on which solid waste is dispersed on the land without creating nuisances or hazards to the public health or safety by confining refuse to the smallest practical area, compacting it to the smallest practical volume by employing power equipment, and covering it with a layer of compacted earth or other suitable cover material at the conclusion of each day's operation.

38) **Service.** The useful result; the product of labor and machines in property and effective management to dispose of solid waste.

39) **Solid Waste.** Unwanted or discarded waste materials in a solid or semi-liquid state, including but not limited to refuse, garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural wastes, yard wastes, demolition and construction wastes and digested sludges resulting from the treatment of domestic sewage or a combination thereof.
   (a) Commercial solid waste - solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment.
   (b) Residential solid waste - solid waste resulting from the maintenance and operation of dwelling units.

40) **Solid Waste Container.** Any receptacle used by any person to store solid waste during the interval between solid waste collections.

41) **Solid Waste Disposal Area.** Also referred to herein as "disposal area" or "disposal site", means any area used for the disposal of refuse from more than one residential premise, or one or more commercial, industrial, manufacturing, or municipal operations.

42) **Solid Waste Management System (SWMS).** The entire process of storage, collection, transportation, processing, and disposal of solid waste by any person engaging in such process as a business, or any city, authority, county or any
combination thereof.

(43) SWM. Solid Waste Management.
(44) SWMC. Johnson County Solid Waste Management Committee.
(45) SWMP. The approved and adopted Solid Waste Management Plan for Johnson County.
(46) Solid Waste Processing Facility. Also referred to herein as "processing facility" means incinerator, compost plant, transfer station or any other facility where solid wastes are consolidated, temporarily stored or processed prior to being transported to a final disposal site.
(47) Storage. Keeping, maintaining or storing solid waste from the time of its production until the time of its collection.
(48) Temporary Storage. Proper accumulation and storage of solid waste between regularly scheduled refuse collection intervals.
(49) Transfer Station. A facility used as an adjunct to solid waste collection system. Such a facility may be fixed or mobile and may include compaction of solid waste.
(50) Vector (Of Disease). An animal or insect having the capability of transmitting infectious diseases from one person or animal to another by biting the skin or mucous membrane or by depositing the infective material on the skin, on food, or on another object.
(51) Water Pollution. Contamination, or other alteration of the physical, chemical or biological properties of any waters of the city or state as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to public health safety or welfare, or to the plant, animal or aquatic life of the city or state or to other legitimate beneficial uses.
(52) Waters of the City or State. All streams, creeks, and springs, and all bodies of surface or ground water, whether natural or artificial, within the boundaries of the state.
(53) Yard Wastes. All forms of botanical waste, including but not limited to grass clippings, leaves, tree trimmings, etc.

15-403. STORAGE OF SOLID WASTE. (a) The owner or occupant of every dwelling unit and of every institutional, commercial, industrial or agricultural establishment producing solid waste within the corporate limits of the City, shall provide sufficient and adequate approved containers for the storage of such solid waste in adequate number to serve each such dwelling unit and/or establishment; and shall maintain such solid waste containers and their environs at all times reasonably clean and in good repair; and shall repair or replace same from time to time, without notice, when any such containers shall no longer meet the specifications therefor.
as established by regulations.

(b) The occupant of every dwelling unit and of every institutional, commercial, industrial, or agricultural or business establishment, from which solid waste collection is made under this article, shall place all solid waste in approved solid waste containers, accept as otherwise provided herein, and shall maintain such solid waste containers and the area surrounding them in a clean, neat and sanitary condition at all times. Whenever a portion of the solid waste is subject to decay or putrifaction, such an accumulation must be kept covered or in approved containers, closed bins or containers not subject to deterioration. All containers shall be screened in such a manner that they are not visible from any street or roadway except when placed in position for pickup.

(c) Residential solid waste shall be stored in approved containers of not more than 55 gallons. Containers shall be properly covered at all times except when depositing waste therein or removing contents. They shall be of light weight and sturdy construction. The weight of any individual container and its contents shall not exceed 75 pounds.

(d) Commercial solid waste shall be stored in solid waste containers. The containers shall be water-proof, leak-proof, and shall be covered at all times except when depositing waste therein or removing contents thereof; and shall meet all requirements as set forth in this article.

(e) Tree limbs less than four inches in diameter and brush shall be securely tied in bundles not larger than 48 inches long and 18 inches in diameter when not placed in storage containers.

(f) Yard wastes shall be stored in approved containers so constructed and maintained as to prevent the dispersal of wastes placed therein upon the premises served, upon adjacent premises, or upon adjacent public rights-of-way. The weight of any individual container and its contents shall not exceed 75 pounds.

15-404. COLLECTION AND DISPOSAL OF SOLID WASTE. The City shall provide or allow for the collection of all residential solid waste as follows:

(a) The City shall provide for or establish the parameters by which all solid waste is collected and disposed of in the City. The City provides for the collection of solid waste by authorizing others, including, but not limited to, homes associations, commercial and retail establishments and other non-residential establishments to be responsible for providing for the collection of solid waste and complying with all applicable restrictions, regulations and property maintenance codes.

(b) Following the effective date of this ordinance, all
persons contracting to provide the service of collecting and transporting residential solid waste in the City of Leawood shall offer an integrated solid waste management program which shall include collection of household waste, same day curbside recycling, yard waste management and a household hazardous waste removal program and shall meet all the licensing requirements and regulations of the City. No permit shall be issued to any person to engage in the business of collecting, transporting or processing of solid waste within the City unless said person shall first provide the City with copies of the contracts for said collection and transportation of residential solid waste which contracts if entered into or amended following the effective date of this ordinance shall include agreement to collect and transport solid waste in accordance with an integrated solid waste management program approved by the City and the provisions of this ordinance. Every hauler shall periodically provide documentation to their clients substantiating the method by which the recyclables were disposed of, weight and/or volume of recyclables collected and compensation received for the recycled materials.

15-405. ANTI-SCAVENGER. It shall be unlawful for any person not licensed by the City and under contract for collection of solid waste in the City of Leawood to remove from private property or public right-of-way, any item which has been discarded by the occupant for collection by a person holding a permit to collect solid waste, including any discarded trash or recyclable material.

15-406. EDUCATION, PROMOTION AND MARKETING. Each solid waste and recyclable contractor shall implement public education and awareness programs to educate their clients of the importance of recycling, yard waste composting, and disposal of household hazardous waste. This program shall be implemented regardless of the type of recycling service, if any, that is performed.

15-407. PERMITS. (a) Any person engaging in the business of collecting, transporting or processing of solid waste within the corporate limits of the City shall first obtain a permit from the City Clerk. Each applicant for any such permit shall state in his or her application the following:

1. The nature of the permit desired (storage, collection and/or transportation of solid waste or any combination thereof);
2. The characteristics of solid waste to be collected and transported;
3. The number of solid waste vehicles and equipment to be operated thereunder;
(4) The precise locations of locations of solid waste processing or disposal for service to be used; and
(5) The information sufficient to establish that the permittee in contracting to collect and transport solid waste within the City has agreed that said collection and transportation will be in accordance with the provisions of 15-404 (b) of this ordinance.
(6) An agreement to indemnify and hold the City harmless for any claims which may be made against the City as a result of the failure of the permittee to transport, dispose, or process solid waste collected within the City in compliance with this ordinance, state or federal law.
(7) Such other information as required by the City Clerk as may be reasonably necessary to determine that the operations of the permittee will be conducted in compliance with the provisions of this ordinance.
(b) Permits will be issued on a client-by-client basis. A permit will not be issued for collection of solid waste for those clients who have not agreed to expand their service to include all aspects of the integrated solid waste management program.
(c) If the application shows that the applicant will collect and transport solid waste without hazard to the public health or damage to the environment and in conformity with the Johnson County Solid Waste Management System, the laws of the State of Kansas, and of this article, the City shall issue the permit authorized by this article. The permit shall be issued for the period of one year, and each applicant shall pay a fee of $25 for each collection vehicle to be used in the City. The application must clearly show that the collection and transportation of solid waste will create no public health hazard or be without harmful effects on the environment. If such a showing is not made by the applicant, the City Clerk shall deny the application and not issue the permit. The applicant may appeal the refusal of the City Clerk to issue the application to the Governing Body. The Governing Body, after a hearing, may by majority vote, order the City Clerk to issue the permit. Nothing in this section shall prejudice the right of the applicant to reapply at a later date for a permit.
(d) Permits shall not be required for the removal, hauling or disposal of demolition or construction wastes; however, all such wastes shall be conveyed in tight vehicles, trucks or receptacles, so constructed and maintained to prevent the material being transported from spilling upon the public highways.
(e) Before a valid permit and occupation license shall be issued by the City, the applicant must furnish the City a list of his/her clients (homes associations, commercial and retail establishments and other non-residential
establishments) in the City, a copy of the contract substantiating that a recycling, yardwaste and household hazardous waste disposal program has been offered and accepted, and substantiation of the method by which recyclables were disposed of, weight and/or volume of recyclables collected and compensation received in the previous year. In addition, the applicant must furnish the City a certificate of insurance showing a minimum public liability insurance coverage of at least $250,000 for each person injured or killed, and an amount not less than $500,000 in the event of injury or death of two or more persons in any single accident, and an amount not less than $200,000 for damage to property. In the event the insurance is canceled during the term of the permit, the insurance carrier shall notify the City in writing no less than 10 days prior to the effective date of such cancellation. The certificate of insurance shall provide that the insurance company agrees to so notify the City, and further, the insurance policy shall contain written provisions which shall place the responsibility for the 10-day written notification upon the company issuing the policy in order that the coverage be considered proper.

15-408. RULES AND REGULATIONS. (a) The Public Works Director, by and with the consent of the Governing Body, shall define and promulgate reasonable and necessary rules governing the solid waste management system, which rules and regulations shall be filed in the Office of the City Clerk. The rules and regulations shall include, but not be limited to:

(1) Specifications for solid waste containers, including the type, material and size thereof.

(2) Identification of solid waste containers, covers and related equipment.

(3) Handling of special wastes such as toxic and hazardous wastes, sludges, ashes, agricultural wastes, construction wastes, automobiles, oils, greases, bulky wastes, etc.

(b) The Public Works Director may classify certain wastes as hazardous wastes which will require special handling and which should be disposed of only in a manner acceptable to the public safety and banned in a manner which meets all city, county, state and federal regulations.

(c) All residential solid waste, other than bulky waste, shall be collected at least once weekly. All commercial solid waste shall be collected at least once weekly or at more frequent intervals upon a determination that more frequent intervals are necessary for the preservation of the health and/or safety of the public and general appearance of the area.

15-409. PROHIBITED PRACTICES. (a) No person shall engage
in the business of collection, transportation or processing of solid waste within the City in a manner which is contrary to any provisions of this ordinance.

(b) No person shall engage in the business of collection, transportation or processing of solid waste containers within the corporate limits of the City without first obtaining a permit as defined and required in Section 15-407.

(c) Residential solid waste containers shall be stored upon the residential premises. Commercial solid waste containers shall be stored upon private property, unless the owner shall have been granted written permission from the City to use public property for such purposes. The storage sites shall be well drained, fully accessible to collection equipment, public health personnel and fire inspection personnel. All storage areas shall be screened or otherwise located so as to not be in the view of persons using public streets or walkways.

(d) All collection vehicles shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to prevent spillage of solid waste therefrom. All vehicles to be used for collection of solid waste shall be constructed with water-tight bodies and with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting waste, or, as an alternate, the entire bodies thereof shall be enclosed, with only loading hoppers exposed. No materials shall be transported in the loading hoppers.

(e) All motor vehicles operating under any permit required by this article shall display a City permit (sticker) in the lower right corner of the windshield of each vehicle. The permit must be clearly visible.

(f) It shall be unlawful for any person to:

(1) deposit solid waste or recyclables in any solid waste container other than his/her own without the written consent of the owner of such container and/or with the intent of avoiding payment of those fees charged for solid waste or recyclable collection or disposal, or;

(2) interfere in any manner with solid waste and/or recyclable collection equipment, or with solid waste and recyclable collectors in the lawful performance of their duties as such.

15-410. ENFORCEMENT PROVISIONS. The Public Works Director or his/her designee is hereby authorized to exercise such powers as may be necessary to carry out and effectuate the purposes and provisions of this article. Included in the powers is the right to inspect all phases of solid waste management within the City to assure compliance with this ordi-
nance.

15-411. GENERAL PROVISIONS. (a) All solid waste collection shall, upon being loaded into collection equipment, become the property of the collection agency.

(b) Solid waste collectors employed by the City or solid waste collection agencies operating under contract with the City are hereby authorized to enter in and upon private property for the purpose of collecting solid waste therefrom as is required.

(c) All contracts providing for the storage, collection and transportation of solid waste to which the City is a party shall contain provisions for a performance bond in an amount not less than the total value of the services provided by the contractor. The bond shall be with a good and sufficient surety and shall be approved by the City Clerk before execution of the contract. The bonds shall provide that the principal shall pay any and all damages which may be caused to any property, public or private, within the City when such injury or damage shall be inflicted by the principal or his/her agent, employee, workman, contractor or subcontractor, and such bond shall be conditioned also that the principal will serve, indemnify, hold harmless and protect the City from any and all liability, that he/she will in all respects, comply with all articles of the City and comply with the terms of his/her permit and conditional upon his/her faithful performance of the contract. The form of such bond must be approved by the City Attorney.

15-412. REVIEW. All provisions of this ordinance may be reviewed and changes recommended annually.

15-413. PENALTY. Any person convicted of a violation of any of the provisions of or failing to comply with any of the mandatory requirements of this article shall be guilty of a public offense and punished by a fine of not more than $500 or by imprisonment not to exceed six months or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued or permitted by any such person.

Section 2. Severability. The provisions of this ordinance are severable and if any provisions or part thereof shall be held invalid or unconstitutional or inapplicable to any person or circumstance, such invalidity, unconstitutionality or inapplicability shall not affect or impair any provision of this article.
Section 3. Repeal of Existing Article. Existing Article 4 of Chapter 15 of the Code of the City of Leawood 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 7th day of May, 1990.

Approved by the Mayor the 8th day of May, 1990.

(S E A L)

Martia 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 a newspaper 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 (52) times a year, has been so published continuously and un中断ed 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 hereon attached, was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

5/22/90

[Signature]
Business Manager

Subscribed and sworn to before me on this date:
5/22/90

[Signature]
Notary Public

DANA LEWIS
Notary Public - State of Kansas
My Appt. Expires
My appointment expires:
February 12, 1994

Publication Fees: $166.72

Ordinance 1161C
JOHNSON COUNTY LEGAL NOTICES

May 22, 1990, Page 5

ORD. 1985

EXPLANATION OF ARTICLE 3 OR CHAPTER 14 (UTILITIES) OF THE CODE OF THE CITY OF LAWRENCE

The City of Lawrence, Kansas ("the City") finds that there are a number of deficiencies in the existing utility regulations of the City, particularly in the areas of solid waste collection and disposal, that need to be resolved to provide a more effective and efficient method of collecting and disposing of solid waste within the City's jurisdiction.

The City has determined that it is in the best interests of the public welfare to adopt the regulations set forth in this Ordinance to address these deficiencies.

ARTICLE 1: DEFINITIONS

"Solid Waste" is defined as all refuse, including but not limited to, garbage, trash, and other similar materials, generated within the City or brought into the City in the course of commerce, business, or trade. Solid waste does not include yard waste, brush, or other materials that are not generated as part of the normal course of business or trade.

"Solid Waste Management Plan" means the plan for the collection, transportation, and disposal of solid waste as approved by the City Council.

"Solid Waste Collection" means the process of collecting solid waste from residences, businesses, and public institutions and transporting it to a solid waste processing facility or disposal site.

ARTICLE 2: SOLID WASTE COLLECTION

1. The City shall provide for the collection of solid waste from residences, businesses, and public institutions.

2. The City shall establish a schedule for the collection of solid waste and shall provide notice to the public of this schedule.

3. The City shall require that solid waste be placed at a specified location for collection.

ARTICLE 3: SOLID WASTE DISPOSAL

1. The City shall establish a landfill for the disposal of solid waste.

2. The City shall require that all solid waste be transported to the landfill in a manner that minimizes the potential for contamination of the surrounding area.

ARTICLE 4: SOLID WASTE MANAGEMENT PLAN

1. The City shall develop and implement a solid waste management plan that includes provisions for the collection, transportation, and disposal of solid waste.

2. The solid waste management plan shall be reviewed and approved by the City Council at least once every two years.

ARTICLE 5: PENALTIES

1. Any person or entity found in violation of any provision of this Ordinance shall be subject to a fine not to exceed the maximum amount specified by law.

2. In addition to any fine imposed, the City may require the violation to be corrected and may take other actions as deemed necessary to enforce the provisions of this Ordinance.
ORDINANCE NO. 1160

AN ORDINANCE AMENDING SECTION 17-104 OF THE SUBDIVISION REGULATIONS OF THE CITY OF LEAWOOD, KANSAS, REGARDING APPLICABILITY OF THE REGULATIONS.

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

Section 1. Subdivision Regulations Amended. That Section 17-104 of the Subdivision Regulations of January 16, 1978, adopted by reference by the Code of the City of Leawood is hereby amended to read as follows:

Sec. 17-104 JURISDICTION. This Ordinance shall apply to the following forms of land subdivision:
A. The division of land into two or more tracts, lots, or parcels, any part of which when subdivided shall contain less than forty (40) acres in area; or
B. The subdivision of land, previously subdivided or platted into tracts, lots, or parcels of less than forty (40) acres in area; or
C. The dedication or the vacating or reservation of any public or private easement through any tract of land regardless of the area involved, including those for use by public and private utility companies; or
D. The dedication or the vacating of any street through any tract of land regardless of the area involved; or
E. The redividing or splitting of previously platted lots, regardless of size, commonly referred to as "Lot Splits".

Section 2. Repeal of Existing Section. That existing Section 17-104 of the Subdivision Regulations 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 7th day of May, 1990.

Approved by the Mayor the 8th day of May, 1990.

(S.E.A.L)

Marsha Rinehart
Mayor

Attest:

Martha Neizer
City Clerk

APPROVED FOR FORM:

R.L. Metzler
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 a newspaper 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:

5/8/90

[Signature]
Business Manager

Subscribed and sworn to before me on this date:
5/8/90

[Signature]
Notary Public

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

My appointment expires:
February 12, 1994
Publication Fees: $14.82

ORD. 1160

ORDINANCE NO. 1160
AN ORDINANCE AMENDING SECTION 17-104 OF THE SUBDIVISION REGULATIONS OF THE CITY OF LEAMOOD, KANSAS, REGARDING APPLICABILITY OF THE REGULATIONS.

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

Section 1. Subdivision Regulations Amended. That Section 17-104 of the Subdivision Regulations of January 16, 1978, adopted by reference by the Code of the City of Leamood, is hereby amended to read as follows:

Sec. 17-104 JURISDICTION. This Ordinance shall apply to the following forms of land subdivision:
A. The division of land into two or more tracts, lots, or parcels, any part of which when subdivided shall contain less than forty (40) acres in area; or
B. The subdivision of land, previously subdivided or platted into tracts, lots, or parcels of less than forty (40) acres in area; or
C. The dedication or the vacating or reservation of any public or private easement through any tract of land regardless of the area involved, including those for use by public and private utility companies; or
D. The dedication or the vacating of any street through any tract of land regardless of the area involved; or
E. The subdividing or splitting of previously platted lots, regardless of size, commonly referred to as "Lot Splits".

Section 2. Repeal of Existing Section. That existing Section 17-104 of the Subdivision Regulations of the City of Leamood 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 7th day of May, 1990.
Approved by the Mayor the 8th day of May, 1990.

(S A L)

[Signature]
Mayor

Attest:

[Signature]
City Clerk

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

Ordinance 1160
AN ORDINANCE AMENDING SECTION 15-2203 OF THE ZONING ORDINANCE OF THE CITY OF LEAWOOD, KANSAS, PERTAINING TO FENCES AND WALLS.

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

Section 1. Zoning Ordinance Amended. That Section 15-2203 of the Zoning Ordinance of April 17, 1978, adopted by reference by the Code of the City of Leawood, is hereby amended to read as follows:

15-2203. FENCES AND WALLS.
1. Intent: The purpose of regulating fences and walls is:

a) To secure safety to life and welfare from hazards incident to man-made pools of all types.

b) To buffer uncomplimentary land uses and generally enhance the quality and appearance of a project site.

c) To ensure exterior privacy for residential developments.

d) To ensure that design, erection and construction of fences and walls provide the proper structural strength, height, and surface drainage.

e) To maintain the look of open space in residential areas.

2. General Conditions and Plan Requirements:

a) Permits shall be issued by the City and fences and walls shall be subject to inspection in accordance with approved plans. Permits for swimming pools, wading pools, hot tubs, or similar man-made pool structures and fences and walls for the same shall be coordinated and issued by the City at the same time.

b) Fences and walls except retaining walls shall not be located closer to the street line than the front building line or the side building line in the case of a corner lot. Fences and walls shall be permitted to be located on the rear property line in the case of through lots. The rear property line shall be considered to be the opposite street frontage for through lots.

c) Wood fences shall be constructed with posts, rails,
and other construction details to be located on the "inside" of the fence. (Finished side facing out.)

d) Fences and walls shall be constructed to allow for surface drainage.

e) Fences built in combination with walls shall not exceed the required height restrictions. In addition, fences and walls built on slopes shall comply with the required height measured along the line of the fence location.

f) Fences and walls enclosing man-made pool structures shall have safety latches mounted 48 inches above the ground line, or at the top of 4 foot enclosures.

g) Walls constructed as retaining walls shall be designed and constructed to support lateral loads.

h) Fences and walls constructed within easements may be removed to allow access for utilities. The property owner shall be responsible for the reconstruction and replacement of any fences or walls removed.

i) Fences and walls shall be located on or proximal to the property line or adjacent to patios and/or decks, except as set forth in Item (b) above and except at terminations at the dwelling structure.

j) When the back property line of a residentially zoned lot is in common with the boundary of another municipality, the least restrictive fence or wall regulations of the two cities pertaining to height of fence or wall shall apply to the property located within Leawood.

3. Height, Location and Permit Requirements:

a) Fences and walls 4 feet or less in height may be constructed without a fence permit with the exception of fences or walls enclosing swimming pools, wading pools, hot tubs, or similar man-made pool structures, providing the above general conditions and plan requirements are complied with.

b) Fences and walls over 4 feet in height and fences and walls enclosing swimming pools, wading pools, hot tubs, or similar man-made pool structures shall not be constructed until a permit has been issued, and shall not be permitted except under the following conditions:
1) 4 to 6 foot high fences or walls are required to enclose swimming pools, wading pools, hot tubs, or similar man-made pool structures, and must be installed strictly in accordance with the approved plan. A man-made pool structure shall be considered to be "enclosed" by a fence or wall located either adjacent to the structure or on the property line or other location complimentary to the site, so long as such structure is circumscribed.

2) Fences or walls 6 feet in height are required to enclose subdivision pools intended for the common use of its residences.

3) Fences or walls up to 6 feet in height are permitted adjacent to patios and/or decks to provide privacy to such areas, and must be installed strictly in accordance with the approved plan.

4) Fences or walls up to 6 feet in height may be required by the Plan Commission to provide screening and/or buffering of one property to another.

5) Fences and walls up to 6 feet in height may be allowed by the Plan Commission, if designed as an integral part of a planned residential development to provide privacy.

6) Anyone desiring a variance from this ordinance shall apply to the Board of Zoning Appeals in accordance with its procedures.

c) Fence height, for compliance with this Ordinance, shall be measured from the finished grade of the adjoining ground to the top of the fence. When used in conjunction with any wall the total height of the fence plus the wall shall not in any way exceed 6 feet except in cases where a retaining wall is necessary and a fence is required for safety purposes. The Director of Planning and Development may allow the fence and wall height combination to exceed the six feet maximum but in no case shall the fence be greater than six feet in height when used in combination with any wall.

4. Fences Prohibited: Electric fences and barbed wire shall be prohibited except on AG, Agricultural, zoned properties for the purpose of containing livestock and when specifically approved as part of an approved development plan for providing security.
5. Exceptions to Height Restrictions

The Board of Zoning Appeals shall have the power to grant exceptions to the height restrictions for fences and walls if the Board finds that a waiver will not adversely affect the general welfare of the neighborhood which shall specifically include property values and safety of the neighborhood. The Board shall take into consideration the effect on adjoining property, the uses of adjoining property, proximity to collector or arterial streets, noise emanating from adjoining property, security of owner's property, views of and through adjoining property, safety, visual blight and other extenuating circumstances. Such exception shall require a public hearing, notice and publication in the official City newspaper. In no case shall the Board allow a fence or wall that exceeds six feet in height.

Section 2. Repeal of Existing Section. That existing Section 15-2203 of the Zoning Ordinance of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1066)

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 7th day of May, 1990.

Approved by the Mayor the 8th day of May, 1990.

(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 a newspaper 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:

5/8/90

Business Manager

Subscribed and sworn to before me on this date:

5/8/90

Notary Public

DANA LEWIS
Notary Public - State of Kansas
My Appt. Expires February 12, 1994

Publication Fees: $51.87

ORD. 1159


ORDINANCE NO. 1159

AN ORDINANCE AMENDING SECTION 15-2203 OF THE ZONING ORDINANCE OF THE CITY OF LEAWOOD, KANSAS, PERTAINING TO FENCES AND WALLS.

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

Section 1. Zoning Ordinance Amended. That Section 15-2203 of the Zoning Ordinance of April 17, 1978, adopted by reference by the Code of the City of Leawood, is hereby amended to read as follows:

15-2203. FENCES AND WALLS.
1. Purpose: The purpose of regulating fences and walls is:
   a) To secure safety to life and welfare from hazards incidental to man-made pools of all types.
   b) To buffer uncomplimentary land uses and generally enhance the quality and appearance of a project site.
   c) To ensure exterior privacy for residential developments.
   d) To ensure that design, erection and construction of fences and walls provide the proper structural strength, height, and surface drainage.
   e) To maintain the look of open space in residential areas.

2. General Conditions and Plan Requirements:
   a) Permits shall be issued by the City and fences and walls shall be subject to inspection in accordance with approved plans. Permits for swimming pools, wading pools, hot tubs, or similar man-made pool structures and fences and walls for the same shall be coordinated and issued by the City at the same time.
   b) Fences and walls except retaining walls shall not be located closer to the street line than the front building line or the side building line in the case of a corner lot. Fences and walls shall be permitted to be located on the rear property line in the case of through lots. The rear property line shall be considered to be the opposite street frontage for through lots.
   c) Wood fences shall be constructed with posts, rails, and other construction details to be located on the "inside" of the fence. (Finished side facing out.)
   d) Fences and walls shall be constructed to allow for surface drainage.
   e) Fences built in combination with walls shall not exceed the required height restrictions. In addition, fences and walls built on slopes shall comply with the required height measured along the line of the fence location.
   f) Fences and walls enclosing man-made pool structures shall have safety latches mounted 48 inches above the ground line, or at the top of 4 foot enclosures.
   g) Walls constructed as retaining walls shall be designed and constructed to support lateral loads.
ORDINANCE NO. 1158

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:

18-1415. 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 R-1, Single Family Residential District:

All that part of the SE1/4 of Section 3, Township 13S, Range 25E, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the SW corner of the SE1/4 of said Section 3, thence North, along the West line of the SE1/4 of said Section 3, said line also being the East line of STARWOOD & LEAWOOD ESTATES, subdivisions of land in the City of Leawood, a distance of 575 feet, to the Point of Beginning; thence continuing North, along the West line of the SE1/4 of said Section 3, a distance of 500 feet, to the SW corner of Lot 653, of said LEAWOOD ESTATES; thence East, along the South line of Lots 653, 652, & 304 of said LEAWOOD ESTATES, a distance of 525 feet, to the West line of Lee Blvd. as now established; thence Southwesterly and Southerly, along the West line of said Lee Blvd., a distance of 518 feet, to a point 575 feet North of the South line of the SE1/4 of said Section 3; thence West, a distance of 355 feet, to the Point of Beginning.

(Chartwell West; northwest corner of 103rd & Lee Blvd.)

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 16th day of April, 1990.

Approved by the Mayor the 17th day of April, 1990.

(S.E A L) ________________________________
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 a newspaper 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 1 consecutive week(s) as follows:

4/24/90 . . .

[Signature]
Business Manager

Subscribed and sworn to before me on this date:
4/24/90

[Signature]
Notary Public

DANA LEWIS
Notary Public - State of Kansas
My Appt. Expires _______________________
My appointment expires: February 12, 1994
Publication Fees: $14.25

Ordinance 1158

ORD. 1158
First published in The Legal Record and News, Tuesday, April 24, 1990.
ORDINANCE NO. 1158
AN ORDINANCE RELATING TO ZONING OF PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

As it is ordained by the Governing Body of the City of Leawood:

18-1415. Section 1. The following described real property is hereby designated as being zoned R-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 R-1, Single Family Residential District:

All that part of the SE1/4 of Section 3, Township 135, Range 25E, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows:

Commencing at the SW corner of the SE1/4 of said Section 3, thence North, along the West line of the SE1/4 of said Section 3, said line also being the East line of STARWOOD & LEAWOOD ESTATES, subdivisions of land in the City of Leawood, a distance of 975 feet, to the Point of Beginning; thence continuing North, along the West line of the SE1/4 of said Section 3, a distance of 500 feet, to the SW corner of Lot 653, of said LEAWOOD ESTATES; thence East, along the South line of Lots 653, 652, & 651 of said LEAWOOD ESTATES, a distance of 525 feet, to the West line of Lee Blvd. as now established; thence Southwesterly and Southerly, along the West line of said Lee Blvd., a distance of 516 feet, to a point 575 feet North of the South line of the SE1/4 of said Section 3; thence West, a distance of 355 feet, to the Point of Beginning.

(Chamber West; northwest corner of 103rd & Lee Blvd.)

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 16th day of April, 1990.

Approved by the Mayor the 17th day of April, 1990.

W/Marla Rinhardt, Mayor (SEAL)
Attest:
W/Martha Helzer, City Clerk
APPROVED FOR FORM;
W/R.S. Watcher, City Attorney
4/24
ORDINANCE NO. 1157

AN ORDINANCE DEFERRING AND POSTPONING ISSUANCE OF BUILDING PERMITS ON UNPLATTED LAND WITHIN THE CITY OF LEAWOOD TO PROTECT THE PUBLIC INTEREST.

WHEREAS, the City of Leawood has in recent years experienced the subdivision of land into 10 acre tracts for single home sites; and,

WHEREAS, the Master Development Plan indicates proposed arterial and collector streets to serve the growing community in future years; and,

WHEREAS, the continued subdivision of large land area into 10 acre single home sites creates problems for the City in the inability to secure necessary street improvements and right-of-ways due to the lack of the requirement for platting 10 acre tracts and larger; and,

WHEREAS, the conflict is beginning to undermine the City’s ability to secure conformance with the adopted Master Development Plan by allowing the placement of single homes on large tracts, therefore, interrupting proposed traffic arteries for purposes of police and fire emergency vehicles to adequately service the area; and,

WHEREAS, the City has taken the initiative to correct certain deficiencies in the subdivision ordinance by advertising a public hearing to consider amendment to correct the recognized deficiencies; and,

WHEREAS, the Plan Commission will hear the amendment on April 24, 1990 and send its recommendation to the governing body for disposition; and,

WHEREAS, on the basis of the foregoing the Governing Body believes that public welfare requires postponement and deferral of City action on applications for building permits on unplatted land from the effective date of this ordinance for a period of sixty (60) days with the City of Leawood; and,

WHEREAS, the adoption of an ordinance deferring and postponing consideration of applications for building permits on unplatted land is necessary to protect the public welfare.
NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF LEAWOOD:

Section 1. Action on consideration of applications for
building permits on unplatted land deferred and postponed.
The Governing Body of the City directs, except as provided
hereinafter, that from the effective date of this ordinance
for a period of sixty (60) days the City will not consider
new applications for building permits on unplatted land
within the City and that same shall be deferred and post-
poned.

Section 2. Take Effect. This ordinance shall take effect
and be in force on publication in the official City news-
paper.

PASSED by the Council the 9th day of April, 1990.

APPROVED by the Mayor the 9th day of April, 1990.

Marianne Ausbun
Mayor

(SEAL)

ATTEST:

Marilyn Herron
City Clerk

APPROVED AS TO FORM

City Attorney
ORD. 1157
First published in The Legal Record, Tuesday, April 10, 1990.

ORDINANCE NO. 1157

AN ORDINANCE DEFERRING AND POSTPONING ISSUANCE OF BUILDING PERMITS ON UNPLATTED LAND WITHIN THE CITY OF LEAWOOD TO PROTECT THE PUBLIC INTEREST.

WHEREAS, the City of Leawood has in recent years experienced the subdivision of land into 10 acre tracts for single home sites; and,

WHEREAS, the Master Development Plan indicates proposed arterial and collector streets to serve the growing community in future years; and,

WHEREAS, the continued subdivision of large land area into 10 acre single home sites creates problems for the City in the inability to secure necessary street improvements and right-of-ways due to the lack of the requirement for plating 10 acre tracts and larger; and,

WHEREAS, the conflict is beginning to undermine the City’s ability to secure conformance with the adopted Master Development Plan by allowing the placement of single homes on large tracts, therefore, interrupting proposed traffic arteries for purposes of police and fire emergency vehicles to adequately service the area; and,

WHEREAS, the City has taken the initiative to correct certain deficiencies in the subdivision ordinance by advertising a public hearing to consider amendment to correct the recognized deficiencies; and,

WHEREAS, the Plan Commission will hear the amendment on April 24, 1990 and send its recommendation to the Governing Body for disposition; and,

WHEREAS, on the basis of the foregoing the Governing Body believes that public welfare requires postponement and deferral of City action on applications for building permits on unplatted land from the effective date of this ordinance for a period of sixty (60) days with the City of Leawood; and,

WHEREAS, the adoption of an ordinance deferring and postponing consideration of applications for building permits on unplatted land is necessary to protect the public welfare; and,

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

Section 1. Action on consideration of applications for building permits on unplatted land deferred and postponed. The Governing Body of the City directs, except as provided hereinafter, that from the effective date of this ordinance for a period of sixty (60) days the City will not consider new applications for building permits on unplatted land within the City and that same shall be deferred and postponed.

Section 2. Take Effect. This ordinance shall take effect and be in force on publication in the official City newspaper.

PASSED by the Council the 9th day of April, 1990.
APPROVED by the Mayor the 9th day of April, 1990.

Mayor

(s/ R.S. Witzler)

ATTEST:

City Clerk

APPROVED AS TO FORM

(s/ R.S. Witzler)