

RESOLUTION NO. 601

A RESOLUTION OF THE CITY OF LEAWOOD, KANSAS EXTENDING TEMPORARY NOTES 1981 L.S.B. C-E INCLUSIVE IN THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000) FOR THE PAYMENT OF A PORTION OF THE COSTS OF CONSTRUCTION OF SUPPLEMENTAL SEWER LINES AND APPURTENANT SEWER FACILITIES TO THE EXISTING DYKES BRANCH PORTION OF THE LEAWOOD SANITARY SYSTEM.

WHEREAS, the City of Leawood, Kansas has heretofore issued its Temporary Notes 1981 L.S.B. A-E inclusive, in the total amount of Five Hundred Thousand Dollars (\$500,000), which notes are being held by the United Missouri Bank of Kansas City, N. A.; and

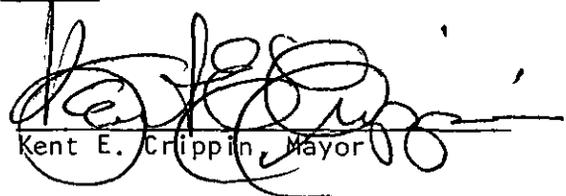
WHEREAS, said Temporary Notes matured on October 10, 1982, and said United Missouri Bank of Kansas City, N. A. is willing to extend Three Hundred Thousand Dollars (\$300,000) of said Temporary Notes through January 10, 1983, upon payment of Two Hundred Thousand Dollars (\$200,000) of the original Notes, 1981 L.S.B. A and B;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that Temporary Notes 1981 L.S.B. C-E inclusive, in the total amount of Three Hundred Thousand Dollars (\$300,000) be extended as follows:

To the United Missouri Bank of Kansas City, N. A., at the interest rate of 7.90% per annum, with a maturity date of January 10, 1983; and

BE IT FURTHER RESOLVED, that the Two Hundred Thousand Dollars (\$200,000) of the original Temporary Notes, 1981 L.S.B. A and B, and interest due October 10, 1982, be paid forthwith.

Adopted by the Governing Body this 18th day of October, 1982.


Kent E. Crippin, Mayor




J. Oberlander, City Clerk

*orig. in 82-1
Bond file*

RESOLUTION NO. 602

A RESOLUTION AUTHORIZING THE SALE OF \$349,500.00 GENERAL OBLIGATION BONDS OF THE CITY OF LEAWOOD, KANSAS, TO PAY THE COSTS OF THE IMPROVEMENT OF 119TH STREET BETWEEN MISSION ROAD AND ROE AVENUE AND TO THE INTERSECTION OF COLLEGE BOULEVARD AND ROE AVENUE, PURSUANT TO KANSAS STATUTES K.S.A. 12-685 ET SEQ., AND AMENDMENTS THERETO.

WHEREAS, the City of Leawood has heretofore by Resolutions Nos. 581 and 582, dated April 5, 1982, authorized the improvement of 119th Street between Mission Road and Roe Avenue and of the intersection of College Boulevard and Roe Avenue by reconstruction, reconfiguration and signalization of said intersection pursuant to K.S.A. 12-685, et seq., and all acts amendatory thereto, and authorized the issuance of general obligation bonds to pay the costs thereof; and

WHEREAS, the construction of the work directed to be done on said projects have been completed and in accordance with the Certificate of the Project Engineer the costs of the improvement have been certified to be the sum of \$349,500.00; and,

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS:

Section One: That the City Clerk of Leawood, Johnson County, Kansas, is hereby authorized and directed to advertise for public sale in the manner required by law, general obligation bonds of the City in the amount of \$349,500.00, the aggregate cost of the combined projects to be financed, for the purpose of financing the costs of construction of the above-described projects pursuant to the statutes hereinbefore enumerated and amendments thereto, and further pursuant to the general obligation bond authority provided in the laws of the State of Kansas.

Section Two: That the form of notice shall be substantially in the following form:

NOTICE OF BOND SALE
COMBINED PROJECTS STREET IMPROVEMENT
GENERAL OBLIGATION BONDS
SERIES 82-1
LEAWOOD, JOHNSON COUNTY, KANSAS

Sealed bids will be received by the Governing Body of Leawood, Johnson County, Kansas, at the Courtroom of the Police Courts Building, 9617 Lee Boulevard, Leawood, Johnson County, Kansas, on December 6, 1982, at 7:30 p.m., C.S.T., for the sale of the above-captioned general obligation bonds of the City of Leawood, Johnson county, Kansas, to finance the cost of construc-

tion of the 119th Street and College Boulevard and Roe intersection improvement projects, at which time said bids will be publicly opened.

All of said bonds shall be ^{coupon} ~~fully-registered~~ bonds in the aggregate principal amount of \$349,500, said bonds numbered 1 to 70, inclusive, Bond No. 1 being in the denomination of \$4,500.00 and Bond Nos. 2 through 70, inclusive, being in the denomination of \$5,000.00 each. All of said bonds will be dated December 15, 1982, and will mature serially on September 1 of each year commencing September 1, 1983, as follows:

<u>Maturity</u>	<u>Amount</u>	<u>Maturity</u>	<u>Amount</u>
1983	\$ 4,500	1986	\$70,000
1984	70,000	1987	70,000
1985	70,000	1988	65,000

Interest on said bonds will be payable semi-annually on March 1 and September 1 in each year through maturity, commencing on September 1, 1983. Both principal of and interest on the bonds will be payable at the office of the State Treasurer in Topeka, Kansas. The bonds will not be subject to redemption prior to maturity.

All of said bonds will be and constitute the general obligation of the city of Leawood and the full faith and credit of the City shall be pledged to the payment of the principal of and interest on said bonds. Such principal and interest shall be payable from ad valorem taxes levied upon all taxable tangible property including land and improvements thereon located within the territorial limits of the City of Leawood, Johnson County, Kansas.

No bids will be considered at a price of less than par and interest accrued on the bonds to date of the payment thereof by the purchaser.

Proposals will be received on bonds bearing such rate or rates of interest as may be specified by the bidders subject to the following conditions: Not more than five different rates shall be specified and the same rate will apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8th of 1% or 1/20th of 1%. No rate shall exceed the most recent 20 bond index, as published in The Weekly Bond Buyer on the Monday next preceding the date of sale by more than 2%, and the difference between the highest rate specified and lowest rate specified in any bid shall not exceed 2-1/2%.

One bid shall be submitted for all bonds hereinbefore described on an all or none basis. Bonds will be awarded to the highest and best bidder or bidders on an all or none basis. Determination of the best bid or bidders will be made by deduct-

ing the premium bid (if any) from the total interest costs and the Bonds will be awarded to the bidder bidding the lowest net interest cost to the City. The City will be entitled to rely on the stated net interest cost in awarding the Bonds. If there is any discrepancy between said lowest net interest cost and the rates specified in said bid or the average annual net interest cost specified in said bid, the net interest cost figure shall govern and the rates shall be adjusted accordingly.

The bonds printed, executed and registered with the Office of the State Treasurer will be furnished by the City, and the bonds will be delivered subject to the legal opinion of Linde Thomson Fairchild Langworthy Kohn & Van Dyke, P.C., Kansas City, Missouri, Bond Counsel. The bonds will be delivered to the purchaser on or about December 31, 1982, at any such bank or trust company in the Kansas City, Topeka, or Wichita metropolitan areas, as specified by the purchaser, or elsewhere at the expense of the purchaser.

At the request of the successful bidder, CUSIP identification numbers will be printed on said bonds, but neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for said bonds in accordance with the terms of the purchase contract. All expenses in relation to the printing of the CUSIP numbers on said bonds will be paid for by the City. The CUSIP Service Bureau's charge for assignment of said numbers will be the responsibility of and must be paid for by the purchaser.

The population of the City is approximately 13,360. The 1981 assessed valuation of all taxable tangible property within Leawood, Kansas is \$60,644,553.00, including motor vehicle valuation of \$10,206,701.00. The total general obligation bonded indebtedness of Leawood, Kansas, at the date hereof, including the issue of bonds herein offered for sale, is \$3,319,500.00. The City of Leawood has temporary notes outstanding in the total amount of \$600,000, of which \$300,000 will be redeemed and cancelled from the proceeds of the bonds herein offered for sale.

A good faith deposit by cashier's or certified check in the amount of 2% of the total amount of the bid for the bonds shall accompany each bid.

Mailed bids should be addressed to J. Oberlander, City Clerk, City of Leawood, Kansas, 9617 Lee Boulevard, Leawood, Kansas 66206, and marked "Bid for purchase of \$349,500 Combined Projects Street Improvement General Obligation Bonds, Series 82-1, Leawood, Johnson County, Kansas." Bids may also be delivered to the said officer in the Courtroom of the Police Courts

Building at Leawood, Kansas, at or immediately prior to
7:30 o'clock p.m.

DATED at Leawood, Kansas, this 1st day of November 1982.

J. OBERLANDER, City Clerk

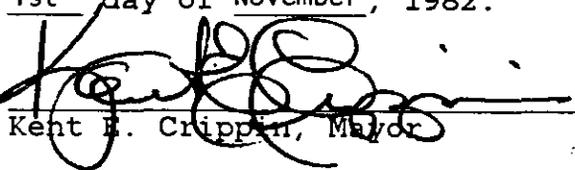
Section Three: That proposals for the purchase of said bonds shall be submitted in the form of the proposal attached hereto as Exhibit A which form is hereby approved for use by bidders or prospective purchasers of said bonds.

Section Four: That the official statement in substantially the form attached hereto as Exhibit B is approved, and the City Clerk is authorized and directed to cause such official statement, together with the proposal and notice of bond sale, to be printed and/or published as required by law and mailed or otherwise distributed to known interested prospective bidders and purchasers.

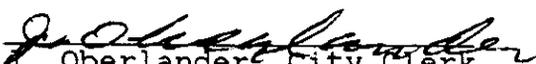
Section Five: This Resolution shall take effect and be in force from and after its passage and approval by the Governing Body of the City.

PASSED by the Governing Body this 1st day of November, 1982.

SIGNED by the Mayor this 1st day of November, 1982.


Kent E. Crippen, Mayor

ATTEST:


J. Oberlander, City Clerk

orig. in 82-1
Bond file

RESOLUTION NO. 603

A RESOLUTION PERTAINING TO THE OPENING OF BIDS FOR SALE OF GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$349,500.00, APPROVING NOTICE OF SALE, APPROVING PROPOSAL FORM, AND APPROVING OFFICIAL STATEMENT.

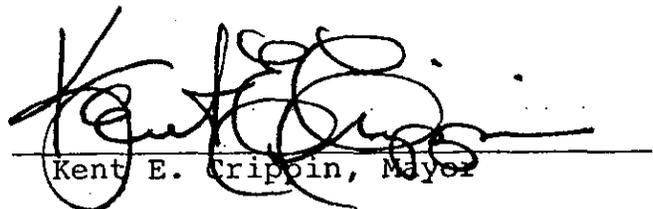
BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas shall meet on Monday , December 6th , 1982, at 7:30 o'clock P.M. Central Standard Time in the Courtroom of the Police Courts Building, 9617 Lee Boulevard, Leawood, Kansas 66206, to open sealed bids for the purchase of \$349,500 General Obligations Bonds authorized by the Governing Body of the City of Leawood, Kansas, for the purpose of financing the improvements made to 119th Street between Mission Road and Roe Avenue and to the intersection of College Boulevard and Roe Avenue including the reconstruction, reconfiguration, and signalization of said intersection all in the City of Leawood, Kansas.

BE IT FURTHER RESOLVED that a notice of sale in the form of the notice attached hereto as Exhibit A be adopted and published as required by law.

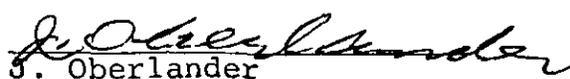
BE IT FURTHER RESOLVED that a proposal for the purchase of said bonds in the form of the proposal attached hereto as Exhibit B be adopted for use by bidders or prospective purchasers of said bonds.

BE IT FURTHER RESOLVED that the official statement attached hereto as Exhibit C be approved and that the City Clerk is authorized and directed to cause such official statement, together with the proposal and notice of bond sale, to be printed and/or published as required by law and mailed to known interested prospective bidders and purchasers.

PASSED AND APPROVED by the City of Leawood, Kansas on this 1st day of November, 1982.


Kent E. Crippin, Mayor

ATTEST:


J. Oberlander
City Clerk

Orig. in 82-1 Bond file

PROPOSAL FOR THE PURCHASE OF BONDS OF LEAWOOD, JOHNSON COUNTY, KANSAS

TO THE GOVERNING BODY OF LEAWOOD, KANSAS: _____, 1982

For \$349,500.00 principal amount of bonds to the City of Leawood, Johnson County, Kansas, to be dated December 15, 1982 as described in your Notice of Bond Sale, said bonds to bear interest as hereinafter specified, to wit:

First	\$ _____	of bonds maturing	198__	to	19__	_____ %
Next	\$ _____	of bonds maturing	_____	to	_____	_____ %
Next	\$ _____	of bonds maturing	_____	to	_____	_____ %
Next	\$ _____	of bonds maturing	_____	to	_____	_____ %
Next	\$ _____	of bonds maturing	_____	to	_____	_____ %
Next	\$ _____	of bonds maturing	_____	to	_____	_____ %

the undersigned will pay par plus accrued interest to date of delivery, plus a total premium of \$ _____.

Total interest cost to the City of Leawood on said bond issue calculated to maturity on the rate specified \$ _____

Total premium on said issue on basis of this bid \$ _____

Net interest cost to the City of Leawood on said bond issue on basis of this bid \$ _____

The average annual net interest rate to the City of Leawood on basis of this bid is \$ _____

This proposal is subject to all terms and conditions contained in said Notice of Sale, and if the undersigned is the successful bidder, the undersigned will comply with all of the provisions in said Notice.

A cashier's or certified check in the amount of \$ _____ payable to the order of the Treasurer of the City of Leawood, Kansas accompanies this proposal as an evidence of good faith. Said check shall be returned to the undersigned if the bid of the undersigned is not accepted.

If the bid of the undersigned be accepted but the City of Leawood shall fail to deliver its bonds to the undersigned in accordance with the terms of this proposal, said check or the proceeds thereof shall be delivered to the undersigned. If the bid herein contained be accepted, then the check delivered to the City of Leawood on account of such bid, or the proceeds thereof, shall be held by the City of Leawood until the undersigned shall have complied with all of the terms of said Notice and such bid, at which time the amount of such check shall be paid to or upon the order of the undersigned. If the bid contained by accepted and if the undersigned shall default in the performance of any of the terms and conditions of said bid, the amount of such check shall be retained by the City as and for liquidated damages.

Pursuant to action taken by the Governing Body of the City of Leawood, Kansas, the above proposal covering \$ _____ of bonds of said City, as described, is hereby accepted this _____ day of _____, 1982.

THE CITY OF LEAWOOD, KANSAS

By _____
Mayor

ATTEST:

J. Oberlander
City Clerk
(Seal)

Note: No additions or alterations in the above proposal shall be made and any erasures may cause rejection of any bid. Bids must be filed with J. Oberlander, City Clerk of the City of Leawood, Kansas, at the Leawood City Hall, 9617 Lee Boulevard, Leawood, Kansas, no later than 7:30 o'clock P.M. Central Standard Time, on December 6, 1982.

Orig. in 88-1
Bond file

OFFICIAL STATEMENT

CITY OF LEAWOOD, KANSAS

The City of Leawood, Kansas now has a population of 13,360. This population represents a gain of over 1,000 residents since January of 1980. The City is bounded by State Line Road on the east and extends from 79th Street on the north to approximately 156th Street on the south, and comprises an area of 18.75 square miles. A portion of the City north of I-435 (4.7 square miles) is completely developed into one of the area's more affluent suburban residential areas. The area south of I-435 (14 square miles) has experienced rapid growth since the mid-1970's. Although the newly developed area consists of predominantly high bracket residential homes, this area does contain a more diverse zoning pattern with the inclusion of professional offices, luxury town-homes, and some commercial development. Growth in the City has been steady and upward almost regardless of varying national economic trends.

FINANCIAL INFORMATION

ASSESSED VALUATION

The assessed valuation of taxable tangible property situated in Leawood, Kansas for the past five years was as follows:

<u>Year</u>	<u>Assessed Valuation</u> (Rounded to Nearest \$100,000)
1977	\$48,296,211.00
1978	\$50,754,154.00
1979	\$55,150,232.00
1980*	\$57,298,287.00
1981*	\$60,644,553.00

The assessed valuation of taxable tangible property situated in Johnson County as a whole for the past five years was as follows:

<u>Year</u>	<u>Assessed Valuation</u>
1977	\$816,267,337.00
1978	\$853,552,968.00
1979	\$931,953,014.00
1980*	\$992,694,444.00
1981*	\$1,055,664,030.00

*includes motor vehicle valuation

INDEBTEDNESS

The outstanding bonded indebtedness of the City of Leawood, Johnson County, Kansas now consists of the following outstanding issues:

1. An issue of \$925,000.00, dated December 1, 1974, the largest ever issued by the City, for the construction of the Leawood Recreation Complex, said issue now having been reduced to \$785,000.00.
2. An issue of \$100,000.00 for the improvement of 111th Street in the City of Leawood dated September 1, 1975. These bonds were improvement district bonds, 90% of the cost of which is being assessed to the land owners within the improvement district. This issue has been reduced to \$60,000.00.
3. An issue of \$500,000.00 dated September 1, 1975, for construction of a second fire station, said issue now having been reduced to \$360,000.00.

4. An issue of \$253,300.00 for the improvement of 119th Street between Ensley Road and Mission Road dated January 19, 1980. These bonds were improvement district bonds, 95% of the cost of which is being assessed to the land owners within the improvement district. This issue has been reduced to \$240,000.00.

5. An issue of \$1,894,500.00 for combined improvement districts 78-1 and 79-1, dated May 1, 1980, 93% of which is being assessed to the land owners within the improvement district. This issue has been reduced to \$1,710,000.00.

TAX COLLECTIONS

Property taxes are collected by the County Treasurer and remitted to the City in regular installments. Tax collections, including back taxes paid, are in excess of 97% of taxes levied.

GENERAL INFORMATION

The City of Leawood, Kansas is located in Johnson County, Kansas, one of the fastest growing counties in the State of Kansas. It is situated immediately west of Kansas City, Missouri, and immediately south of Kansas City, Kansas. The county consists of 473 square miles and more than 302,000 acres. Johnson County ranks second in population of all counties in Kansas. The county is essentially of an urban-suburban character, being the only county so designated by the state legislature, although over 50% of its area is without the corporate limits of any city. There are 19 incorporated cities in the county. The projected population of the county by the Metropolitan Planning Commission of the Kansas City Region is as follows:

<u>Year</u>	<u>Population</u>
1975	275,000
1980	322,000
1990	415,000

A profile of the people residing in Johnson County shows the residents ranked near the top nationally in educational achievement (12.6 years). 71% of the adults, 25 years or older, have completed high school.

Although Johnson County provides only 14% of the total employment force of the Kansas City region, it provides over 20% of the professional and technically trained persons and 25.8% of the managers, officers, and proprietors in the entire Kansas City region.

Johnson County is one of the top ranking counties in the nation in personal income. The City of Leawood is one of the top ranking cities in the county in this regard. The county has numerous shopping centers, two of which are two of the largest shopping centers in the western part of the United States. The county has experienced rapid growth in the past decade of commercial office buildings. This increase in office space and continuing rapid expansion thereof in the county is partially the result of the expansion of national and regional offices of major corporations.

Dated this 1st day of November, 1982.


Kent E. Crippin, Mayor
City of Leawood, Kansas

RESOLUTION NO. 604

A RESOLUTION OF THE CITY OF LEAWOOD, KANSAS RENEWING TEMPORARY NOTE IN THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000) FOR THE PAYMENT OF COSTS OF CONSTRUCTION OF IMPROVEMENTS TO 119TH STREET BETWEEN ROE AND MISSION ROAD AND TO PAY FOR THE RECONSTRUCTION, RECONFIGURATION AND SIGNALIZATION OF THE INTERSECTION OF COLLEGE BOULEVARD AND ROE AVENUE.

WHEREAS, the City of Leawood, Kansas has heretofore issued its Temporary Note in the total amount of Three Hundred Thousand Dollars (\$300,000) which Note is being held by the Johnson County National Bank and Trust Company; and

WHEREAS, said Temporary Note matured on November 15, 1982 and said Johnson County National Bank and Trust Company is willing to extend said Temporary Note through December 31, 1982;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that Temporary Note in the total amount of Three Hundred Thousand Dollars (\$300,000) be renewed as follows:

To the Johnson County National Bank and Trust Company at
the interest rate of 7% per annum, with a maturity
date of December 31, 1982.

BE IT FURTHER RESOLVED that the interest due on said Temporary Note as of November 15, 1982 be paid forthwith.

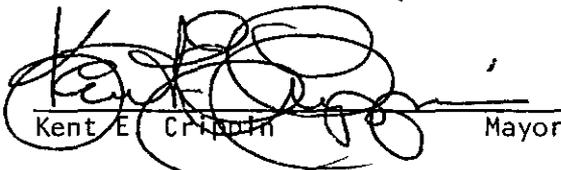
Adopted by the Governing Body this 15th day of November, 1982.

(S E A L)

Attest:


J. Oberlander

City Clerk


Kent E. Crispin Mayor

RESOLUTION NO. 605

A RESOLUTION RELATING TO SPEED LIMITS ON CERTAIN STREETS WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood, Kansas, has determined upon the basis of an engineering and traffic investigation that the speed limit permitted under State law and Section 33 of the "Standard Traffic Ordinance for Kansas Cities", 1982 Edition, is greater or less than is reasonable under the conditions found to exist upon the City;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body hereby determines and declares that the reasonable and safe speed limit on said portion of said streets is as listed below; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby directed to cause to have erected appropriate signs giving notice of such speed limit along said streets maintained by the City.

<u>STREET</u>	<u>PORTION CONTROLLED</u>	<u>APPLICABLE SPEED LIMIT</u>
Lee Boulevard	81st St. to 103rd St.	35 mph
State Line Road	Within City Limits	35 mph
Mission Road	North City Limits to 93rd St.	35 mph
Mission Road	93rd St. to 95th St.	30 mph
Mission Road	95th St. to 103rd St.	35 mph
Mission Road	119th St. to 127th St.	35 mph
Mission Road	135th St. to 143rd St.	35 mph
Roe Avenue	College Blvd. to K-150	45 mph
83rd Street	Within City Limits	30 mph
85th St. Terr.	Lee Blvd. to State Line Road	30 mph
89th Street	Lee Blvd. East to Rd. Termination	20 mph
89th Street	Mission Rd. to Lee Blvd.	30 mph
95th Street	Within City Limits	30 mph
103rd Street	Mission Rd. to Lee Blvd.	30 mph
103rd Street	Lee Blvd. to State Line Road	35 mph
College Blvd.	Between Roe Ave. and Nall	45 mph
College Blvd.	Roe to .1 mile east of Buena Vista	35 mph
I-435	Within City Limits	55 mph
119th Street	State Line Rd. to Mission	30 mph
119th Street	Mission Rd. to Roe Ave.	35 mph
123rd Street	.4 miles west to Mission Rd.	30 mph
K-150	Westbound from State Line Rd. to a point .10 miles west of intersection of K-150 and State Line Rd.	45 mph
K-150	Westbound from .10 miles west of State Line Rd. to City Limits	55 mph

<u>STREET</u>	<u>PORTION CONTROLLED</u>	<u>APPLICABLE SPEED LIMIT</u>
K-150	Eastbound from a point .30 miles west of State Line Rd. to State Line Rd.	45 mph
K-150	Eastbound from City Limits to a point .30 miles west of State Line Rd.	55 mph
151st Street	Within City Limits	45 mph
Kenneth Road	Within City Limits	45 mph

Adopted by the Governing Body this 20 day of December, 1982.

(S E A L)

Attest:


Kent E. Crappin Mayor


J. Oberlander City Clerk

To take effect upon publication of Ord. No. 763, Dec. 29, 1982.

*orig. H/State
Farm*

RESOLUTION NO. 606

WHEREAS, State Farm Insurance Company, the Leawood Lions Club, Associated Crime Prevention Group, A.D.T. Security Systems, and P.P.P.S.I. have provided funds for the printing of the Residential Security Manual; and

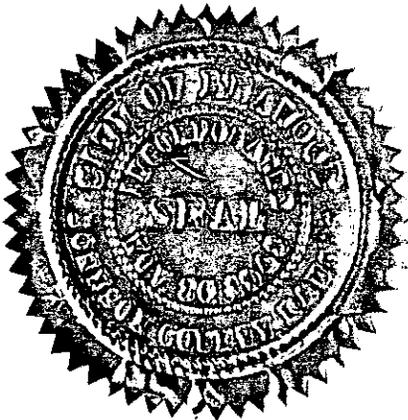
WHEREAS, these organizations have assisted the Mayor's Task Force on Residential Crime in the development and production of the Manual; and

WHEREAS, the Residential Security Manual will be an effective tool in combating residential crime in the City of Leawood; and

WHEREAS, the Residential Security Manual will be distributed to every home in Leawood;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas that its sincere appreciation be extended to these organizations for their invaluable contribution to the welfare of the community.

Adopted by the Governing Body this 7th day of February, 1983.



Kent E. Crippin
Kent E. Crippin Mayor

Attest:

J. Oberlander
J. Oberlander City Clerk

*orig. H/mrs.
Rockey*

RESOLUTION NO. 607

WHEREAS, Mr. Ben W. Rockey passed away January 21, 1983; and

WHEREAS, Mr. Rockey was first appointed to the Leawood Plan Commission in 1971, subsequently served in the capacities of Secretary, 1972, and Vice Chairman, 1979, and was an active member at the time of his death; and

WHEREAS, he also served the City government as a member of a special committee for a bond election in 1974; and

WHEREAS, the City of Leawood wishes to acknowledge the quality of Mr. Rockey's years of faithful and dedicated service and support, and his invaluable contribution to City government and community welfare;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Leawood, Kansas extend its sincere sympathy to the family of Ben W. Rockey, and that this Resolution be presented to his widow, Quinlan Rockey, of the home at 2304 West 98th Street, Leawood.

Adopted by the Governing Body this 7th day of February, 1983.



Kent E. Crippin
Kent E. Crippin, Mayor

Attest:

Jinny Oberlander
Jinny Oberlander, City Clerk

RESOLUTION NO. 608

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF LEAWOOD, KANSAS, THE QUESTION OF IMPOSING A CITY RETAILERS' SALES TAX IN THE AMOUNT OF ONE-HALF OF ONE PERCENT (.5%) IN ADDITION TO THE ONE-HALF OF ONE PERCENT (.5%) CURRENTLY LEVIED BY THE CITY.

WHEREAS, K.S.A. 1981 Supp. 12-187 et seq., as amended, authorizes the Governing Body to submit to the qualified electors of the City the question of levying a retailers' sales tax, such tax to be collected by the State Department of Revenue with the revenue therefrom returned to this City; and

WHEREAS, the Governing Body of the City of Leawood determines that the additional revenue raised by such a retailers' sales tax is needed to provide an adequate level of public services within the City;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood submit to the electors of the City of Leawood at the regular City election to be held on April 5, 1983, the question of imposing a city retailers' sales tax in the amount of one-half of one percent (.5%) in addition to the one-half of one percent (.5%) currently levied by the City, said tax to be effective January 1, 1984.

BE IT FURTHER RESOLVED that the notice of election and the question be in substantially the following form:

Notice is hereby given that there will be a special question appearing on the ballot in the City of Leawood at its regular City election on April 5, 1983, said question pertaining to whether the City of Leawood should impose a city retailers' sales tax in the amount of one-half of one percent (.5%) in addition to the one-half of one percent (.5%) currently levied by the City, said tax to be effective January 1, 1984. Said question will be as follows:

"Shall the City of Leawood impose a city retailers' sales tax in the amount of one-half of one percent (.5%) in addition to the one-half of one percent (.5%) currently levied by the City, commencing January 1, 1984, for the purpose of providing additional revenue to the City?"

To vote in favor of the question on the voting machine, turn the voting pointer down over the word "YES".

To vote in favor of the question in absentee, sick and disabled and challenged ballot, make a cross X mark in the square after the word "YES".

To vote against the question on the voting machine, turn the pointer down over the word "NO".

To vote against the question in absentee, sick and disabled and challenged ballot, mark a cross X mark in the square after the word "NO".

YES _____

NO _____

Said election shall be held on the 5th day of April, 1983, from and between the hours of 7:00 A.M. and 7:00 P.M., said voting places to be located as follows:

Ward 1; Precincts 1 & 2: Leawood Baptist Church
83rd & State Line

Precinct 3: Leawood Presbyterian Church
2715 W. 83rd Street

Ward 2; Precinct 1: Leawood Country Club
8901 Sagamore

Precinct 2: Marsha Bagby District Office
95th & Mohawk

Precinct 3: Leawood City Hall; Council Chamber
9615 Lee Boulevard

Ward 3; Precinct 1: Brookwood School
103rd & Wenonga

Precincts 2 & 3: Brookwood School
103rd & Wenonga

Ward 4; Precincts 1 & 2: Leawood Elementary School
2400 W. 123rd Street

Said notice in its final form shall be published according to law once each week for two consecutive weeks, the first publication to be not less than twenty-one days prior to the election.

Adopted by the Governing Body this 7th day of February, 1983.



Kent E. Crappin, Mayor

(SEE A L)

Attest:


J. Oberlander, City Clerk

RESOLUTION NO. 609

The Leawood City Council has considered preliminary plans and preliminary plats for proposed zoning districts RP-1 and RP-5 for the Berkshire subdivision located in the vicinity of 123rd Street, Roe Avenue to Mission Road, and hereby resolves the following:

WHEREAS, the proposed RP-1, Planned Single Family District; Lots B and C, and the proposed RP-5, Planned Apartment House District, located on Lot A, meet criteria and planning standards of the City; and

WHEREAS, the entire tract is designed as an integrated community providing varied residential life styles; and

WHEREAS, the staff has reviewed and recommended approval of the submission; and

WHEREAS, the Leawood Plan Commission recommends approval of the preliminary plats, preliminary plans and zoning for these proposed districts;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve said preliminary plats and plans for RP-1 and RP-5 for Berkshire subdivision.

Adopted by the Governing Body this 22nd day of February, 1983.

(S. E. A. L.)


Kent E. Crippin Mayor

Attest:


J. Oberlander City Clerk

RESOLUTION NO. 610

RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD CONSENTING TO THE CREATION OF 127TH STREET STATE LINE MAIN SEWER DISTRICT, JOHNSON COUNTY, KANSAS

On this 22nd day of February, 1983, the Governing Body of the City of Leawood met in regular session with the Mayor and a majority of the council being present.

There comes before the council for consideration the matter of the proposed creation of 127th Street State Line Main Sewer District, Johnson County, Kansas, the proposed outer boundaries of which are described on Exhibit "A" attached to this resolution.

The provisions of K.S.A. 19-2704a and any amendments thereto provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have the power to create or extend such sewer district within the city limits without the consent of the governing body of such city.

The City of Leawood requests that the sizing of the sewer line of this district be such that property immediately north, which has an approximate 160 foot frontage on State Line, can be serviced by this district.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD that said city does hereby consent that the property shown and described in Exhibit "A" attached to this resolution be included within Leawood, Johnson County, Kansas, and that the sizing of the sewer line of this district be such that property immediately north, which has an approximate 160 foot frontage on State Line, can be serviced by this district.

ATTEST:


City Clerk


Mayor

CERTIFICATE OF SURVEY

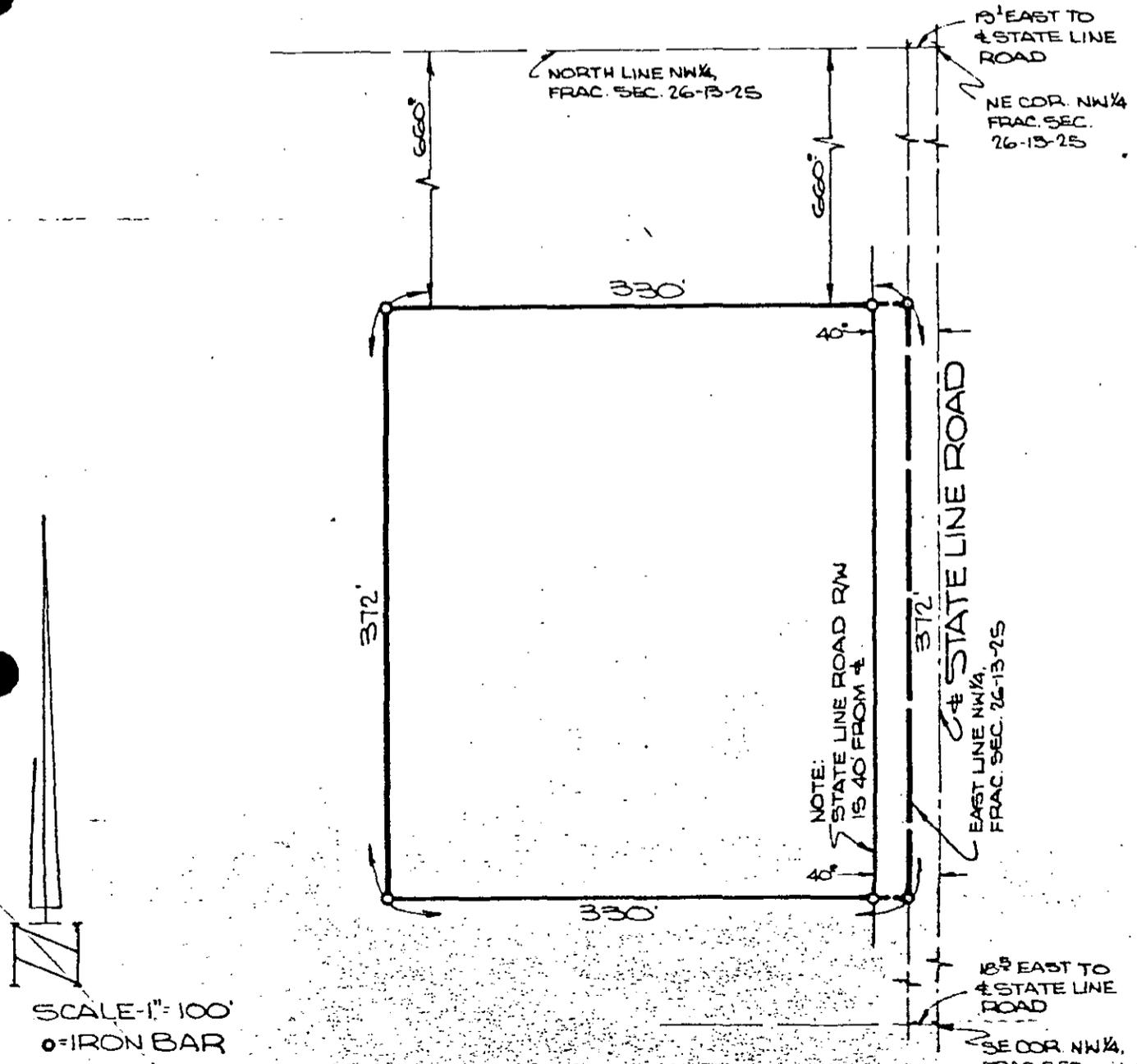
DATE February 21, 1968

NUMBER 22714

ORDERED BY: James Bruce

SECTION 26 TWP. 13 RG. 25 CO. Johnson STATE Kansas

DESCRIPTION: All of the South 372 feet of the North 1032 feet of the East 330 feet of the NW $\frac{1}{4}$ of Fractional Section 26, Township 13, Range 25, Johnson County, Kansas.



SCALE-1"=100'
O=IRON BAR

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF SURVEY.



SHAFFER, KLINE & WARREN
ENGINEERS-SURVEYORS
OVERLAND PARK, KANSAS

BY Wm. J. Shafer
Wm. J. Shafer

2050
SHEFFER

A RESOLUTION ESTABLISHING THE POLICY FOR THE IMPROVEMENTS TO ROE AVENUE FROM
THE TOMAHAWK CREEK BRIDGE TO 135TH STREET

BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas that this section of Roe Avenue shall be improved in two phases. The First Phase shall consist of a Asphaltic Concrete Leveling Course and Overlay over the existing roadway surface (see Exhibit A). The Second Phase shall consist of widening the roadway to 44' with 8' grass shoulders on each side with ditch sections as required (see Exhibit B).

The funding for the First Phase Roadway Improvements shall be provided by the adjacent Developments per Section 17-402 REQUIRED IMPROVEMENTS of the Sub-Division Regulations. The cost per foot for the required roadway improvements have been established at \$120/Ft of roadway or \$60/Ft each side (the cost will be reviewed periodically and revised as necessary). The First Phase Improvements will be contracted for by the City of Leawood and will be completed when sufficient funds are available to overlay the entire existing roadway from the Tomahawk Creek Bridge to 135th Street. Additional or excess funds per Section 17-402 will be controlled by the City of Leawood and will be designated for the Second Phase Roadway Improvements and/or the Maintenance of Roe Avenue from the Tomahawk Creek Bridge to 135th Street. The Developers and/or Properties adjacent to Roe Avenue that have fulfilled their obligation per Section 17-402 will not be responsible for any additional improvements to Roe Avenue adjacent to their properties.

The Second Phase Roadway Improvements will be contracted for by the City of Leawood and constructed when the traffic volumes on Roe Avenue are in the range of 8,000 to 9,000 vehicles per day. The funding for the Second Phase Roadway Improvements will be provided by any excess funding remaining from the First Phase Improvements, New Developments along Roe Avenue per Section 17-402 and/or from the City of Leawood.

Any Roadway widening required due to a Development adjacent to Roe Avenue, such as Turning Lanes, Acceleration or Deacceleration Lanes will be provided by the Development at the time of development.

Adopted by the Governing Body this 22nd day of February, 1983.

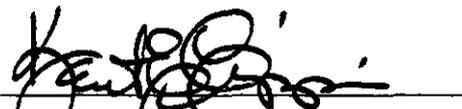
(S.E.A.L.)

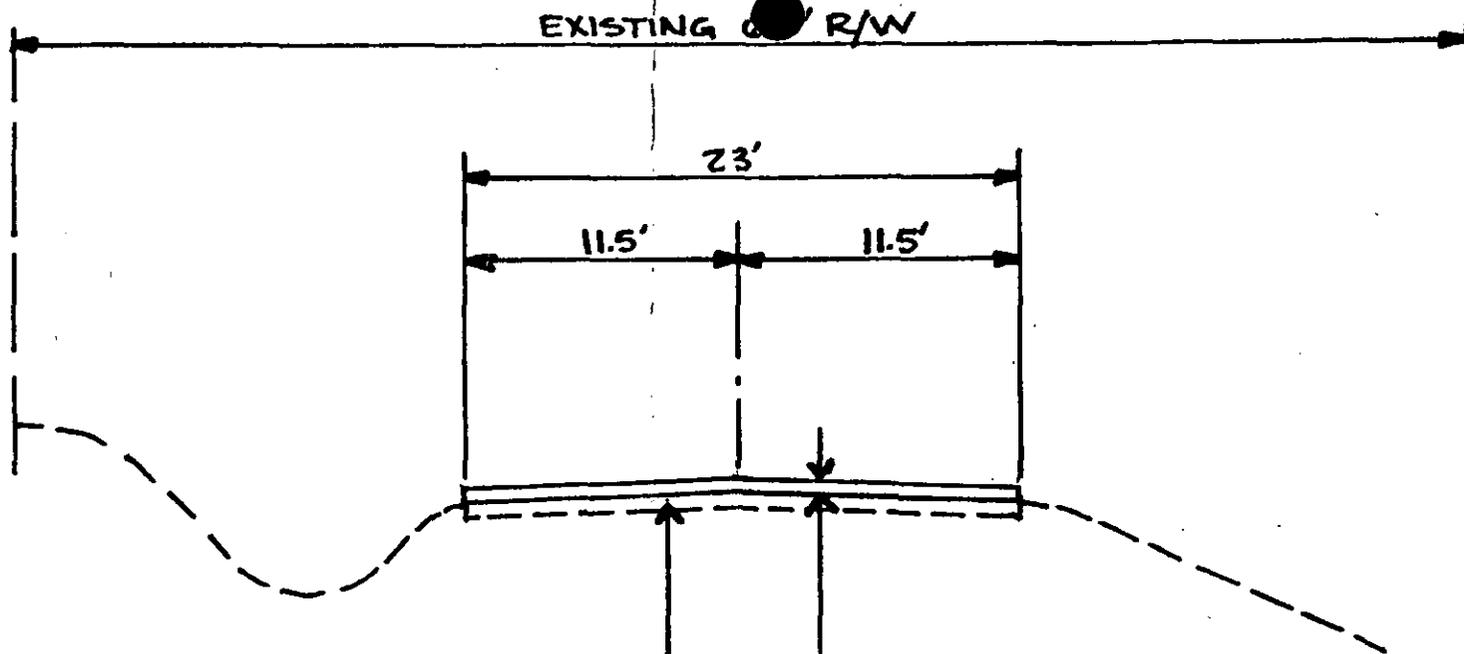
Attest:



J. Oberlander

City Clerk


Kent E. Crippin



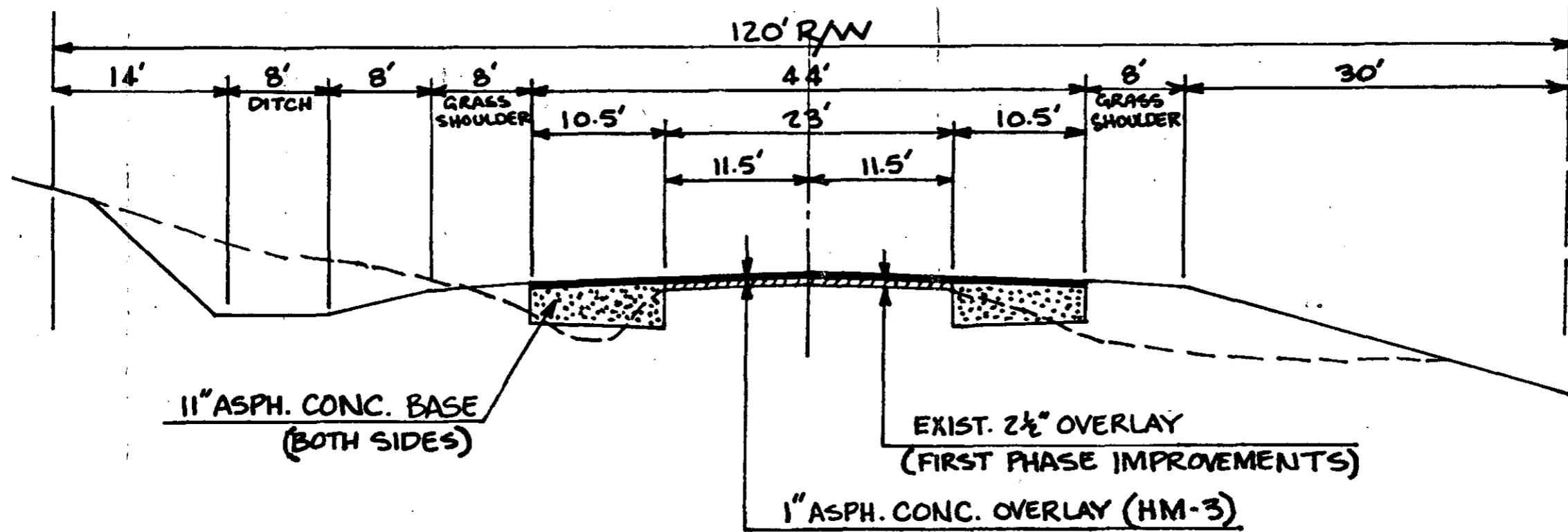
EXISTING ROADWAY
 (ASPH. SEAL ON GRANULAR)
 BASE MATERIAL.

2½" ASPH. CONC. (BM-2)
 OVERLAY & LEVELING COURSE

ROE AVE. 135th. to TOMAHAWK CREEK BRIDGE

FIRST PHASE - ROADWAY IMPROVEMENT

EXHIBIT A



ROE AVE. 135th. to TOMAHAWK CREEK BRIDGE

SECOND PHASE - ROADWAY IMPROVEMENTS

EXHIBIT B

RESOLUTION NO. 612

(Developed and Revised Public Improvement Construction Standards)

RESOLUTION ADOPTING PUBLIC IMPROVEMENT CONSTRUCTION STANDARDS.

WHEREAS, the City's current Public Improvement Construction Standards for all Public Works Elements have been reviewed and found to be in need of revision; and

WHEREAS, the City Staff has reviewed the current Public Improvement Construction Standards and has developed recommendations for the revision and updating of said standards; and

WHEREAS, the City Staff has reviewed and recommends to the Governing Body the revised Public Improvement Construction Standards; and

WHEREAS, from time to time changes in construction technology and materials will require revisions to said Construction Standards,

*

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that the attached Public Improvement Construction Standards be adopted by the City of Leawood.

BE IT FURTHER RESOLVED that the Governing Body delegate the Director of Public Works to revise said Construction Standards when, in his professional judgement, such changes or revisions are necessary to insure that said Construction Standards are consistent with recognized standards in the Public Works industry and submit said changes or revisions to the City Council for approval.

BE IT FURTHER RESOLVED that any such changes or revisions be inserted and become a part of the official copy of said Public Improvement Construction Standards, said official copy to be retained by the Director of Public Works and by the City Clerk.

Adopted by the Governing Body this 2nd day of May, 1983, to take effect with Ordinance No. 778.


Kent E. Tripp Mayor




W. Oberlander City Clerk

* Said "Standards" on file in City Clerk's off.

RESOLUTION NO. 613

The Leawood City Council has considered the final plan for Plats 1 and 2 of the Berkshire Subdivision at approximately 123rd Street between Mission Road and Roe Avenue and hereby resolves the following:

WHEREAS, the final plat is substantially in conformance with the approved preliminary plats on file; and

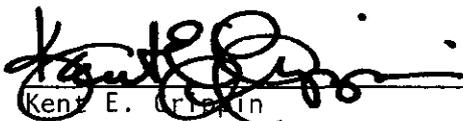
WHEREAS, the developer has agreed to all conditions of approval as stipulated by the Staff; and

WHEREAS, the Leawood Plan Commission recommends approval of the First and Second Plats of Berkshire;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the First and Second Plats of Berkshire.

Adopted by the Governing Body this 2nd day of May, 1983.

(S E A L)


Kent E. Griffin Mayor

Attest:


J. Oberlander City Clerk

RESOLUTION NO. 614

WHEREAS, certain publications are required by State Statute and by Ordinance; and

WHEREAS, the designation of the official City newspaper shall be made by resolution of the Governing Body at the organizational meeting on the first Monday of May in each year (Sec. 1-202, Revised Ordinances of the City of Leawood); and

WHEREAS, the City of Leawood, Kansas, finds increasing need for prompt, regular publication of ordinances and legal notices; and

WHEREAS, it has been determined that THE JOHNSON COUNTY SUN and THE DAILY NEWS OF JOHNSON COUNTY meet all statutory requirements;

NOW, THEREFORE, BE IT RESOLVED that the City of Leawood, Kansas, does hereby designate _____ and/or _____ as the official City newspapers for all documents requiring legal publication.

Adopted by the Governing Body this 2nd day of May, 1983.

(S E A L)


Ken E. Grippen Mayor

Attest:


J. Oberlander City Clerk

CITY OF LEAWOOD, KANSAS

RESOLUTION NO. 615

A RESOLUTION CONSENTING TO THE ENLARGEMENT
OF TOMAHAWK CREEK MAIN SEWER DISTRICT NO. 1, TOMAHAWK
CREEK SEWER SUB-DISTRICT NO. 5 AND THE CREATION WITHIN
THE ENLARGED AREA OF LATERAL SEWER DISTRICT NO. 8. IN THE
CITY OF LEAWOOD, KANSAS

WHEREAS, proposed Lateral Sewer District No. 8 in Tomahawk
Creek Sewer Sub-District No. 5, Tomahawk Creek Main Sewer Dis-
trict No. 1 is within the boundaries of the City of Leawood,
Kansas, and

WHEREAS, the public interest would be served by the en-
largement of the Main and the Sub-District and by the creation
of Lateral Sewer District No. 8.

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

That the City of Leawood, Kansas, does hereby consent, in
accordance with the requirements of K.S.A. 19-2704(a), as
amended, to the enlargement of Tomahawk Creek Main Sewer Dis-
trict No. 1 and Tomahawk Creek Sewer Sub-District No. 5 and to
the creation of Lateral Sewer District No. 8 within the en-
larged area pursuant to a Petition filed with the Board of
County Commissioners of Johnson County, Kansas, as the Govern-
ing Body of Johnson County Unified Wastewater Districts.

Adopted and approved this 2nd day of May, 1983.



Mayor of the City of Leawood,
Kansas

ATTEST:



City Clerk

(SEAL)

RESOLUTION NO. 616

(Oxford Hills-3rd Plat, Kings' Forest, Verona Gardens-4th Plat, Hunter's Ridge)

RESOLUTION ACCEPTING CERTAIN STREETS AND STORM SEWERS WITHIN THE CITY OF LEAWOOD, KANSAS, FOR MAINTENANCE BY THE CITY IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS SECTION 17-405. MAINTENANCE SURETY.

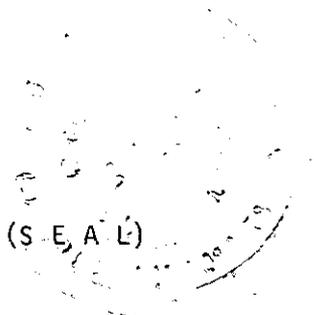
WHEREAS, the streets and storm sewers within Oxford Hills-3rd Plat, Mohawk Lane (from 119th Street Terrace to the South line of Lot 170), 119th Street Terrace and Mohawk Road; King's Forest; Verona Gardens-4th Plat, 121st Street Terrace (from the East Cul-de-sac to the West line of Lot 11, Block 24), Norwood Drive, Fairway Road, Aberdeen Road, and Reinhardt Lane; Hunter's Ridge-2nd Plat; have been designed and constructed substantially in accordance with the approved Plans and Specifications, and

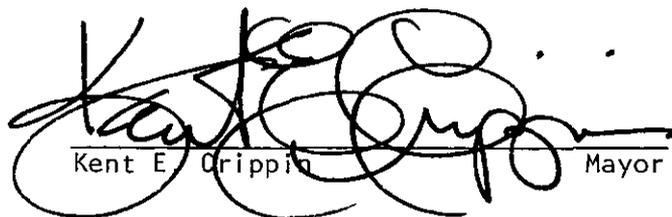
WHEREAS, the streets and storm sewers have been maintained by the Developer's for a period of time exceeding one (1) year after the initial inspection by the Director of Public Works, and

WHEREAS, the Director of Public Works has made a Final Inspection of the streets and storm sewers and has found them to be constructed substantially in accordance with the approved Plans and Specifications and has found that all necessary repairs have been performed satisfactorily,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that all streets within the above mentioned Subdivisions be accepted by the City of Leawood for the maintenance thereof.

Adopted by the Governing Body this 10th day of June, 1983.




Kent E. Crippin Mayor

ATTEST:


J. Oberlander City Clerk

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF 127TH STREET BETWEEN ROE AVENUE AND MISSION ROAD IN THE CITY OF LEAWOOD, KANSAS, PURSUANT TO THE FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY MADE BY THE CITY OF LEAWOOD, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF CONSTRUCTING 127TH STREET BETWEEN MISSION ROAD AND ROE BOULEVARD IN THE CITY OF LEAWOOD, KANSAS, ARE HEREBY MADE, TO-WIT:

1. That it is necessary and in the public interest to construct the following public improvement:

The construction and improvements of 127th Street, from the center line of Roe Avenue (the west line of the northeast quarter of Section 28, Township 13, Range 25) to the centerline of Mission Road (east line of the northeast quarter, Section 28, Township 13, Range 25), a distance of 2,640 feet more or less. The improvements will be a 36 foot roadway in width, back to back with curb, all improvements to be inclusive of the storm drainage facilities, street lighting and other appurtenances.

2. That the cost of said improvement provided for in Section 1 hereof is estimated to be \$420,000.00 payable by the improvement district and the city-at-large as set out hereinafter.

3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed as indicated on the attached plat and described as follows: (Plat is on file in City Clerk's Office.)

The property abutting the roadway as described in Section 2 hereof, extending to a depth of 1320 feet on each side of the center line of said roadway, except as adjustments are made to conform to the true property lines of properties within the district: The legal description of the Improvement District is as follows: Beginning at the Southwest Corner of the Southeast Quarter of Section 21, Township 13, Range 25 now in the City of Leawood, Johnson County, Kansas; thence North along the West line of said Southeast Quarter to the Northwest Corner of the South 1/2 of said Southeast Quarter; thence East along the North line of the South 1/2 of said Southeast Quarter to the Northeast Corner of said South 1/2 of said Southeast Quarter; thence South along the East line of said Southeast Quarter to the Southeast Corner of said Southeast Quarter; thence continuing South along the East line of the Northeast Quarter of Section 28, Township 13, Range 25 to a point 1,320 feet South of the North line of said Northeast Quarter; thence West along a line 1,320 feet South of the North line of said Northeast Quarter to the West line of said Northeast Quarter; thence North along the West line of said Northeast Quarter to the Point of Beginning.

4. The method of apportioning all costs of said improvements attributable to the owners of land liable for assessment and to the City-at-large shall be as follows:

All property within the assessment district shall be assessed on a square-foot basis estimated to be approximately 6 cents per square foot for all private property in the district subject to the limitations and conditions set out below. The property dedicated to public rights-of-way should not be liable for such assessment. Private landowners within the district agree to provide all necessary permanent right-of-way and easements at no cost to the improvement district. The property within the district which is currently assessed for the improvement of Mission Road (Improvement Project 79-1 of the City of Leawood) shall be assessed at the rate of \$1 per year for so long as said property or properties continue to be occupied as a single-family residence and/or not subdivided or platted for development. At such time that any of said properties are replatted, subdivided, or developed, the entirety of said tract shall thereafter bear an assessment equal to the full cost (determined

at the time of final cost certification) of constructing a collector street as the same is defined by the Leawood Street Standards then in effect. The assessment lien so levied shall be paid in equal installments over the remaining term of the general obligation bonds issued to support the above-described improvement project.

5. The proposed apportionment of the cost between the improvement district and the city-at-large is:

The city-at-large shall pay only that cost representing the difference between the total project cost as finally certified and the cost to be assessed against development properties within the district. The estimated cost to be assessed against the city-at-large is \$105,000 or approximately 12.5% of the total project. ~~This estimated cost, however, shall be the maximum that the city-at-large shall bear and said costs shall be reduced to the extent that the residential properties described in Section 4 above are developed and are then assessed the full cost of constructing the roadway adjacent to the respective property. The entire balance of all costs within the project shall be borne by all other property within the district not expressly described and specifically provided for in Section 4 above.~~

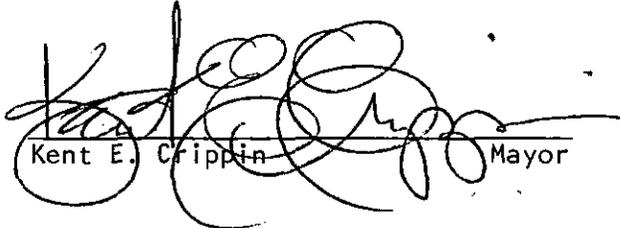
6. The Director of Public Works shall have plans and specifications prepared for said improvement and a preliminary estimate of cost therefor, which plans, specifications and a preliminary estimate of cost shall be presented to this governing body for its approval.

7. The advisability of the improvement set forth is hereby established as authorized by K.S.A. 12-6a01 et seq.

BE IT FURTHER RESOLVED THAT THE ABOVE-DESCRIBED IMPROVEMENT IS HEREBY AUTHORIZED AND DECLARED TO BE NECESSARY IN ACCORDANCE WITH THE FINDINGS OF THE GOVERNING BODY AS SET OUT IN THIS RESOLUTION.

~~That the city clerk shall make proper publication of this resolution which shall be published once in the official city paper and which shall be effective from and after said publication.~~

ADOPTED by the Governing Body of the City of Leawood this 5th day of July, 1983.


Kent E. Crippin Mayor

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

1983 JUL 26 AM 9 14 7

⁶⁰⁰
RUBIE M. SCOTT
REGISTER OF DEEDS
BY _____ DEP:

ATTEST:


J. Oberlander City Clerk

23
a
...

OFFICE OF THE
SHERIFF
COUNTY OF HARRIS
TEXAS

NOV 2 1988



NOV 2 1988

City of Houston
9417 Lee Blvd.
Houston, Tx. 77036

RESOLUTION NO. 618

RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD CONSENTING TO THE ENLARGEMENT OF STATE LINE 123RD STREET MAIN SEWER DISTRICT JOHNSON COUNTY, KANSAS

On this 18th day of July, 1983, the Governing Body of the City of Leawood met in regular session with the Mayor and a majority of the council being present.

There comes before the council for consideration the matter of the enlargement of State Line 123rd Street Main Sewer District. The tract being described on Exhibit "A" attached to this resolution.

The provisions of Senate Bill 155, 1983 session of the Kansas Legislature provides that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have the power to create or extend such sewer district within the city limits without the consent of the Governing Body of the city.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD that said city does hereby consent that the property shown and described on Exhibit "A" attached to this resolution be included within State Line 123rd Street Main Sewer District Johnson County, Kansas.


Mayor

ATTEST:


City Clerk

Exhibit "A"

LEGAL DESCRIPTION OF LAND TO BE
ENLARGED INTO STATE LINE 123RD STREET MAIN SEWER DISTRICT,
JOHNSON COUNTY, KANSAS

All that part of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of the $SE\frac{1}{4}$ of said Section 22; thence $S 0^{\circ} 27' 49'' W$, along the East line of the $SE\frac{1}{4}$ of said Section 22, a distance of 1328.61 feet, to the Southeast corner of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of said Section 22; thence $S 89^{\circ} 59' 45'' W$, along the South line of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of said Section 22, a distance of 1400 feet, to the true point of beginning of subject tract; thence continuing $S 89^{\circ} 59' 45'' W$, along the South line of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of said Section 22, a distance of 112.57 feet; thence $N 0^{\circ} 00' 15'' W$, a distance of 124.86 feet; thence $N 77^{\circ} 54' W$, a distance of 24.04 feet; thence $N 12^{\circ} 06' E$, a distance of 50 feet; thence $N 14^{\circ} W$, a distance of 209.79 feet; thence $N 69^{\circ} 21' W$, a distance of 98.62 feet; thence $N 83^{\circ} 40' W$, a distance of 93.76 feet; thence $N 2^{\circ} 37' 51'' W$, a distance of 175.01 feet; thence Easterly, along a curve to the right, having a radius of 900 feet, a central angle of $1^{\circ} 45' 57''$, and whose initial tangent bearing is $S 87^{\circ} 22' 09'' E$, a distance of 27.47 feet; thence $N 4^{\circ} 23' 48'' E$, a distance of 130.52 feet; thence $S 87^{\circ} E$, a distance of 63.86 feet, to Point "A"; thence $S 0^{\circ} 27' 49'' W$, along a line parallel to the East line of the $SE\frac{1}{4}$ of said Section 22, a distance of 199.75 feet, to a point 1658.16 feet West of the East line and 800 feet South of the North line of the $SE\frac{1}{4}$ of said Section 22; thence $S 48^{\circ} 23' 50'' W$, a distance of 342.85 feet; thence $S 0^{\circ} 27' 49'' W$, along a line parallel to the East line of the $SE\frac{1}{4}$ of said Section 22, a distance of 300 feet, to the true point of beginning of subject tract . . . and also . . .

Exhibit "A"

LEGAL DESCRIPTION FOR
ALTERATION OF BOUNDARIES BY REMOVAL OF PROPERTY FROM
TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4 AND
TOMAHAWK CREEK MAIN SEWER DISTRICT NO. 1
TO STATE LINE 123RD STREET MAIN SEWER DISTRICT,
JOHNSON COUNTY, KANSAS

Commencing at said Point "A"; thence S 87° E, a distance of 152.75 feet; thence N 51° 50' 36" E, a distance of 13.50 feet, to the true point of beginning of subject tract; thence continuing N 51° 50' 36" E, a distance of 135.73 feet; thence N 62° E, a distance of 100 feet; thence N 63° 59' 23" E, a distance of 100.06 feet; thence N 73° E, a distance of 87.34 feet; thence N 83° E, a distance of 146.52 feet; thence S 10° 37' E, a distance of 165.22 feet; thence S 79° 23' W, a distance of 109.20 feet, to a point of curvature; thence Southwesterly, along a curve to the left, having a radius of 410 feet, and a central angle of 15° 39' 47", a distance of 112.08 feet; thence S 89° 57' 52" W, along a line parallel to the North line of the SE $\frac{1}{4}$ of said Section 22, a distance of 331.02 feet, to the true point of beginning of subject tract.

RESOLUTION NO. 619

The Leawood City Council has considered the second plat of Royse, Single Family Residential District, located about a quarter of a mile west of State Line Road at Meadow Lane, 127th Street and High Drive, and hereby resolves the following:

WHEREAS, the proposed final plat does conform to the preliminary plat on file; and

WHEREAS, the documents for sidewalks, streets and storm sewers have been submitted to the Director of Public Works and have been approved by him; and

WHEREAS, the staff has reviewed and recommended approval of the project; and

WHEREAS, the Leawood Plan Commission recommends approval of the second and final plat of Royse;

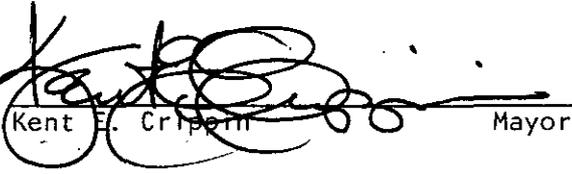
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the second and final plat of Royse.

Adopted by the Governing Body this 18th day of July, 1983.

(S E A L)

Attest:


J. Oberlander City Clerk


Kent E. Crippen Mayor

RESOLUTION NO. 620

The Leawood City Council has considered the replat for Oxford Hills Sub-division, 5th Plat, located east of Mission Road and south of 119th Street, and hereby resolves the following:

WHEREAS, the final Public Works Plans have been approved by the Director of Public Works; and

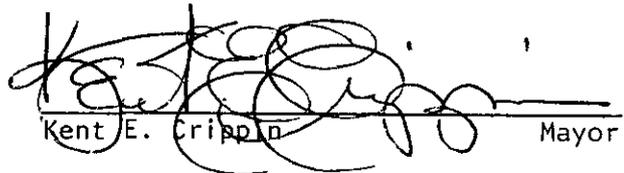
WHEREAS, the applicant has been granted a variance with reference to interior street radius; and

WHEREAS, the Leawood Plan Commission recommends approval of said replat;

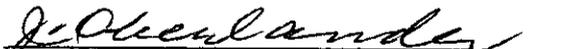
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve Oxford Hills, 5th Plat.

Adopted by the Governing Body this 1st day of August, 1983.

(S E A L)


Kent E. Crippin Mayor

Attest:


J. Oberlander City Clerk

RESOLUTION NO. 621

The Leawood City Council has considered the preliminary plat for proposed zoning district R-1 for The Woodlands subdivision located at the southeast corner of Roe Avenue and 127th Street, and hereby resolves the following:

WHEREAS, this submission is generally in conformance with the Comprehensive Plan which indicates low density residential for this tract of land; and

WHEREAS, the Director of Public Works has reviewed the preliminary engineering drawings submitted and finds them to be adequate at this time; and

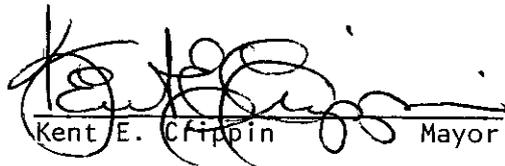
WHEREAS, the developers have indicated that they will comply with the various conditions set out by the Plan Commission; and

WHEREAS, the Leawood Plan Commission recommends approval of said preliminary plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the preliminary plat for The Woodlands subdivision.

- Adopted by the Governing Body this 1st day of August, 1983.

(S E A L)


Kent E. Crippin Mayor

Attest:


J. Oberlander City Clerk

RESOLUTION NO. 622

The Leawood City Council has considered the Second Plat, Patrician Woods, R-1, Single Family Residential, located at the northeast corner of 127th Street and Roe Avenue, and hereby resolves the following:

WHEREAS, the proposed final plat conforms substantially to the preliminary plat on file; and

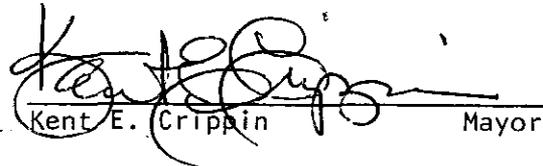
WHEREAS, the documents for sidewalks, streets and storm sewers have been submitted to the Director of Public Works and have been approved by him; and

WHEREAS, the Leawood Plan Commission and City staff recommend approval of said Plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the Second Plat of Patrician Woods.

Adopted by the Governing Body this 1st day of August, 1983.

(S E A L)


Kent E. Crippin Mayor

Attest:


J. Oberlander City Clerk

RESOLUTION NO. 623

The Leawood City Council has considered the Revised Preliminary Plat for Patrician Woods, Third Plat, located at the northeast corner of 127th Street and Roe Avenue, and hereby resolves the following:

WHEREAS, the original preliminary plat approved by the City in 1980 designated a recreation area that would be located in the southeast corner of the site; and

WHEREAS, the revised preliminary plat would eliminate the recreation area and would provide residential lots in its place; and

WHEREAS, the Director of Public Works has reviewed and approved the engineering plans for street and storm sewer design; and

WHEREAS, the developer will deliver to the City at the time of final plat a letter of credit for the future improvement of Roe Avenue consisting of one-half of a collector street for a distance of approximately 610 lineal feet, or the area where this plat abuts Roe Avenue; and

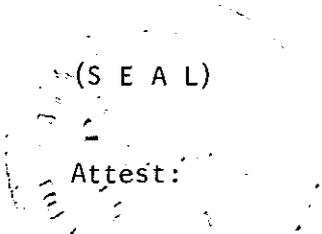
WHEREAS, the Leawood Plan Commission recommends approval of said revised preliminary plat;

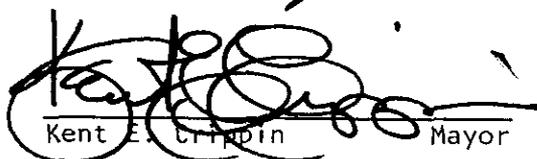
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the Revised Preliminary Plat for Patrician Woods, Third Plat.

Adopted by the Governing Body this 6th day of Sept., 1983.

(S E A L)

Attest:


J. Oberlander
J. Oberlander City Clerk


Kent E. Crippin Mayor

RESOLUTION NO... 624

The Leawood City Council has considered the final plat and the final site development plan for the first phase of Foxborough located at 123rd and Pembroke Lane, and hereby resolves the following:

WHEREAS, the developer has agreed to all conditions set forth by the Plan Commission, and has agreed to coordinate the final plat of Hunter's Ridge and the final plat, phase one, Foxborough, to coordinate street construction; and

WHEREAS, a phasing plan, grading plan, and fencing, entrance, and sign-plans have been approved; and

WHEREAS, the Leawood Plan Commission recommends approval of said final site development plan and final plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the final site development plan and the final plat, first phase, of Foxborough.

Adopted by the Governing Body this 6th day of September, 1983.

(S E A L)



Attest:

J. Oberlander
J. Oberlander City Clerk

Kent E. Crippin
Kent E. Crippin Mayor

Orig. of Barton P. Cohen, Atty.

RESOLUTION NO. 625

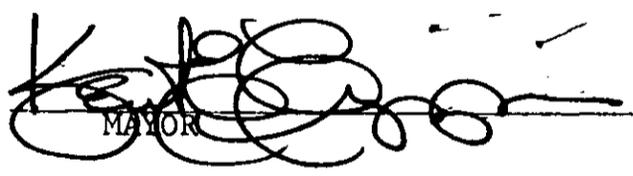
RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD,
CONSENTING TO THE ENLARGEMENT OF STATE LINE 123RD STREET MAIN
SEWER DISTRICT AND LATERAL SEWER DISTRICT NO. 2, JOHNSON COUNTY,
KANSAS

On this 19th day of September, 1983, the
Governing Body of the City of Leawood met in regular session with
the Mayor and a majority of the council being present.

There comes before the council for consideration the
matter of the enlargement of State Line 123rd Street Main Sewer
District. The tract being described on Exhibit "A" attached to
this Resolution.

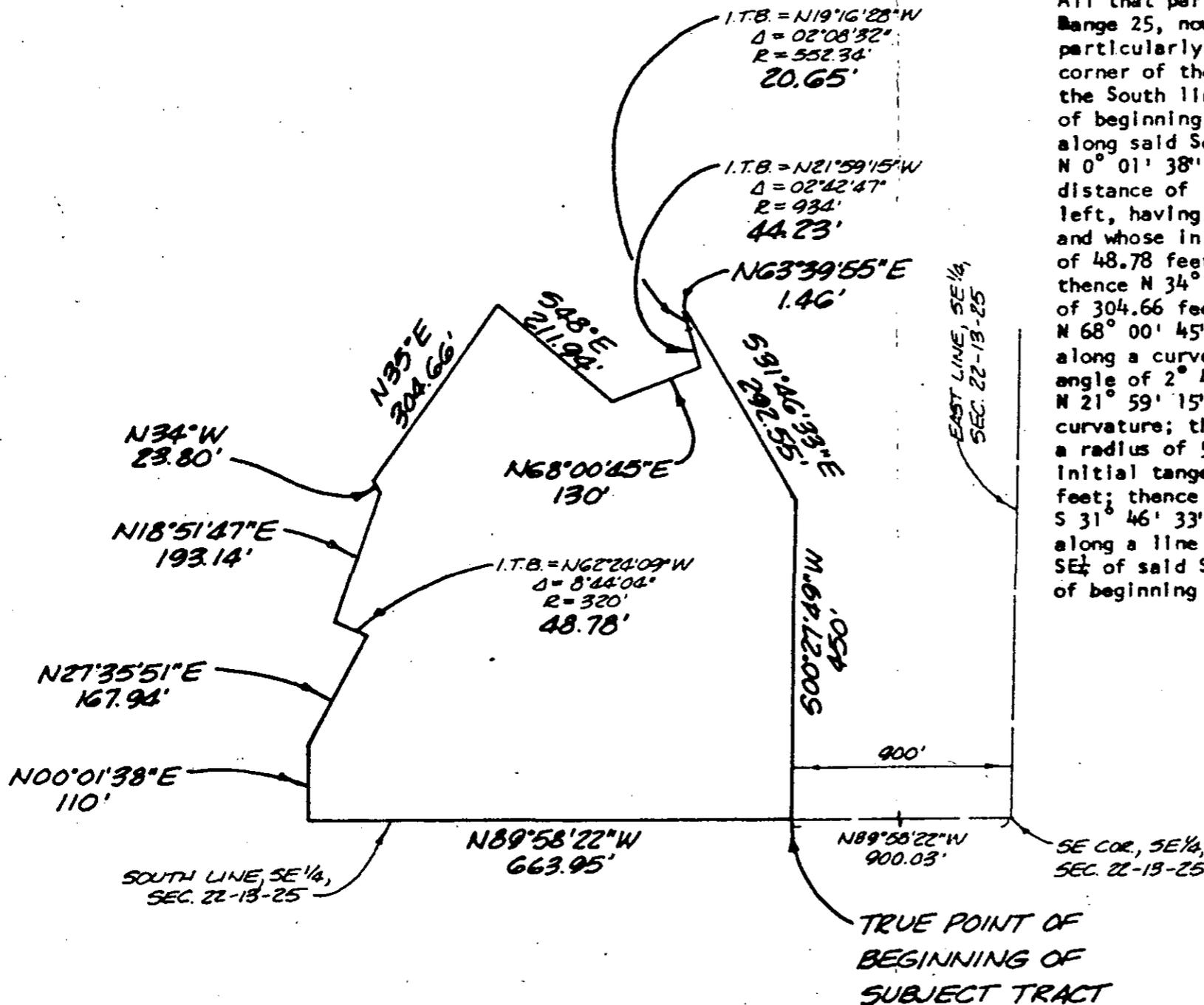
The provisions of the 1983 Session Laws, Chapter 99, of
the Kansas Legislature provides that when any such sewer district
extends into the city limits of any incorporated city, the Board
of County Commissioners shall not have the power to create or
extend such sewer district within the city limits without the
consent of the Governing Body of the city.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
CITY OF LEAWOOD that said city does hereby consent that the
property shown and described on Exhibit "A" attached to this
Resolution be included within State Line 123rd Street Main Sewer
District and Lateral Sewer District No. 2 thereof, Johnson
County, Kansas.


MAYOR

ATTEST:


CITY CLERK



LEGAL DESCRIPTION:

All that part of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of the SE $\frac{1}{4}$ of said Section 22; thence N 89° 58' 22" W, along the South line thereof, a distance of 900.03 feet to the true point of beginning of subject tract; thence continuing N 89° 58' 22" W, along said South line, a distance of 663.95 feet; thence N 0° 01' 38" E, a distance of 110 feet; thence N 27° 35' 51" E, a distance of 167.94 feet; thence Northwesterly, along a curve to the left, having a radius of 320 feet, a central angle of 8° 44' 04", and whose initial tangent bearing is N 62° 24' 09" W, a distance of 48.78 feet; thence N 18° 51' 47" E, a distance of 193.14 feet; thence N 34° W, a distance of 23.80 feet; thence N 35° E, a distance of 304.66 feet; thence S 48° E, a distance of 211.94 feet; thence N 68° 00' 45" E, a distance of 130 feet; thence Northwesterly, along a curve to the right, having a radius of 934 feet, a central angle of 2° 42' 47", and whose initial tangent bearing is N 21° 59' 15" W, a distance of 44.23 feet, to a point of reverse curvature; thence Northwesterly, along a curve to the left, having a radius of 552.34 feet, a central angle of 2° 08' 32", and whose initial tangent bearing is N 19° 16' 28" W, a distance of 20.65 feet; thence N 63° 39' 55" E, a distance of 1.46 feet; thence S 31° 46' 33" E, a distance of 292.55 feet; thence S 00° 27' 49" W, along a line 900 feet West of and parallel to the East line of the SE $\frac{1}{4}$ of said Section 22, a distance of 450 feet, to the true point of beginning of subject tract.

EXHIBIT A

PROJECT NO. 39178	DATE 8-83	BY DAL
PLAT AND LEGAL DESCRIPTION ADDITION TO LATERAL SEWER DISTRICT NO. 2 STATE LINE - 123RD STREET MAIN SEWER DISTRICT JOHNSON COUNTY, KANSAS		



SHAFFER, KLINE & WARREN, P.A.
 ENGINEERS-SURVEYORS
 OVERLAND PARK, KANSAS

RESOLUTION NO. 626

The Leawood City Council has considered the final plat of the First Plat of The Woodlands, a single family residential development at the southeast corner of 127th Street and Roe Avenue, and hereby resolves the following:

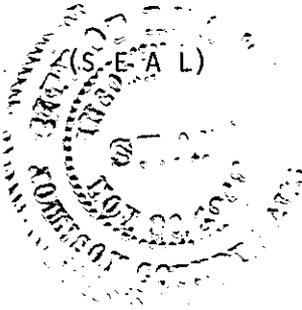
WHEREAS, the proposed final plat of the First Plat of The Woodlands has been submitted in exact conformance with the preliminary plat; and

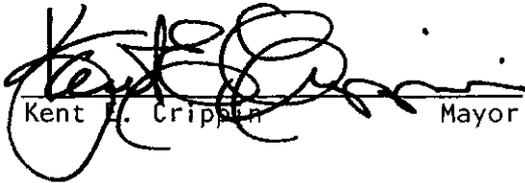
WHEREAS, the documents for sidewalks, streets and storm sewers have been submitted to the Director of Public Works and have been approved by him; and

WHEREAS, the staff and the Leawood Plan Commission recommend approval of said plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the final plat of the First Plat of The Woodlands.

Adopted by the Governing Body this 17th day of October, 1983.




Kent L. Crippin Mayor

Attest:


J. Oberlander City Clerk

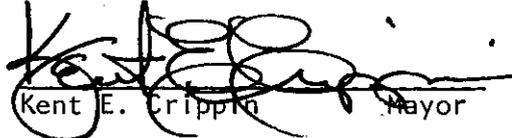
RESOLUTION NO. 627

WHEREAS, in compliance with the procedures established in Section PM-106.4, Property Maintenance Code/1981, Ordinance 692, the Chief Building Official of the City of Leawood, Kansas has determined that the fire-damaged residence at 13804 Alhambra, Lot 15, Leawood Meadows, is an unsafe and dangerous building,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas shall hold a public hearing at 7:00 P.M., December 5, 1983, prior to the regularly scheduled Council Meeting, in the Council Chambers, 9615 Lee Boulevard, Leawood, Kansas in order that the owner, agent, lien holders and/or occupant of record may appear and show cause why such structure should not be condemned and ordered to be demolished or repaired.

Adopted by the Governing Body this 17th day of October 1983




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION

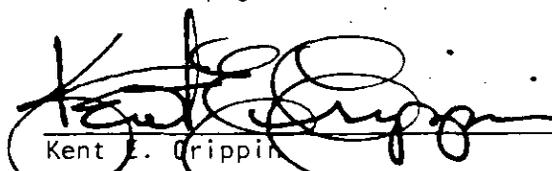
WHEREAS, June Lile was first employed by the City as recording secretary for the Board of Zoning Appeals in 1965; and

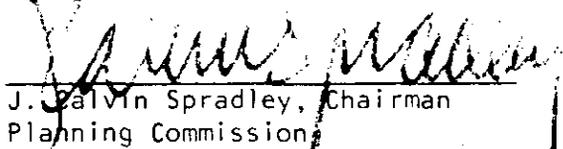
WHEREAS, Mrs. Lile became recording secretary for the Planning Commission in 1979; and

WHEREAS, she served as council reporter from May, 1970 to November, 1983; and

WHEREAS, Mrs. Lile's performance in fulfilling her responsibilities has been exemplary;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body, the Board of Zoning Appeals and the Planning Commission do hereby express their sincere gratitude and appreciation for her dedicated and outstanding service to the City government.


Kent E. Grippin
Mayor


J. Calvin Spradley, Chairman
Planning Commission

/s/ D.A.N. Chase
D.A.N. Chase, Chairman
Board of Zoning Appeals

Attest:

/s/ Jinny Oberlander
Jinny Oberlander, City Clerk

RESOLUTION NO. 628

The Leawood City Council has considered the request for preliminary plat and rezoning for 55.79 acres for R-1, Single Family Residential, Leawood Country Manor, and hereby resolves the following:

WHEREAS, the R-1 development conforms to the Master Plan of Leawood and the Land Use Intensity Schedule; and

WHEREAS, the R-1 development is to be a continuation of single family homes in Leawood Country Manor; and

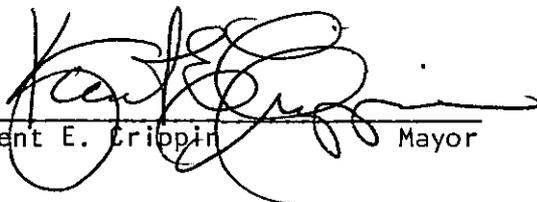
WHEREAS, the developer has agreed to be responsible for both the Nall Avenue and Roe Avenue improvements; and

WHEREAS, the Leawood Plan Commission recommends approval of the preliminary plat and rezoning;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the preliminary plat and rezoning to R-1 of the 55.79 acres, Leawood Country Manor.

Adopted by the Governing Body this 5th day of December, 1983.




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 629

The Leawood City Council has considered the request for preliminary plat and rezoning for 9.67 acres for RP-2, Planned Two-Family Residential, Leawood Country Manor, and hereby resolves the following:

WHEREAS, the RP-2 development conforms to the Master Plan of Leawood and the Land Use Intensity Schedule; and

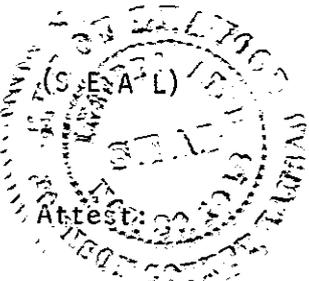
WHEREAS, the RP-2 development is to be a continuation of Planned Two-Family Residential in Leawood Country Manor; and

WHEREAS, the developer has agreed to be responsible for both the Nall Avenue and Roe Avenue improvements; and

WHEREAS, the Leawood Plan Commission recommends approval of the preliminary plat and rezoning;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the preliminary plat and rezoning to RP-2 of the 9.67 acres, Leawood Country Manor.

Adopted by the Governing Body this 5th day of December, 1983.




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 630

The Leawood City Council has considered the request for preliminary plan approval and rezoning from A (Agricultural) to MP-1 (Planned Industrial District) for 6.15 acres located at 143rd Street and Kenneth Road as submitted by Bi-State Development Company, and hereby resolves the following:

WHEREAS, the planned facility is a distributorship consolidating Kansas and Missouri operations at one location adjacent to a railroad; and

WHEREAS, because of its unique character the facility must straddle the State Line; and

WHEREAS, the zoning in Leawood shall be contingent upon the applicant being successful in obtaining the required zoning in Kansas City, Missouri; and

WHEREAS, the utilities including gas, electrical, sanitary sewer, and water are being served from Missouri; and

WHEREAS, the major street which will serve the site is Wyandotte Street in Missouri; and

WHEREAS, the property is suited to industrial development because of its proximity to flood plain, railroad, overhead utilities and existing industrial development; and

WHEREAS, there will be a minimum impact upon the surrounding neighborhood and public services as a result of this facility; and

WHEREAS, the Leawood Plan Commission recommends approval of the requested rezoning, and recommends that the preliminary plan be approved and considered as a preliminary plat for the purposes of the alignment of 143rd Street in Leawood;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the requested rezoning from A to MP-1, and approves the preliminary plan to be considered as a preliminary plat for the purposes of the alignment of 143rd Street in Leawood.

Adopted by the Governing Body this 19th day of December, 1983.



J. Oberlander
J. Oberlander City Clerk

Kent E. Crippin
Kent E. Crippin Mayor

RESOLUTION NO. 631

The Leawood City Council has considered the preliminary plan for the Leawood Country Manor apartment project located at Nail Avenue between College Boulevard and 115th Street, and hereby resolves the following:

WHEREAS, the City Council initially rejected the original preliminary plan dated August 1983, because the street layout was deemed inadequate, and

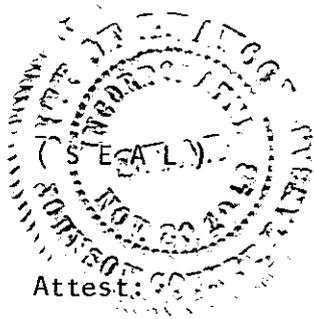
WHEREAS, the developer has caused the plan to be revised to incorporate changes in streets, entrances and certain building locations, specifically limiting 112th Terrace to a cul de sac east of Ash Street, and

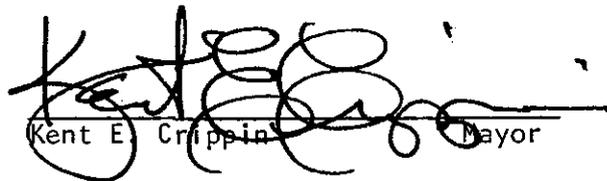
WHEREAS, the staff has reviewed the revised preliminary plan and recommends approval, and

WHEREAS, this modification of the plan is considered a minor adjustment of the plan and therefore, does not need to be resubmitted to the Leawood Plan Commission,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the revised preliminary plan for the Leawood Country Manor apartments dated December 1983.

Adopted by the Governing Body this 19th day of December, 1983.




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION # 632

A RESOLUTION ORDERING THE IMPROVEMENT OF ROE AVENUE FROM THE CENTERLINE OF 135TH STREET (THE NORTH LINE OF SECTION 33, TOWNSHIP 13, RANGE 25) SOUTHERLY TO THE CENTER OF SECTION 33, TOWNSHIP 13, RANGE 25, A DISTANCE OF 2640 FEET MORE OR LESS, THE IMPROVEMENT TO BE A 32 FOOT ASPHALTIC CONCRETE ROADWAY WITH 8 FOOT GRASS SHOULDERS AND DITCH SECTIONS, INCLUSIVE OF STORM DRAINAGE FACILITIES, STREET LIGHTING AND OTHER APPURTENANCES.

WHEREAS, petitions have been filed with the City Clerk of the City of Leawood by the owners of a majority of the area sought to be included in the improvement district described herein, proposing the following improvements:

The construction of Roe Avenue from the Centerline of 135th Street (the North line of Section 33, Township 13, Range 25) Southerly to the Center of Section 33, Township 13, Range 25, a distance of 2,640 feet more or less, said improvement to be a 32 foot asphaltic concrete roadway with 8 foot grass shoulders and ditch sections, and inclusive of storm drainage facilities, street lighting, and other appurtenances.

WHEREAS, the Governing Body of the City of Leawood, Kansas finds and determines the improvements to be advisable and the petitions to be in compliance with the applicable statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS that the following improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body of the City of Leawood, Kansas:

The construction of Roe Avenue from the Centerline of 135th Street (the North line of Section 33, Township 13, Range 25) Southerly to the Center of Section 33, Township 13, Range 25, a distance of 2,640 feet more or less, said improvement to be a 32 foot asphaltic concrete roadway with 8 foot grass shoulders and ditch sections, and inclusive of storm drainage facilities, street lighting, and other appurtenances.

The boundaries of the improvement district to be assessed are as shown on the attached plan which is marked as Exhibit A and made a part hereof as if fully set forth at length herein. The district as shown will be assessed per front foot of abutting property.

7.00
ck

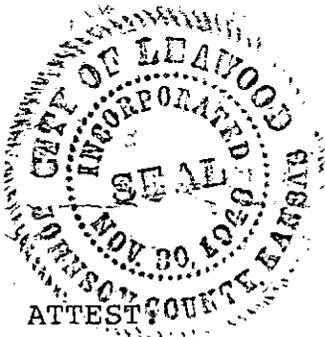
The estimated and probable cost of such improvement is \$45.00 per abutting front foot on each side of said roadway, 100% of which will be borne by owners within the improvement district.

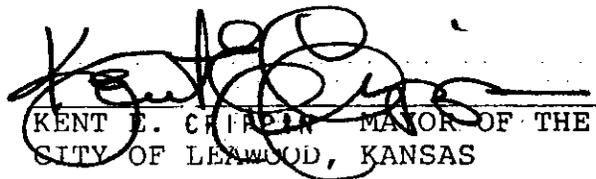
All property within the improvement district shall be assessed on an equal per front abutting foot basis for all property within the district. Property dedicated to public rights-of-way shall not be liable for such assessment. All necessary permanent or construction rights-of-way or easements which have not been previously dedicated to the city shall be obtained by the city at the city's cost. The apportionment of cost between the improvement district shall be 100% to the improvement district and none to the city at large.

The Governing Body authorizes its Consulting Engineers to proceed with the plans and specifications for such roadway improvement and the advertisement of bids thereon. Plans and specifications shall be prepared no later than July 1, 1984.

The Governing Body is authorized to issue such temporary notes for the purpose of providing interim financing of such improvement project as is deemed necessary after separate action providing for the issuance of such notes.

ADOPTED BY THE GOVERNING BODY this 19th day of December, 1983, to be effective December 19, 1983.




KENT E. CHIPMAN, MAYOR OF THE
CITY OF LEAWOOD, KANSAS


J. OBERLANDER, CITY CLERK

STATE OF KANSAS
COUNTY OF JOHNSON] SS
FILED FOR RECORD

1984 JAN -3 P 1:34 1

 RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP

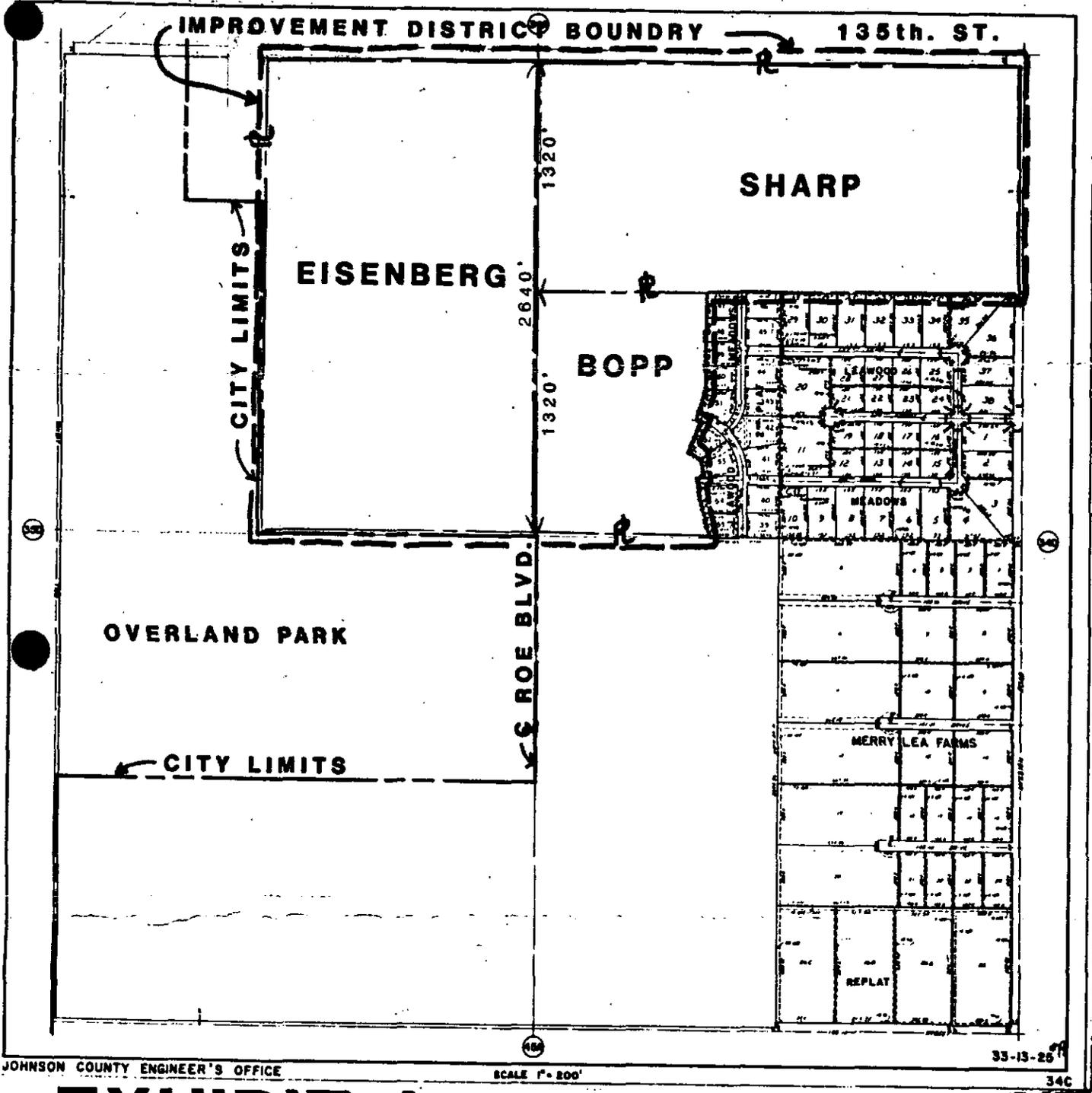


EXHIBIT A

City of Newwood
9617 Lee Blvd.
Newwood, Md. 66206

1447560 —

1984 JAN -3 P 1:35 2

7.00 RUBIE M. SCOTT
REGISTER OF DEEDS

RESOLUTION NO. 633

BY _____ DEP

A RESOLUTION SETTING OUT FINDINGS AND DETERMINATIONS OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS ON THE NECESSITY AND ADVISABILITY OF REPAIRING AND RESURFACING THE FOLLOWING MAIN TRAFFICWAYS WITHIN THE CITY OF LEAWOOD, KANSAS, TO WIT:

MISSION ROAD FROM 135TH STREET TO 151ST STREET AND 143RD STREET FROM KENNETH ROAD TO NALL AVENUE BY IMPROVEMENT TO RURAL COLLECTOR STANDARDS, INCLUDING SUB-BASE PREPARATION AND APPLICATION OF AN ASPHALTIC CONCRETE OVERLAY AND DOUBLE PRIME AND SEAL PROCEDURE

PURSUANT TO K.S.A. 12-685, et seq.

WHEREAS, the City of Leawood has made a study of the current condition of Mission Road from 135th Street to 151st Street and 143rd Street from Kenneth Road to Nall Avenue, both of said roadways having been designated as main trafficways, and has determined that said roadways need resurfacing and repairing; and

WHEREAS, said main trafficways have by reason of the wear and tear of traffic and a significant increase in traffic volume, are in a condition which require repairing and resurfacing in order to preserve the base of said streets and to provide a reasonably smooth driving surface; and

WHEREAS, the governing body has determined said resurfacing and repair to be necessary and advisable for the best interests of the City of Leawood.

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

Section 1.

- A. That the Governing Body of the City of Leawood, Kansas finds it necessary and advisable to resurface and repair the following main trafficways in the City of Leawood, Kansas, to wit:

MISSION ROAD FROM 135TH STREET TO 151ST STREET (TWO MILES) AND 143RD STREET FROM KENNETH ROAD TO NALL AVENUE (TWO MILES)

7.00
ck

- B. The estimated and probable cost is \$250,000.
- C. The improvement shall consist of a three inch asphaltic concrete overlay, including the regrading and realignment of ditches to provide a 20 foot minimum roadway width. The work shall be done at the expense of the City of Leawood, Kansas by means of the issuance of general improvement bonds of the City, said bonds to be payable at such time as the governing body by ordinance may provide.
- D. The City Clerk of the City of Leawood be, and she is hereby directed to publish this resolution in the official city paper of the City of Leawood, a twice weekly newspaper, for two consecutive weeks, as provided by law.
- E. If, within thirty days of the last publication of said resolution, there shall be filed in the office of the City Clerk, not later than 5:00 P.M. on the last day, a protest signed by qualified electors equal in number to not less than ten percent of the electors who voted at the last preceding regular city election as shown by the poll books, an election shall be called and held within ninety days after the last publication of the resolution or at the next city election if held within that time. The signatures to the protest need not all be appended to one paper, but each signer shall add to his signature, his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths, that each signature to the paper appended is a genuine signature of the person whose name it purports to be. The election procedure shall be substantially as provided for bond elections in

K.S.A. 10-120 and all acts amendatory and supplemental thereto. If no protest or no sufficient protest is filed, or if an election is held and the proposition carries by a majority of those voting thereon at the election, the governing body shall by ordinance provide for the improvement.

~~PASSED-AND-APPROVED-BY~~ THE CITY OF LEAWOOD, KANSAS, on the 19th day of December, 1983.




KENT E. CRIPPIN, MAYOR


J. Oberlander
City Clerk

A RESOLUTION DECLARING THE POLICY OF THE CITY OF LEAWOOD, KANSAS
REGARDING OPEN PUBLIC RECORDS.

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

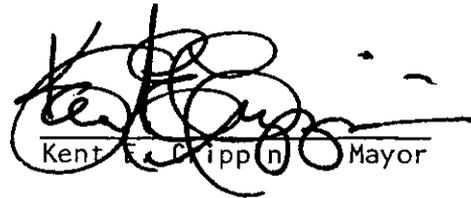
1. It is hereby declared to be the policy of the City of Leawood that all public records which are made, maintained or kept by or are in the possession of the city, its officers and employees, shall be open for public inspection as provided by, and subject to the restrictions imposed by, the Kansas Open Records Act (K.S.A. 1983 Supp. 45-205:214).
2. Any person, upon request, shall have access to such open public records for the purpose of inspecting, abstracting or copying such records while they are in the possession, custody and control of the appointed or designated record custodian thereof, or his or her designated representative.
3. The record custodian(s) appointed and designated pursuant to Resolution No. 636 shall preserve and protect all public records from damage, disorganization and theft and shall assist, in a timely and efficient manner, any person making request for access to any open public record.
4. All city offices keeping and maintaining open public records shall establish office hours during which any person may make a request for access to an open public record. Such hours shall be no fewer than the hours each business day the office is regularly open to the public. For any city office not open Monday through Friday, hours shall be established by the record custodian for each such day at which time any person may request access to an open public record.
5. All city offices keeping and maintaining open public records shall provide suitable facilities to be used by any person desiring to inspect and/or copy an open public record. The office of the City Clerk, being the principal recordkeeper of the City, shall be used as the principal office for providing access to and providing copies of open records to the maximum extent practicable. Requesters of records shall be referred to the office of the City Clerk except when the requested records are not in that office and are available in another City office.
6. Any person requesting access to an open public record for purposes of inspecting or copying such record, or obtaining a copy thereof, shall abide by the procedures adopted by the Governing Body for record inspection and copying, including those procedures established by record custodians as authorized by the Governing Body. Such procedures shall be posted in each city office keeping and maintaining open public records.

7. The record custodians of the City are hereby charged with carrying out the intent of this resolution and the Kansas Open Records Act.

Adopted by the Governing Body of the City of Leawood, Kansas, this 3rd day of January, 1984.



Attest:


Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 635

A RESOLUTION PROVIDING FOR THE MAINTENANCE, PRESERVATION AND PROTECTION OF PUBLIC RECORDS, AND ESTABLISHING PROCEDURES FOR ACCESSING AND COPYING OPEN PUBLIC RECORDS.

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

Section 1: Procedures Regarding Both Inspection and Copying of Open Public Records. The following procedures are hereby adopted and shall be applied by each official custodian and record custodian:

- (a) Consistent with the policy, duties and procedures established by the State of Kansas in K.S.A. 1983 Supp. 45-205:214 (L.1983, Ch. 171) all City record custodians shall provide full access and assistance in a timely and efficient manner to persons who request access to open public records.
- (b) Record custodians shall adopt and apply open public record access and copy procedures consistent with the policies of the City and with the provisions of the Open Records Act. Specifically, such procedures will inform members of the public of the procedures to be followed in making a request for inspection or a copy of an open public record, including the hours during which record inspection or copy requests may be made; who a request is to be made to; the forms to be completed in making a request; and the schedule of fees charged.
- (c) Record custodians shall adopt and apply procedures which will ensure the protection and preservation of public records with respect to the manner in which such records are inspected and copied.
- (d) Record custodians shall take necessary measures, not inconsistent with their duties, to provide full public access to open public records, and to ensure that the essential functions of the custodian's office, department or agency is not disrupted by requests for record inspection and copying.
- (e) All inspections and copying of open public records shall be performed by, or under the supervision of, the record custodian responsible for such records.
- (f) All persons requesting the inspection of or a copy of open public records shall make such request in writing prior to the request being honored, except that no form shall be required for requests made for records which have been reproduced for free public distribution.
- (g) Except as permitted otherwise by the record custodian, all record inspection and copying forms are to be completed by the person requesting the record. The record custodian may demand reasonable identification of any person requesting a record.

- (h) Any fees for record inspection or for copies are due at the time the records, or copies thereof, are provided to the requester, unless the record custodian has demanded the prepayment of all or part of such fees be made. Fees are to be paid to the record custodian.
- (i) The record custodian shall determine and assess a charge covering mailing and handling costs accrued in responding to requests through the mail service.
- (j) The record custodian may exercise his or her discretion to reduce or waive any inspection or copying fees when such is in the public interest.
- (k) No record inspection or copying charge shall be assessed against officers or employees of the City who make requests which are reasonably necessary to the performance of their official duties.
- (l) Hours for making requests for inspection or copying shall be all regular working hours for each day the office maintains regular office hours.
- (m) Removal of open public records from the office where kept and maintained, for purposes of inspection and/or the making of copies shall be permitted only with the written permission of the record custodian.
- (n) The above procedures, as well as any other inspection and copying procedures shall be posted in a conspicuous place in the office of the record custodian.
- (o) The City Clerk shall maintain a file of all requests received by the City.

Section 2: Procedures Regarding Inspection of Open Public Records.

The following procedures are hereby adopted and shall be applied by every official custodian and record custodian:

- (a) Record custodians shall handle all inspection requests in accordance with their duties to protect and preserve public records and to assist persons requesting inspection of open public records.
- (b) All request forms must be completed by the party requesting the record. In all cases the party so requesting must sign his or her individual name to the form. Written requests shall be made on the form provided by the record custodian and presented to the record custodian.
- (c) A written request is sufficient if it reasonably describes the record sought. In instances where the requester cannot provide sufficient information to identify a record, the custodian shall assist in making such identification.

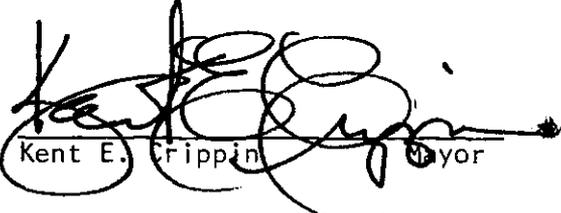
- (d) No inspection fee will be assessed when a denial of a request is made. The record custodian shall, upon making a denial of an inspection request, forward a copy of the denial to the City Clerk.
- (e) In cases where a request for a specific record gives the official or record custodian(s) reason to believe that the record contains information of a personal nature which if disclosed would constitute an unwarranted invasion of personal privacy, the official or record custodians shall inform the requester that a 72 hour waiting period must run before such record may be inspected. During that 72 hour period, the custodian shall make every reasonable effort to determine the identity of those persons whose privacy interest may be so affected by disclosure. The record custodian shall attempt to contact such persons and ascertain whether they, or any of them, will seek a court order challenging disclosure. The record custodian will notify the City Attorney of the possibility of a privacy violation and obtain a legal opinion pertaining thereto. If after these steps and the custodian's own objective assessment it appears that a privacy violation could occur, the custodian shall deny inspection pending the outcome of litigation or an intervening court order.

Section 3: Procedures Regarding Copies of Open Public Records. The following procedures are hereby adopted and shall be applied by each official custodian and record custodian:

- (a) Record custodians shall handle all copy requests in accordance with their duties to protect and preserve public records and to assist persons requesting copies of open public records.
- (b) All request forms must be completed by the party requesting the copies. In all cases, the party so requesting must sign his or her individual name to the form. Written requests shall be made on the form provided by the record custodian.
- (c) Mechanical reproduction of a record shall not be undertaken when it is the judgment of the record custodian that any available means of mechanically reproducing the subject record is likely to cause damage to such record.
- (d) No copy fee shall be assessed when multiple copies of the record requested have been prepared for free public distribution, or when the record custodian determines that the cost of charging and handling the fee exceeds the cost of providing a copy without charge.
- (e) No copying fee will be assessed when a denial of a request is made. The record custodian shall, upon making a denial of a copying request, forward a copy of the denial to the City-Attorney.

Adopted by the Governing Body of the City of Leawood, Kansas, this
3rd day of January, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 636

A RESOLUTION APPOINTING CUSTODIANS FOR THE PUBLIC RECORDS OF THE CITY OF LEAWOOD, KANSAS, AND PROVIDING FOR THE DESIGNATION OF ADDITIONAL RECORD CUSTODIANS.

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

Section 1: Appointment of Official Custodians. The following city officers are hereby appointed as official custodians for purposes of the Kansas Open Records Act, K.S.A. 1983 Supp. 45-201:214 (L. 1983, Ch. 171) and are hereby charged with responsibility for compliance with that Act with respect to the hereinafter listed public records:

City Administrator - All public records not on file in the office of the City Clerk and kept and maintained in the City Administrator's office.

City Clerk - All public records kept and maintained in the City Clerk's office and all other public records not provided for elsewhere in this Section.

City Treasurer - All public records not on file in the office of the City Clerk and kept and maintained in the City Treasurer's office.

Chief of Police - All public records not on file in the office of the City Clerk and kept and maintained in the City Police Department.

Fire Chief - All public records not on file in the office of the City Clerk and kept and maintained in the City Fire Department.

City Attorney - All public records not on file in the office of the City-Clerk and kept and maintained in the City Attorney's office.

Director of Public Works - All public records not on file in the office of the City Clerk and kept and maintained in the Public Works Department.

Director of Planning and Development - All public records not on file in the office of the City Clerk and kept and maintained in the Planning and Development Department.

Clerk of the Municipal Court - All public records not on file in the office of the City Clerk and kept and maintained in the Municipal Court.

Section 2: Designation of Additional Record Custodians.

- (a) Each of the official custodians appointed in Section 1 is hereby authorized to designate any subordinate officers or employees to serve as record custodian. Such record custodians shall have such duties and powers as are set out in the Kansas Open Records Act.

- (b) Whenever an official custodian shall appoint another person as a record custodian he or she shall notify the City Clerk of such designation and the City Clerk shall maintain a register of all such designations.

Section 3: Duties of Custodians. All city officers and employees appointed or designated under this Resolution shall: protect public records from damage and disorganization; prevent excessive disruption of the essential functions of the City; provide assistance and information upon request; insure efficient and timely action and response to all applications for inspection of public records; and shall carry out the procedures adopted by this City for inspecting and copying open public records.

Section 4: Requests To Be Directed To Custodians.

- (a) All members of the public, in seeking access to, or copies of, a public record in accordance with the provisions of the Kansas Open Records Act, shall address their requests to the custodian charged with responsibility for the maintenance of the record sought to be inspected or copied.
- (b) Whenever any city officer or employee appointed or designated as a custodian under this Resolution is presented with a request for access to, or copy of, a public record which record the custodian does not have in his or her possession and for which he or she has not been given responsibility to keep and maintain, the custodian shall so advise the person requesting the record. Further, the person making the request shall be informed as to which custodian the request should be addressed to, if such is known by the custodian receiving the request.

Section 5: Fee Administration. Each custodian shall transmit all record fee monies collected to the City Treasurer. Each custodian shall maintain duplicates of all records and copy request forms, completed as to the amount of fee charged and collected, which amounts shall be periodically audited by the Treasurer of the City.

Adopted by the Governing Body of the City of Leawood, Kansas, this 3rd day of January, 1984.




Kent E. Grippen Mayor


J. Oberlander City Clerk

RESOLUTION NO. 637

The Leawood City Council has considered the final plat for the R-1 phase of the Fifth Plat of Leawood Country Manor consisting of approximately 36 acres located between 112th and 115th Streets, and hereby resolves the following:

WHEREAS, the proposed final plat of the Fifth Plat of Leawood Country Manor is submitted in conformance with the preliminary plat; and

WHEREAS, the developer has submitted deed restrictions and homes association declarations; and

WHEREAS, the staff has reviewed and recommended approval of this plat; and

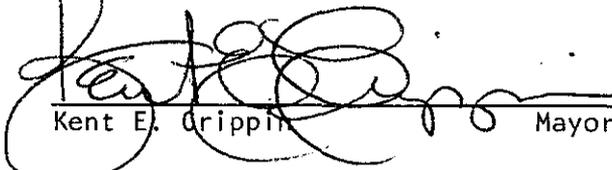
WHEREAS, the Leawood Plan Commission recommends approval of this plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the final plat of the Fifth Plat of Leawood Country Manor.

Adopted by the Governing Body this 6th day of February, 1984.



Attest:


Kent E. Grippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 638

A RESOLUTION RELATING TO BENEFITS OBTAINABLE BY CITIES UNDER THE PROGRAM FOR FEDERAL AND STATE AID ON HIGHWAY CONSTRUCTION.

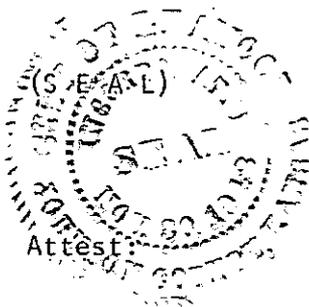
Be it resolved by the Governing Body of the City of Leawood, Kansas:

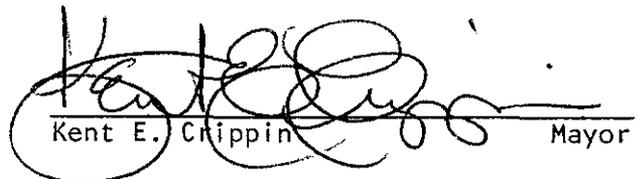
That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of Leawood, Kansas, Agreement No. 78-83 between the City and the Kansas Department of Transportation, giving the Secretary of Transportation of the State of Kansas authority to act for the City, and in its place and stead, to obtain for the City such benefits as are obtainable under the program of the Federal and State Aid Plan of Highway Construction, and obtain the benefits of such legislation for the City on the terms and conditions set forth in such agreement as may be prepared and approved by the Secretary of Transportation for the improvement of

beginning on 95th Street at the centerline of Mission Road, thence easterly to the centerline of Windsor, a distance of approximately 1691 feet.

designated as a city connecting link on the State Highway System and known as Project No. 46 U-0610-01 M-2824(002).

Adopted by the Governing Body this 6th day of February, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

repealed by Res. 877

RESOLUTION NO. 639

A RESOLUTION SETTING OUT FINDINGS AND DETERMINATIONS OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS ON THE NECESSITY AND ADVISABILITY OF IMPROVING ROE AVENUE FROM 112TH STREET TO 121ST STREET (TOMAHAWK CREEK PARKWAY) WITHIN THE CITY OF LEAWOOD, KANSAS, TO WIT:

IMPROVING BY WIDENING AND RE-SURFACING ROE AVENUE BETWEEN 112TH STREET AND 121ST STREET (TOMAHAWK CREEK PARKWAY) SUCH STREET BEING LOCATED PARTIALLY IN THE CITY OF LEAWOOD, KANSAS, AND PARTIALLY IN THE CITY OF OVERLAND PARK, KANSAS.

PURSUANT TO K.S.A. 12-685, et seq.

WHEREAS, the City has made engineering studies of the current traffic conditions and roadway conditions of Roe Avenue between 112th Street and 121st Street and determined that said street needs improvement; and

WHEREAS, said Roe Avenue between 112th Street and 121st Street is, by reason of the wear and tear of traffic and a substantial increase in the volume of traffic, in a condition which requires improvement in order to insure a more efficient and safer passage of vehicular traffic along said streets; and

WHEREAS, the Governing Body has determined said improvement to be necessary and advisable and in the best interest of the City of Leawood.

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

Section 1.

That the Governing Body of the City of Leawood, Kansas, finds it necessary and advisable to improve the following street in the City of Leawood, Kansas, to wit:

Roe Avenue between 112th Street and 121st Street (Tomahawk Creek Parkway)

Such improvement of Roe Avenue will include widening and re-surfacing and shall be inclusive of traffic signalization, median improvements, sidewalks, street lighting and storm drainage facilities.

Section 2.

The total estimated and probable cost is One Million Two Hundred and Twenty Thousand Dollars (\$1,220,000.00) exclusive of final construction plans and specifications.

Section 3.

The improvement shall consist of the widening, reconstruction and re-surfacing of Roe Avenue between 112th Street and 121st Street, all as specifically set out in the scale drawing, attached hereto and marked as Attachment A.

Section 4.

The cost of making said public improvement shall include:

- (1) Expenses of engineering;
- (2) Relocation of any public utility facilities within the area proposed for the location of said public improvements;
- (3) Labor and materials used in the construction of said public improvements and,
- (4) Such other expenses which are necessary in making said public improvements, exclusive of the cost of appraising and acquiring real property and any other improvements thereon for the location of said public improvements.

Section 5.

The City of Leawood anticipates that said project will receive 1985 Kansas FAU Funding for approximately Eight Hundred Fifty Four Thousand Dollars (\$854,000.00) or 70% of the construction, staking and inspection cost of the project which are estimated at One Million Two Hundred and Twenty Thousand Dollars (\$1,220,000.00). The City of Leawood further anticipates requesting that Johnson County, Kansas, fund 50% of the remaining staking, construction and inspection costs or approximately One Hundred Eighty Three Thousand Dollars (\$183,000.00). Johnson County would not participate in project costs relating to legal services, project administration, bond expenses, the construction of new sidewalks, street lighting, landscaping or right of way expenses.

Section 6.

The City of Leawood shall pay its portion of such improvement costs by means of the issuance of general improvement bonds of the City, said bonds to be payable at such time as the Governing Body may by ordinance provide pursuant to K.S.A. 12-685, et seq.

Section 7.

Certain portions of the project lie within the City of Overland Park and the City will enter into appropriate contractual agreements with the City of Overland Park so that the Cities of Overland Park and Leawood will pay their respective pro rata share of those project costs not included by FAU and or County funding.

Section 8.

The City Clerk of the City of Leawood is hereby directed to publish this resolution in the official city newspaper of the City of Leawood, Kansas, a twice weekly newspaper, for two consecutive weeks, as provided by law.

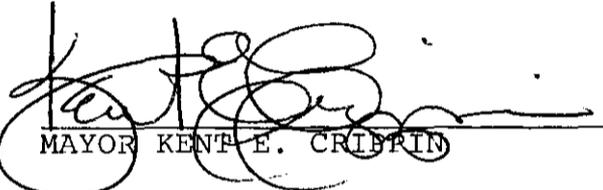
Section 9.

If within thirty days of the last publication of said resolution, there shall be filed in the Office of the City Clerk, not later than 5:00 P.M. on the last day, a protest signed by qualified electors equal in number to not less than ten percent of the electors who voted at the last preceding regular city election as shown by the poll books, an election shall be called and held within ninety days after the last publication of the resolution or at the next city election if held within that time. The signatures of the protest need not all be appended to one paper, but each signer shall add his signature to his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths,

that each signature to the paper appended is a genuine signature of the person whose name it purports to be. The election procedure shall be substantially as provided for bond elections in K.S.A. 12-120 and amendments thereto. If no protest or no sufficient protest is filed, or if an election is held and the proposition carries by a majority of those voting thereon at the election, the Governing Body shall by ordinance provide for the improvement hereinbefore described.

PASSED AND APPROVED BY THE CITY OF LEAWOOD, KANSAS on the 6th day of February, 1984.




MAYOR KENT E. CRISPIN


City Clerk

RESOLUTION NO. 640

A RESOLUTION SETTING OUT FINDINGS AND DETERMINATIONS OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS ON THE NECESSITY AND ADVISABILITY OF RECONSTRUCTING AND RECONFIGURING THE FOLLOWING MAIN TRAFFICWAY WITHIN THE CITY OF LEAWOOD, KANSAS, TO WIT:

THE INTERSECTION OF 95TH STREET AND LEE BOULEVARD BY RECONSTRUCTING, RECONFIGURING, AND WIDENING SAID INTERSECTION INCLUDING THE CONSTRUCTION OF RELATED STORM DRAIN, CURB AND OTHER RELATED IMPROVEMENTS

PURSUANT TO K.S.A. 12-685, et seq.

WHEREAS, the City has made a study of the current condition of the intersection of 95th Street, a main trafficway, and has determined that said street and specifically the intersection of 95th Street and Lee Boulevard needs reconstruction, reconfiguration and widening; and

WHEREAS, said main trafficway hereinafter set out by reason of the increased volume of traffic, requires reconstruction, reconfiguration and widening in order to better facilitate the flow of traffic along said main trafficway and to provide a reasonably safe and efficient intersection; and

WHEREAS, the Governing Body has determined that said reconstruction, reconfiguration and widening to be necessary and advisable for the best interests of the City of Leawood.

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

Section 1.

A. That the Governing Body of the City of Leawood, Kansas finds it necessary and advisable to reconstruct, reconfigure and widen the following main trafficway in the City of Leawood, Kansas, to wit:

95TH STREET AT ITS INTERSECTION WITH
LEE BOULEVARD.

- B. The estimated and probable cost is \$225,000.00.
- C. The improvement shall consist generally of widening and reconstructing the intersection to provide appropriate

left turn capacity, all in accordance with plans and specifications on file with the Director of Public Works of the City of Leawood. The expenses of said work shall be shared in accordance with an interlocal agreement between the City of Leawood, Kansas and Johnson County, Kansas dated the 19 day of January, 1984. The City's portion of such expenses shall be paid by means of the issuance of general improvement bonds of the City, said bonds to be payable at such time as the Governing Body may by ordinance provide.

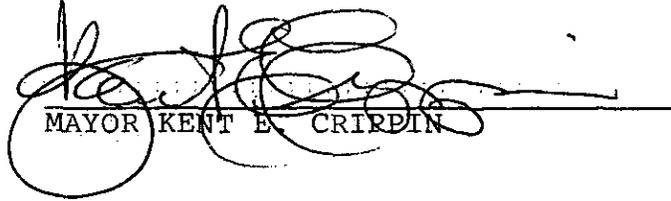
- D. The City Clerk of the City be, and she is hereby directed to publish this resolution in the official City paper of the City of Leawood, Kansas, a twice weekly newspaper, for two consecutive weeks as provided by law.
- E. If, within thirty days of the last publication of said resolution, there shall be filed in the Office of the City Clerk, not later than 5:00 P.M. on the last day, a protest signed by qualified electors equal in number to not less than ten percent of the electors who voted at the last preceding regular City election as shown by the poll books, an election shall be called and held within ninety days after the last publication of the resolution or at the next City election if held within that time. The signatures to the protest need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oath, that each signature to the paper appended is a genuine signature of the person whose name it purports to be. The election procedure shall be substantially as provided for bond elections and K.S.A. 10 - 120 and all acts supplemental and amendatory thereto. If no protest or no sufficient protest is filed, or if an election is held and the proposition carries by a majority of those voting thereon at the election, the Governing Body shall by ordinance

provide for the improvement.

PASSED AND APPROVED BY THE CITY OF LEAWOOD, KANSAS on the 6th day
of February, 1984.



ATTEST


MAYOR KENT E. CRISPIN


J. Oberlander, City Clerk

RESOLUTION NO. 641

A RESOLUTION SETTING OUT FINDINGS AND DETERMINATIONS OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS ON THE NECESSITY AND ADVISABILITY OF RECONSTRUCTING AND RECONFIGURING THE FOLLOWING MAIN TRAFFICWAY WITHIN THE CITY OF LEAWOOD, KANSAS, TO WIT:

THE INTERSECTION OF 95TH STREET AND STATE LINE ROAD BY RECONSTRUCTING, RECONFIGURING, AND WIDENING SAID INTERSECTION INCLUDING THE CONSTRUCTION OF RELATED STORM DRAIN, CURB AND OTHER RELATED IMPROVEMENTS

PURSUANT TO K.S.A. 12-685, et seq.

WHEREAS, the City has made a study of the current condition of the intersection of 95th Street, a main trafficway, and has determined that said street and specifically the intersection of 95th Street and State Line Road needs reconstruction, reconfiguration and widening; and

WHEREAS, said main trafficway hereinafter set out by reason of the increased volume of traffic, requires reconstruction, reconfiguration and widening in order to better facilitate the flow of traffic along said main trafficway and to provide a reasonably safe and efficient intersection; and

WHEREAS, the Governing Body has determined that said reconstruction, reconfiguration and widening to be necessary and advisable for the best interests of the City of Leawood.

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

Section 1.

- A. That the Governing Body of the City of Leawood, Kansas finds it necessary and advisable to reconstruct, reconfigure and widen the following main trafficway in the City of Leawood, Kansas, to wit:

95TH STREET AT ITS INTERSECTION WITH
STATE LINE ROAD.

- B. The estimated and probable cost is \$218,700.00.
C. The improvement shall consist generally of widening and reconstructing the intersection to provide appropriate

left turn capacity, all in accordance with plans and specifications on file with the Director of Public Works of the City of Leawood. The expenses of said work shall be shared in accordance with an interlocal agreement between the City of Leawood, Kansas and Johnson County, Kansas dated the 19 day of January, 1984. The City's portion of such expenses shall be paid by means of the issuance of general improvement bonds of the City, said bonds to be payable at such time as the Governing Body may by ordinance provide.

- D. The City Clerk of the City be, and she is hereby directed to publish this resolution in the official city paper of the City of Leawood, Kansas, a twice weekly newspaper, for two consecutive weeks as provided by law.
- E. If, within thirty days of the last publication of said resolution, there shall be filed in the Office of the City Clerk, not later than 5:00 P.M. on the last day, a protest signed by qualified electors equal in number to not less than ten percent of the electors who voted at the last preceding regular City election as shown by the poll books, an election shall be called and held within ninety days after the last publication of the resolution or at the next City election if held within that time. The signatures to the protest need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oath, that each signature to the paper appended is a genuine signature of the person whose name it purports to be. The election procedure shall be substantially as provided for bond elections and K.S.A. 10 - 120 and all acts supplemental and amendatory thereto. If no protest or no sufficient protest is filed, or if an election is held and the proposition carries by a majority of those voting thereon at the election, the Governing Body shall by ordinance

provide for the improvement.

PASSED AND APPROVED BY THE CITY OF LEAWOOD, KANSAS on the 6th day
of February, 1984.



ATTEST:

J. Oberlander
J. Oberlander, City Clerk

Kent E. Crippin
MAYOR KENT E. CRIPPIN

RESOLUTION NO. 642

A RESOLUTION SETTING OUT FINDINGS AND DETERMINATIONS OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS ON THE NECESSITY AND ADVISABILITY OF RECONSTRUCTING AND RECONFIGURING THE FOLLOWING MAIN TRAFFICWAY WITHIN THE CITY OF LEAWOOD, KANSAS, TO WIT:

103RD STREET FROM MISSION ROAD TO STATE LINE ROAD BY RESURFACING, WIDENING CERTAIN SECTIONS OF SAID ROADWAY, REALIGNING PORTIONS OF THE 103RD STREET AND LEE BOULEVARD INTERSECTION BY STORM DRAINAGE AND CURB IMPROVEMENTS AND BY SUCH OTHER RECONSTRUCTION AS IS NECESSARY TO COMPLETE THE IMPROVEMENTS

PURSUANT TO K.S.A. 12-685, et seq.

WHEREAS, the City has made a study of the current condition of 103rd Street, a main trafficway, and has determined that said street and specifically the intersection of 103rd Street and Lee Boulevard needs reconstruction, reconfiguration and widening; and

WHEREAS, said main trafficway hereinafter set out by reason of the increased volume of traffic, requires reconstruction, reconfiguration and widening in order to better facilitate the flow of traffic along said main trafficway and to provide a reasonably safe and efficient trafficway; and

WHEREAS, the Governing Body has determined that said reconstruction, reconfiguration and widening to be necessary and advisable for the best interests of the City of Leawood.

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

Section 1.

- A. That the Governing Body of the City of Leawood, Kansas finds it necessary and advisable to reconstruct, reconfigure and widen the following main trafficway in the City of Leawood, Kansas, to wit:

103RD STREET FROM MISSION ROAD TO STATE LINE ROAD AND SPECIFICALLY 103RD STREET AT ITS INTERSECTION WITH LEE BOULEVARD.

- B. The estimated and probable cost is \$1,274,000.00.
C. The improvement shall consist generally of widening and

resurfacing certain sections of said roadway and realigning portions of said intersection, all in accordance with plans and specifications on file with the Director of Public Works of the City of Leawood. The expenses of said work shall be shared in accordance with an interlocal agreement between the City of Leawood, Kansas and Johnson County, Kansas, dated the 19 day of January, 1984. The City's portion of such expenses shall be paid by means of the issuance of general improvement bonds of the City, said bonds to be payable at such time as the Governing Body may by ordinance provide.

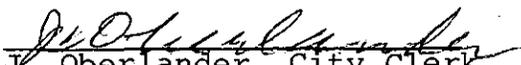
- D. The City Clerk of the City be, and she is hereby directed to publish this resolution in the official city paper of the City of Leawood, Kansas, a twice weekly newspaper, for two consecutive weeks as provided by law.
- E. If, within thirty days of the last publication of said resolution, there shall be filed in the Office of the City Clerk, not later than 5:00 P.M. on the last day, a protest signed by qualified electors equal in number to not less than ten percent of the electors who voted at the last preceding regular City election as shown by the poll books, an election shall be called and held within ninety days after the last publication of the resolution or at the next City election if held within that time. The signatures to the protest need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oath, that each signature to the paper appended is a genuine signature of the person whose name it purports to be. The election procedure shall be substantially as provided for bond elections and K.S.A. 10 - 120 and all acts supplemental and amendatory thereto. If no protest or no sufficient protest is filed, or if an election is held and

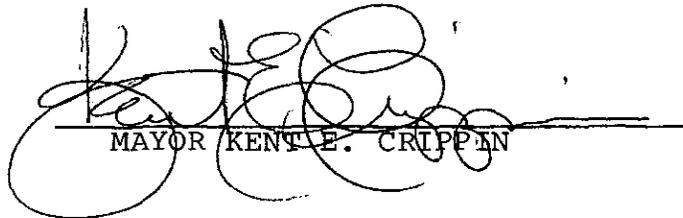
the proposition carries by a majority of those voting thereon at the election, the Governing Body shall by ordinance provide for the improvement.

PASSED AND APPROVED BY THE CITY OF LEAWOOD, KANSAS on the 6th day of February, 1984.



ATTEST:


J. Oberlander, City Clerk


MAYOR KENT E. CRIPPEN

RESOLUTION NO. 643

The Leawood City Council has considered the request for replat of Lot 1, Block 3, Royse, and hereby resolves the following:

WHEREAS, the land in question is zoned R-1, Single Family Residential; and

WHEREAS, most of the lots in Royse are occupied by larger homes than Lot 1, Block 3, would accommodate; and

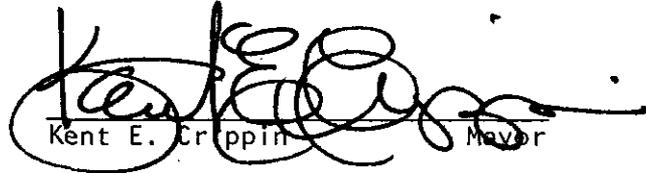
WHEREAS, the Public Works elements and other requirements were met when the land was previously platted; and

WHEREAS, the Leawood Plan Commission recommends approval of the replat;

NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council does hereby approve the replat of Lot 1, Block 3, Royse.

Adopted by the Governing Body this 20th day of February, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 644

The Leawood City Council has considered the request for rezoning from R-1, Single Family Residential, to CP-1, Planned Restricted Business, and the request for preliminary plan approval for a financial institution (World Savings and Loan) to be located on the lot now known as Lot 566, Leawood Estates, at the northwest corner of 103rd Street and State Line Road, and hereby resolves the following:

WHEREAS, World Savings and Loan has agreed that the rezoning limits the use of the property to financial institutions and general administrative or professional offices per Section 15-405(D) of the Leawood Zoning Regulations; and

WHEREAS, current deed restrictions limiting Lot 566 to residential development will expire in February, 1985; and

WHEREAS, World Savings and Loan has agreed there will be no drive-up service at the facility; and

WHEREAS, World Savings and Loan has further agreed to provide off-site street improvements at 103rd Street if a left turn lane is to be installed; and

WHEREAS, the Leawood Plan Commission recommends approval of the requested rezoning from R-1 to CP-1 and approval of the preliminary plan;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the preliminary plan for said requested rezoning.

Adopted by the Governing Body this 20th day of February, 1984.



J. Oberlander
J. Oberlander City Clerk

Kent E. Crippin
Kent E. Crippin Mayor

RESOLUTION NO. 645

A RESOLUTION SUPPORTING THE CONCEPT OF HOSTING A WORLD'S FAIR IN THE KANSAS CITY METROPOLITAN AREA.

WHEREAS, it has been proposed that the City of Leawood endorse a civic effort to secure the U.S. Government's official recognition for a World's Fair in the Kansas City area, and the Government's efforts to negotiate for international approval of such a World's Fair within the Bureau of International Expositions; and

WHEREAS, it is realized that a project of this magnitude would require cooperation and participation by local governments from the entire metropolitan area; and

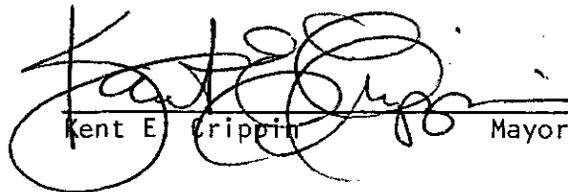
WHEREAS, the City Council believes that hosting a World's Fair would be of great social and economic benefit to the Kansas City metropolitan area;

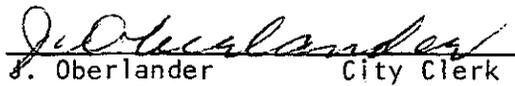
NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council supports the concept of hosting a World's Fair in the Kansas City metropolitan area and urges that a metropolitan-based committee be formed with representatives from all units of local government within the metropolitan area, with the idea of bringing a World's Fair to the Kansas City metropolitan area; and

BE IT FURTHER RESOLVED that Karen Hess, Leawood City Councilmember, is hereby designated as the City's representative to such a committee or steering group.

Adopted by the Governing Body this 20th day of February, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

1984 APR -2 A 9:05 8

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RUBIE M. SCOTT
REGISTER OF DEEDS

RESOLUTION NO. 646

BY _____ DEP

A RESOLUTION ORDERING THE IMPROVEMENT OF 127TH STREET BETWEEN ROE AVENUE AND NALL AVENUE IN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, a petition has been filed with the City Clerk by United Missouri Bank of Kansas City, N.A., successor to the City National Bank and Trust Company and Wallace P. McKee, successor to Joseph W. McKee, Trustees and Wallace P. McKee and Marie McKee, husband and wife, and Cynthia Larson, who in combination own 98.5% of the property-abutting 127th Street-between Roe Avenue and Nall Avenue in the City of Leawood, Kansas, proposing the following improvements:

The construction and improvement of 127th Street, from the centerline of Roe Avenue (the east line of the northeast quarter of Section 28, Township 13, Range 25) to the centerline of Nall Avenue (west line of the Northwest quarter, Section 28, Township 13, Range 25), a distance of 2,640 ft. more or less. The improvements will be a 36 ft. roadway in width, back to back with curb, all improvements to be inclusive of storm drainage facilities, street lighting, and other appurtenances.

WHEREAS, said Governing Body finds and determines the improvements to be advisable and the petition to be in compliance with applicable statutes;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas that the following improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body:

The construction and improvement of 127th Street, from the centerline of Roe Avenue to the centerline of Nall Avenue, all as set out above, a distance of 2,640 ft. more or less. The improvement will be a 36 ft. roadway in width, back to back with curb, all improvements to be inclusive of the storm drainage facilities, street lighting and other appurtenances.

The boundaries of the improvement district to be assessed are all that property extending from the East line of the Northeast quarter of Section 28, Township 13, Range 24 (approximately Roe Avenue) on the east to the western boundary of the improved roadway at Nall Avenue and extending to a width of 1,320 ft. on each side of the centerline of said 127th Street, City of Leawood, Johnson County, Kansas, as shown on attached Exhibit A.

The estimated and probable cost of such improvement is Six Hundred Thousand Dollars, the entire cost of which will be borne by owners within the improvement district.

The cost assessed against the improvement district will be on a per square foot basis which would approximate 8.6¢ per square foot based on the current estimated and probable cost of \$600,000.00. Property dedicated to public rights-of-way shall not be liable for such assessment. The petitioners shall provide all necessary permanent and temporary rights-of-way and easements at no cost to the improvement district.

The contract for construction of said improvement shall be in two separate phases. The first phase shall include the improvements from Roe Avenue west for a distance of approximately 1,320 ft. The

700

second phase shall complete the improvement for a distance of approximately 1,320 ft. to the centerline of Nall Avenue. The first phase shall be designed, bid and constructed as soon as possible and the second phase shall be designed, bid and constructed when any of the real property within the improvement district lying west of the first phase of construction is platted. Provided, however, that if the platting process has not commenced within five years from the date of the creation of this improvement district, then the City may, at its' option, discontinue the project.

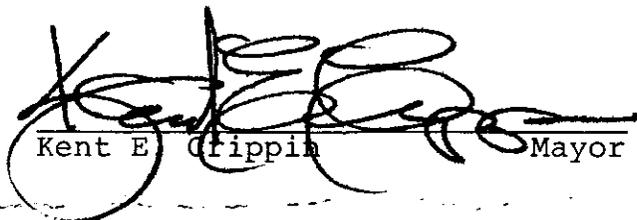
The apportionment of costs between the improvement district shall be 100% to the improvement district and none to the City at large.

The Governing Body authorizes its' consulting engineers to proceed with the plans and specifications for such roadway improvement and the advertisement of bids thereon. Plans and specifications for phase one of said project shall be prepared no later than July 1, 1984.

That the Governing Body be authorized to proceed said project at such time that the City has by ordinance authorized the issuance of temporary notes for the purpose of providing interim financing of such proposed improvements.

Adopted by the Governing Body this 16th day of March, 1984.




Kent E. Grippin Mayor


J. Oberlander, City Clerk



City of Toronto
9677 Kee Blvd.
Toronto Ont
66000

GROSS AREA = 108,955 ± Sq. Ft.

- PATRICIAN WOODS
- LOT 1, BLOCK 1 = 24,688 ± Sq. Ft.
- LOT 2, BLOCK 1 = 8,639 ± Sq. Ft.
- LOT 1, BLOCK 3 = 14,577 ± Sq. Ft.
- LOT 2, BLOCK 3 = 4,003 ± Sq. Ft.
- LOT 3, BLOCK 3 = 267 ± Sq. Ft.
- STREET R/W = 56,701 ± Sq. Ft.

GROSS AREA = 3,430,091 ± Sq. Ft.

UNITED MISSOURI BANK OF KANSAS CITY, N.A.
SUCCESSOR TO THE CITY NATIONAL BANK &
TRUST COMPANY OF WALLACE P. MSKEE,
SUCCESSOR TO JOSEPH W. MSKEE, TRUSTEES

PHASE I

SOUTH LINE SW/4,
SEC 21-13-25

127TH STREET

NORTH LINE NW/4,
SEC 20-13-25

GROSS AREA = 3,526,739 ± Sq. Ft.

WALLACE P. MSKEE & MARIE MSKEE,
HUSBAND & WIFE, 1/2 INTEREST &
CYNTHIA LARSON

PHASE I

SOUTH LINE NE/4, NW/4,
SEC 20-13-25

EAST LINE SW/4, SEC 21-13-25

RDE AVENUE

EAST LINE NW/4, SEC 20-13-25

WALL AVENUE

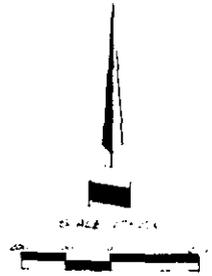


EXHIBIT A

PROJECT NO. 40425 | DATE 2-28-84 BY TLN/nh

PLAT OF PROPERTIES
 PROPOSED I.D. 84-1
 PART OF SEC. 21 & 20-13-25
 LEAWOOD, JOHNSON COUNTY, KANSAS



SHAFER, KLINE & WARREN, P.A.
 ENGINEERS & SURVEYORS
 OVERLAND PARK, KANSAS

RESOLUTION NO. 647 (Leawood)

RESOLUTION NO. 1788 (Overland Park)

A RESOLUTION RELATING TO A JOINT PLANNING EFFORT FOR THE KANSAS HIGHWAY 150 (135TH STREET) CORRIDOR IN JOHNSON COUNTY, AND THE DEVELOPMENT OF IMPROVEMENT PLANS FOR THE ROADWAY.

WHEREAS, the planned development of the Kansas Highway 150 Corridor, by responsible governmental units will have a positive impact on the future of the citizens of Johnson County; and

WHEREAS, Kansas Highway 150 is an official highway of the State of Kansas; and

WHEREAS, Kansas Highway 150 connects Kansas Highways 7, 69, 169 and Interstate 35; and

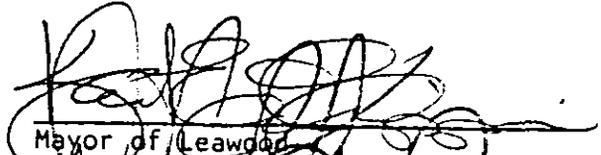
WHEREAS, the Cities of Leawood, Olathe and Overland Park deem that the improvement of Kansas Highway 150 is necessary for the health, safety and welfare of the residents of Johnson County and those motorists using the roadway;

THEREFORE, BE IT RESOLVED that the Cities of Leawood, Olathe and Overland Park do hereby request:

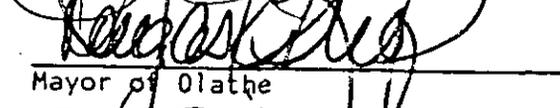
1. That the Board of Commissioners of Johnson County join in a cooperative effort with the three cities to develop a comprehensive planning document for the Kansas Highway 150 Corridor.
2. That the cities of Leawood, Olathe and Overland Park together with the Board of County Commissioners prepare and present a proposal to the Kansas Department of Transportation for state funding of improvements to the roadway.

Approved this _____ day of _____, 1984 by the Cities of Leawood, Olathe and Overland Park, Kansas.

RESOLUTION NO. 647 approved 3/26/84:

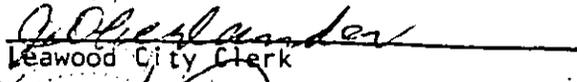

Mayor of Leawood

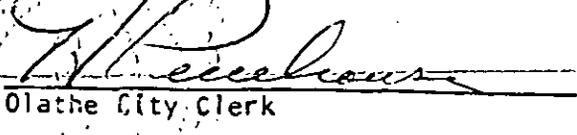
JOINT RESOLUTION #1 approved 2/21/84:


Mayor of Olathe

RESOLUTION #1788 approved 3/12/84:


Mayor of Overland Park


Leawood City Clerk


Olathe City Clerk


Overland Park City Clerk

APPROVED AS TO FORM:


Jane Neff-Brain
Assistant City Attorney

RESOLUTION NO. 648

The Leawood City Council has considered the final plat of the Third Plat of Patrician Woods, R-1, Single Family Residential, located north of 127th Street and east of Roe Avenue, and hereby resolves the following:

WHEREAS, the final plat conforms substantially to the preliminary plat on file; and

WHEREAS, the Director of Public Works has found the public works elements acceptable; and

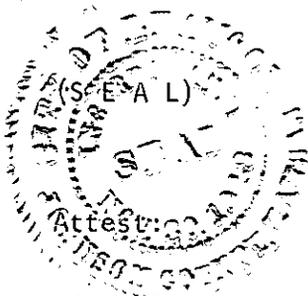
WHEREAS, the developer has agreed to the change in street name of 126th Terrace to "Granada Road"; and

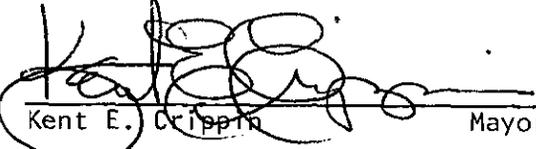
WHEREAS, the developer has agreed to deliver to the City a letter of credit for the future improvement of Roe Avenue; and

WHEREAS, the Leawood Plan Commission recommends approval of the plat;

NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council approves the Third Plat of Patrician Woods.

Adopted by the Governing Body this 2nd day of April, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 649

The Leawood City Council has considered the final plat of the Third Plat of Berkshire, R-1, Single Family Residential, located west of Mission Road and south of 124th Street, and hereby resolves the following:

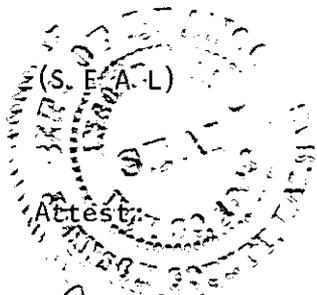
WHEREAS, the final plat conforms to the preliminary plat submission; and

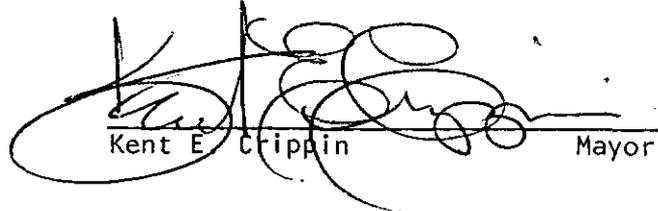
WHEREAS, the Leawood Plan Commission recommends approval of the final plat of the Third Plat;

NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council approves the final plat of the Third Plat of Berkshire, Delmar at 124th Terrace, subject to the following conditions:

1. the developer submit payment for Roe Boulevard;
2. the driveway at 124th Street be changed to include a 124th Lane;
3. homes association declaration and deed restrictions be submitted for approval;
4. public works elements be approved by the Public Works Director; and
5. plat documents be revised to include additional verbage.

Adopted by the Governing Body this 2nd day of April, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 650

The Leawood City Council has considered a request by the J.C. Nichols Company for approval of a revised preliminary plat and preliminary plan for 168 acres south of 127th Street and east of Mission Road and a request for rezoning to allow for R-1, Single Family Residential development, and hereby resolves the following:

WHEREAS, the developer has made the changes on the plat as suggested by Staff and the Plan Commission; and

WHEREAS, the developer will be responsible for the improvement of one-half of Mission Road where the subdivision abuts that street and shall make necessary arrangements for payment, either in the form of money, letter of credit or arrangement acceptable to the City; and

WHEREAS, zoning for other portions of the tract will be submitted as the tract is ready for development; and

WHEREAS, John Moffitt, a landowner of a 2 foot strip of land on the west side of Pawnee Lane, has agreed to donate this land to the City in order that lots may front Pawnee; and

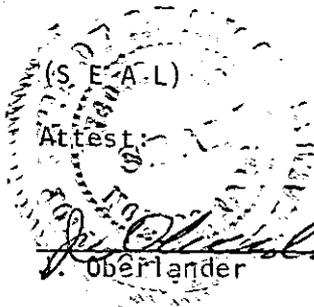
WHEREAS, these ten lots shall be platted as part of Leawood South, an existing subdivision; and

WHEREAS, sidewalks along Pawnee Lane have been eliminated because there are no sidewalks in the immediate area; and

WHEREAS, the Leawood Plan Commission recommends approval of the revised preliminary plat and preliminary plan and approval of the requested rezoning;

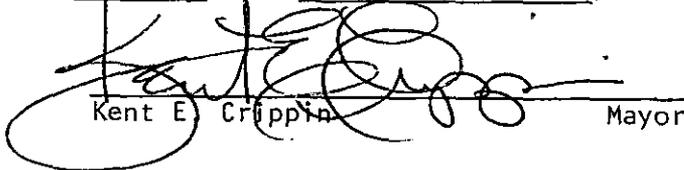
NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council approves the revised preliminary plat and preliminary plan for the requested rezoning of 168 acres south of 127th Street and east of Mission Road, the Waterford subdivision.

Adopted by the Governing Body this 2nd day of April, 1984.



J. Oberlander

City Clerk


Kent E. Crippin Mayor

RESOLUTION NO. 651

The Leawood City Council has considered the final plat, Foxborough Swim Club, and hereby resolves the following:

WHEREAS, the plat is in conformance with the preliminary plat; and

WHEREAS, staff has requested the developer to have this site platted; and

WHEREAS, the Plan Commission has already considered and approved the final development plan for this site; and

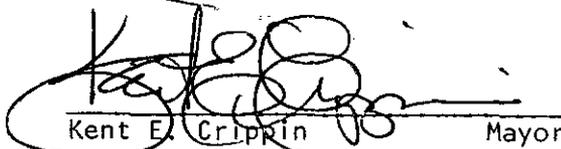
WHEREAS, the plat conforms to City regulations; and

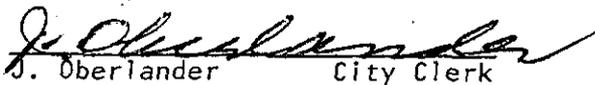
WHEREAS, the Leawood Plan Commission recommends approval of said plat;

NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council approves the final plat for Foxborough Swim Club.

Adopted by the Governing Body this 7th day of May, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 652

WHEREAS, certain publications are required by State Statute and by Ordinance; and

WHEREAS, the designation of the official City newspaper shall be made by resolution of the Governing Body at the organizational meeting on the first Monday of May in each year (Sec. 1-202, Revised Ordinances of the City of Leawood); and

WHEREAS, the City of Leawood, Kansas, finds increasing need for prompt, regular publication of ordinances and legal notices; and

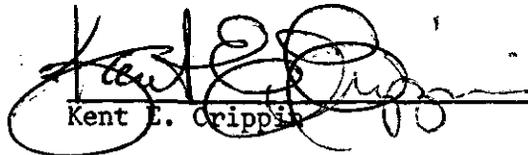
WHEREAS, it has been determined that THE JOHNSON COUNTY SUN and THE DAILY NEWS OF JOHNSON CO. meet all statutory requirements;

NOW, THEREFORE, BE IT RESOLVED that the City of Leawood, Kansas, does hereby designate THE JOHNSON COUNTY SUN and/or THE DAILY NEWS OF JOHNSON CO. as the official City newspapers for all documents requiring legal publication.

Adopted by the Governing Body this 7th day of May, 1984.



Attest:


Kent E. Cripps Mayor


J. Oberlander City Clerk

RESOLUTION NO. 653

A RESOLUTION AUTHORIZING THE APPROVAL OF ARCHITECTURAL AND ENGINEERING CONTRACTS AND THE NEGOTIATION FOR ADDITIONAL LAND REQUIRED TO CONSTRUCT AND REMODEL THE CITY OF LEAWOOD, KANSAS PUBLIC WORKS FACILITY.

WHEREAS, the City of Leawood owns an existing Public Works Facility located at 2008 W. 104th Street, Leawood, Kansas; and

WHEREAS, the Governing Body has determined that it would be in the best interest of the City of Leawood and necessary that the City of Leawood remodel the existing Public Works facility and make additions to said facility to house the existing and expanding services of the Public Works Department of the City of Leawood, Kansas; and

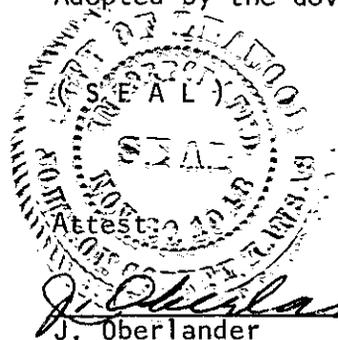
WHEREAS, it is necessary to retain the services of Architects and Engineers to design said Public Works Facility; and

WHEREAS, it is necessary to negotiate for additional land upon which to construct the additions to the Public Works Facility;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LEAWOOD, KANSAS:

1. That the City of Leawood approve the proposals by Ford Architects, and Allenbrand-Drews, Civil Engineers, for engineering work, site work and architectural services, all as set out in the architectural and engineering proposals attached to this resolution.
2. That the Director of Public Works and the City Administrator be authorized to negotiate for additional land required to construct the addition to the Public Works Facility and that said Director of Public Works and the City Administrator be authorized to acquire additional land at a cost not to exceed \$35,000.
3. That the estimated cost of constructing the addition to the existing Public Works Facility and for remodeling the existing Public Works Facility is \$850,000 including; construction cost, land acquisition, and architects and engineering fees.
4. That for the purpose of providing funds for the construction of the Public Works Facility and set out above, which improvements shall be made by the City of Leawood, Kansas pursuant to KSA 12-1736 et seq. There will be authorized by separate ordinance the issuance of General Obligation bonds of the City of Leawood, in the total principle amount of \$850,000. Said bonds will be advertised and sold at public sale in the manner provided by law.

Adopted by the Governing Body this 21st day of May, 1984.



Kent E. Crippin
Mayor

ALLENBRAND - DREWS & ASSOCIATES

Civil Engineers - Land Surveyors
129 South Parker Street
Olathe, Kansas 66061

E. Garold Allenbrand, L.S.
Loren E. Drews, P.E., L.S.

913-764-1076

March 1, 1984

Mr. Tom Bieszczat
Director of Public Works
City of Leawood
9617 Lee Boulevard
Leawood, Kansas 66206

RE: Proposed Public Works Facility
Preliminary Cost Estimate and
Engineering Plans for Improvements

Dear Tom:

We propose to furnish the land surveying-engineering services for the above referenced project, based on an hourly rate contract, using the following rates:

Field Crew	\$65.00/Hr.
Engineering Technician	\$30.00/Hr.
Draftsman	\$15.00/Hr.
Registered Land Surveyor	\$40.00/Hr.
Professional Engineer	\$40.00/Hr.

We estimate the land survey and topographic survey can be completed within 20 days and plans and specifications can be completed within 90 days of authorization.

Based on your letter and site plan which outlines services, we estimate the cost of services listed to be \$17,000.00 for the surveying and engineering work and \$3,000.00 for the preliminary estimate of construction cost. If the scope is changed during this work, authorized change orders will be requested at that time.

Thank you for the opportunity to be of service and if you have any questions, please do not hesitate to call.

Sincerely,

ALLENBRAND-DREWS & ASSOCIATES

Loren E. Drews

Loren E. Drews, P. E.

LED:nd

Approved City of Leawood
Jan B. 3/26/84
Director of Public Works Date

*Preliminary Estimate,
etc - \$3,000*

Approved City of Leawood
Jan B. 5/21/84
Director of Public Works Date

*Final Eng. Surveying
etc. \$17,000*

Total: \$20,000

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document B141

Standard Form of Agreement Between Owner and Architect

1977 EDITION

THIS DOCUMENT HAS IMPORTANT LEGAL CONSEQUENCES; CONSULTATION WITH
AN ATTORNEY IS ENCOURAGED WITH RESPECT TO ITS COMPLETION OR MODIFICATION

AGREEMENT

made as of the Seventh day of May in the year of Nineteen
Hundred and Eighty-Four

BETWEEN the Owner: City of Leawood
9617 Lee Blvd.
Leawood, Ks. 66206

and the Architect: Ford Architects AIA
7815 Floyd
Overland Park, Ks. 66204

For the following Project:

(Include detailed description of Project location and scope.)

Additions, Alterations and New Construction for Public Works Facility at 2008 W. 110th Leawood, Kansas. Scope of work: Two story masonry addition and alterations to existing vehicle maintenance building; construction of roof over existing materials storage structure; construction of a fuel dispensing station with canopy and construction of vehicle storage building. Structural, plumbing, HVAC, electrical systems and extension of electrical service to structures is included. Sitework including paving and landscaping is by others and only coordination of their work is required.

The Owner and the Architect agree as set forth below.

Copyright 1917, 1926, 1948, 1951, 1953, 1958, 1961, 1963, 1966, 1967, 1970, 1974, © 1977 by The American Institute of Architects, 1735 New York Avenue, N.W., Washington, D.C. 20006. Reproduction of the material herein or substantial quotation of its provisions without permission of the AIA violates the copyright laws of the United States and will be subject to legal prosecution.

TERMS AND CONDITIONS OF AGREEMENT BETWEEN OWNER AND ARCHITECT

ARTICLE 1

ARCHITECT'S SERVICES AND RESPONSIBILITIES

BASIC SERVICES

The Architect's Basic Services consist of the five phases described in Paragraphs 1.1 through 1.5 and include normal structural, mechanical and electrical engineering services and any other services included in Article 15 as part of Basic Services.

1.1 SCHEMATIC DESIGN PHASE

1.1.1 The Architect shall review the program furnished by the Owner to ascertain the requirements of the Project and shall review the understanding of such requirements with the Owner.

1.1.2 The Architect shall provide a preliminary evaluation of the program and the Project budget requirements, each in terms of the other, subject to the limitations set forth in Subparagraph 3.2.1.

1.1.3 The Architect shall review with the Owner alternative approaches to design and construction of the Project.

1.1.4 Based on the mutually agreed upon program and Project budget requirements, the Architect shall prepare, for approval by the Owner, Schematic Design Documents consisting of drawings and other documents illustrating the scale and relationship of Project components.

1.1.5 The Architect shall submit to the Owner a Statement of Probable Construction Cost based on current area, volume or other unit costs.

1.2 DESIGN DEVELOPMENT PHASE

1.2.1 Based on the approved Schematic Design Documents and any adjustments authorized by the Owner in the program or Project budget, the Architect shall prepare, for approval by the Owner, Design Development Documents consisting of drawings and other documents to fix and describe the size and character of the entire Project as to architectural, structural, mechanical and electrical systems, materials and such other elements as may be appropriate.

1.2.2 The Architect shall submit to the Owner a further Statement of Probable Construction Cost.

1.3 CONSTRUCTION DOCUMENTS PHASE

1.3.1 Based on the approved Design Development Documents and any further adjustments in the scope or quality of the Project or in the Project budget authorized by the Owner, the Architect shall prepare, for approval by the Owner, Construction Documents consisting of Drawings and Specifications setting forth in detail the requirements for the construction of the Project.

1.3.2 The Architect shall assist the Owner in the preparation of the necessary bidding information, bidding forms, the Conditions of the Contract, and the form of Agreement between the Owner and the Contractor.

1.3.3 The Architect shall advise the Owner of any adjust-

ments to previous Statements of Probable Construction Cost indicated by changes in requirements or general market conditions.

1.3.4 The Architect shall assist the Owner in connection with the Owner's responsibility for filing documents required for the approval of governmental authorities having jurisdiction over the Project.

1.4 BIDDING OR NEGOTIATION PHASE

1.4.1 The Architect, following the Owner's approval of the Construction Documents and of the latest Statement of Probable Construction Cost, shall assist the Owner in obtaining bids or negotiated proposals, and assist in awarding and preparing contracts for construction.

1.5 CONSTRUCTION PHASE—ADMINISTRATION OF THE CONSTRUCTION CONTRACT

1.5.1 The Construction Phase will commence with the award of the Contract for Construction and, together with the Architect's obligation to provide Basic Services under this Agreement, will terminate when final payment to the Contractor is due, or in the absence of a final Certificate for Payment or of such due date, sixty days after the Date of Substantial Completion of the Work, whichever occurs first.

1.5.2 Unless otherwise provided in this Agreement and incorporated in the Contract Documents, the Architect shall provide administration of the Contract for Construction as set forth below and in the edition of AIA Document A201, General Conditions of the Contract for Construction, current as of the date of this Agreement.

1.5.3 The Architect shall be a representative of the Owner during the Construction Phase, and shall advise and consult with the Owner. Instructions to the Contractor shall be forwarded through the Architect. The Architect shall have authority to act on behalf of the Owner only to the extent provided in the Contract Documents unless otherwise modified by written instrument in accordance with Subparagraph 1.5.16.

1.5.4 The Architect shall visit the site at intervals appropriate to the stage of construction or as otherwise agreed by the Architect in writing to become generally familiar with the progress and quality of the Work and to determine in general if the Work is proceeding in accordance with the Contract Documents. However, the Architect shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. On the basis of such on-site observations as an architect, the Architect shall keep the Owner informed of the progress and quality of the Work, and shall endeavor to guard the Owner against defects and deficiencies in the Work of the Contractor.

1.5.5 The Architect shall not have control or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, for the acts or omissions of the Contractor, Sub-

contractors or any other persons performing any of the Work, or for the failure of any of them to carry out the Work in accordance with the Contract Documents.

1.5.6 The Architect shall at all times have access to the Work wherever it is in preparation or progress.

1.5.7 The Architect shall determine the amounts owing to the Contractor based on observations at the site and on evaluations of the Contractor's Applications for Payment, and shall issue Certificates for Payment in such amounts, as provided in the Contract Documents.

1.5.8 The issuance of a Certificate for Payment shall constitute a representation by the Architect to the Owner, based on the Architect's observations at the site as provided in Subparagraph 1.5.4 and on the data comprising the Contractor's Application for Payment, that the Work has progressed to the point indicated; that, to the best of the Architect's knowledge, information and belief, the quality of the Work is in accordance with the Contract Documents (subject to an evaluation of the Work for conformance with the Contract Documents upon Substantial Completion, to the results of any subsequent tests required by or performed under the Contract Documents, to minor deviations from the Contract Documents correctable prior to completion, and to any specific qualifications stated in the Certificate for Payment); and that the Contractor is entitled to payment in the amount certified. However, the issuance of a Certificate for Payment shall not be a representation that the Architect has made any examination to ascertain how and for what purpose the Contractor has used the moneys paid on account of the Contract Sum.

1.5.9 The Architect shall be the interpreter of the requirements of the Contract Documents and the judge of the performance thereunder by both the Owner and Contractor. The Architect shall render interpretations necessary for the proper execution or progress of the Work with reasonable promptness on written request of either the Owner or the Contractor, and shall render written decisions, within a reasonable time, on all claims, disputes and other matters in question between the Owner and the Contractor relating to the execution or progress of the Work or the interpretation of the Contract Documents.

1.5.10 Interpretations and decisions of the Architect shall be consistent with the intent of and reasonably inferable from the Contract Documents and shall be in written or graphic form. In the capacity of interpreter and judge, the Architect shall endeavor to secure faithful performance by both the Owner and the Contractor, shall not show partiality to either, and shall not be liable for the result of any interpretation or decision rendered in good faith in such capacity.

1.5.11 The Architect's decisions in matters relating to artistic effect shall be final if consistent with the intent of the Contract Documents. The Architect's decisions on any other claims, disputes or other matters, including those in question between the Owner and the Contractor, shall be subject to arbitration as provided in this Agreement and in the Contract Documents.

1.5.12 The Architect shall have authority to reject Work which does not conform to the Contract Documents. Whenever, in the Architect's reasonable opinion, it is

necessary or advisable for the implementation of the intent of the Contract Documents, the Architect will have authority to require special inspection or testing of the Work in accordance with the provisions of the Contract Documents, whether or not such Work be then fabricated, installed or completed.

1.5.13 The Architect shall review and approve or take other appropriate action upon the Contractor's submittals such as Shop Drawings, Product Data and Samples, but only for conformance with the design concept of the Work and with the information given in the Contract Documents. Such action shall be taken with reasonable promptness so as to cause no delay. The Architect's approval of a specific item shall not indicate approval of an assembly of which the item is a component.

1.5.14 The Architect shall prepare Change Orders for the Owner's approval and execution in accordance with the Contract Documents, and shall have authority to order minor changes in the Work not involving an adjustment in the Contract Sum or an extension of the Contract Time which are not inconsistent with the intent of the Contract Documents.

1.5.15 The Architect shall conduct inspections to determine the Dates of Substantial Completion and final completion, shall receive and forward to the Owner for the Owner's review written warranties and related documents required by the Contract Documents and assembled by the Contractor, and shall issue a final Certificate for Payment.

1.5.16 The extent of the duties, responsibilities and limitations of authority of the Architect as the Owner's representative during construction shall not be modified or extended without written consent of the Owner, the Contractor and the Architect.

1.6 PROJECT REPRESENTATION BEYOND BASIC SERVICES

1.6.1 If the Owner and Architect agree that more extensive representation at the site than is described in Paragraph 1.5 shall be provided, the Architect shall provide one or more Project Representatives to assist the Architect in carrying out such responsibilities at the site.

1.6.2 Such Project Representatives shall be selected, employed and directed by the Architect, and the Architect shall be compensated therefor as mutually agreed between the Owner and the Architect as set forth in an exhibit appended to this Agreement, which shall describe the duties, responsibilities and limitations of authority of such Project Representatives.

1.6.3 Through the observations by such Project Representatives, the Architect shall endeavor to provide further protection for the Owner against defects and deficiencies in the Work, but the furnishing of such project representation shall not modify the rights, responsibilities or obligations of the Architect as described in Paragraph 1.5.

1.7 ADDITIONAL SERVICES

The following Services are not included in Basic Services unless so identified in Article 15. They shall be provided if authorized or confirmed in writing by the Owner, and they shall be paid for by the Owner as provided in this Agreement, in addition to the compensation for Basic Services.

1.7.1 Providing analyses of the Owner's needs, and programming the requirements of the Project.

1.7.2 Providing financial feasibility or other special studies.

1.7.3 Providing planning surveys, site evaluations, environmental studies or comparative studies of prospective sites, and preparing special surveys, studies and submissions required for approvals of governmental authorities or others having jurisdiction over the Project.

1.7.4 Providing services relative to future facilities, systems and equipment which are not intended to be constructed during the Construction Phase.

1.7.5 Providing services to investigate existing conditions or facilities or to make measured drawings thereof, or to verify the accuracy of drawings or other information furnished by the Owner.

1.7.6 Preparing documents of alternate, separate or sequential bids or providing extra services in connection with bidding, negotiation or construction prior to the completion of the Construction Documents Phase, when requested by the Owner.

1.7.7 Providing coordination of Work performed by separate contractors or by the Owner's own forces.

1.7.8 Providing services in connection with the work of a construction manager or separate consultants retained by the Owner.

1.7.9 Providing Detailed Estimates of Construction Cost, analyses of owning and operating costs, or detailed quantity surveys or inventories of material, equipment and labor.

1.7.10 Providing interior design and other similar services required for or in connection with the selection, procurement or installation of furniture, furnishings and related equipment.

1.7.11 Providing services for planning tenant or rental spaces.

1.7.12 Making revisions in Drawings, Specifications or other documents when such revisions are inconsistent with written approvals or instructions previously given, are required by the enactment or revision of codes, laws or regulations subsequent to the preparation of such documents or are due to other causes not solely within the control of the Architect.

1.7.13 Preparing Drawings, Specifications and supporting data and providing other services in connection with Change Orders to the extent that the adjustment in the Basic Compensation resulting from the adjusted Construction Cost is not commensurate with the services required of the Architect, provided such Change Orders are required by causes not solely within the control of the Architect.

1.7.14 Making investigations, surveys, valuations, inventories or detailed appraisals of existing facilities, and services required in connection with construction performed by the Owner.

1.7.15 Providing consultation concerning replacement of any Work damaged by fire or other cause during con-

struction, and furnishing services as may be required in connection with the replacement of such Work.

1.7.16 Providing services made necessary by the default of the Contractor, or by major defects or deficiencies in the Work of the Contractor, or by failure of performance of either the Owner or Contractor under the Contract for Construction.

1.7.17 Preparing a set of reproducible record drawings showing significant changes in the Work made during construction based on marked-up prints, drawings and other data furnished by the Contractor to the Architect.

1.7.18 Providing extensive assistance in the utilization of any equipment or system such as initial start-up or testing, adjusting and balancing, preparation of operation and maintenance manuals, training personnel for operation and maintenance, and consultation during operation.

1.7.19 Providing services after issuance to the Owner of the final Certificate for Payment, or in the absence of a final Certificate for Payment, more than sixty days after the Date of Substantial Completion of the Work.

1.7.20 Preparing to serve or serving as an expert witness in connection with any public hearing, arbitration proceeding or legal proceeding.

1.7.21 Providing services of consultants for other than the normal architectural, structural, mechanical and electrical engineering services for the Project.

1.7.22 Providing any other services not otherwise included in this Agreement or not customarily furnished in accordance with generally accepted architectural practice.

1.8 TIME

1.8.1 The Architect shall perform Basic and Additional Services as expeditiously as is consistent with professional skill and care and the orderly progress of the Work. Upon request of the Owner, the Architect shall submit for the Owner's approval, a schedule for the performance of the Architect's services which shall be adjusted as required as the Project proceeds, and shall include allowances for periods of time required for the Owner's review and approval of submissions and for approvals of authorities having jurisdiction over the Project. This schedule, when approved by the Owner, shall not, except for reasonable cause, be exceeded by the Architect.

ARTICLE 2

THE OWNER'S RESPONSIBILITIES

2.1 The Owner shall provide full information regarding requirements for the Project including a program, which shall set forth the Owner's design objectives, constraints and criteria, including space requirements and relationships, flexibility and expandability, special equipment and systems and site requirements.

2.2 If the Owner provides a budget for the Project it shall include contingencies for bidding, changes in the Work during construction, and other costs which are the responsibility of the Owner, including those described in this Article 2 and in Subparagraph 3.1.2. The Owner shall, at the request of the Architect, provide a statement of funds available for the Project, and their source.

2.3 The Owner shall designate, when necessary, a representative authorized to act in the Owner's behalf with respect to the Project. The Owner or such authorized representative shall examine the documents submitted by the Architect and shall render decisions pertaining thereto promptly, to avoid unreasonable delay in the progress of the Architect's services.

2.4 The Owner shall furnish a legal description and a certified land survey of the site, giving, as applicable, grades and lines of streets, alleys, pavements and adjoining property; rights-of-way, restrictions, easements, encroachments, zoning, deed restrictions, boundaries and contours of the site; locations, dimensions and complete data pertaining to existing buildings, other improvements and trees; and full information concerning available service and utility lines both public and private, above and below grade, including inverts and depths.

2.5 The Owner shall furnish the services of soil engineers or other consultants when such services are deemed necessary by the Architect. Such services shall include test borings, test pits, soil bearing values, percolation tests, air and water pollution tests, ground corrosion and resistivity tests, including necessary operations for determining subsoil, air and water conditions, with reports and appropriate professional recommendations.

2.6 The Owner shall furnish structural, mechanical, chemical and other laboratory tests, inspections and reports as required by law or the Contract Documents.

2.7 The Owner shall furnish all legal, accounting and insurance counseling services as may be necessary at any time for the Project, including such auditing services as the Owner may require to verify the Contractor's Applications for Payment or to ascertain how or for what purposes the Contractor uses the moneys paid by or on behalf of the Owner.

2.8 The services, information, surveys and reports required by Paragraphs 2.4 through 2.7 inclusive shall be furnished at the Owner's expense, and the Architect shall be entitled to rely upon the accuracy and completeness thereof.

2.9 If the Owner observes or otherwise becomes aware of any fault or defect in the Project or nonconformance with the Contract Documents, prompt written notice thereof shall be given by the Owner to the Architect.

2.10 The Owner shall furnish required information and services and shall render approvals and decisions as expeditiously as necessary for the orderly progress of the Architect's services and of the Work.

ARTICLE 3

CONSTRUCTION COST

3.1 DEFINITION

3.1.1 The Construction Cost shall be the total cost or estimated cost to the Owner of all elements of the Project designed or specified by the Architect.

3.1.2 The Construction Cost shall include at current market rates, including a reasonable allowance for overhead and profit, the cost of labor and materials furnished by the Owner and any equipment which has been de-

signed, specified, selected or specially provided for by the Architect.

3.1.3 Construction Cost does not include the compensation of the Architect and the Architect's consultants, the cost of the land, rights-of-way, or other costs which are the responsibility of the Owner as provided in Article 2.

3.2 RESPONSIBILITY FOR CONSTRUCTION COST

3.2.1 Evaluations of the Owner's Project budget, Statements of Probable Construction Cost and Detailed Estimates of Construction Cost, if any, prepared by the Architect, represent the Architect's best judgment as a design professional familiar with the construction industry. It is recognized, however, that neither the Architect nor the Owner has control over the cost of labor, materials or equipment, over the Contractor's methods of determining bid prices, or over competitive bidding, market or negotiating conditions. Accordingly, the Architect cannot and does not warrant or represent that bids or negotiated prices will not vary from the Project budget proposed, established or approved by the Owner, if any, or from any Statement of Probable Construction Cost or other cost estimate or evaluation prepared by the Architect.

3.2.2 No fixed limit of Construction Cost shall be established as a condition of this Agreement by the furnishing, proposal or establishment of a Project budget under Subparagraph 1.1.2 or Paragraph 2.2 or otherwise, unless such fixed limit has been agreed upon in writing and signed by the parties hereto. If such a fixed limit has been established, the Architect shall be permitted to include contingencies for design, bidding and price escalation, to determine what materials, equipment, component systems and types of construction are to be included in the Contract Documents, to make reasonable adjustments in the scope of the Project and to include in the Contract Documents alternate bids to adjust the Construction Cost to the fixed limit. Any such fixed limit shall be increased in the amount of any increase in the Contract Sum occurring after execution of the Contract for Construction.

3.2.3 If the Bidding or Negotiation Phase has not commenced within three months after the Architect submits the Construction Documents to the Owner, any Project budget or fixed limit of Construction Cost shall be adjusted to reflect any change in the general level of prices in the construction industry between the date of submission of the Construction Documents to the Owner and the date on which proposals are sought.

3.2.4 If a Project budget or fixed limit of Construction Cost (adjusted as provided in Subparagraph 3.2.3) is exceeded by the lowest bona fide bid or negotiated proposal, the Owner shall (1) give written approval of an increase in such fixed limit, (2) authorize rebidding or renegotiating of the Project within a reasonable time, (3) if the Project is abandoned, terminate in accordance with Paragraph 10.2, or (4) cooperate in revising the Project scope and quality as required to reduce the Construction Cost. In the case of (4), provided a fixed limit of Construction Cost has been established as a condition of this Agreement, the Architect, without additional charge, shall modify the Drawings and Specifications as necessary to comply

with the fixed limit. The providing of such service shall be the limit of the Architect's responsibility arising from the establishment of such fixed limit, and having done so, the Architect shall be entitled to compensation for all services performed, in accordance with this Agreement, whether or not the Construction Phase is commenced.

ARTICLE 4

DIRECT PERSONNEL EXPENSE

4.1 Direct Personnel Expense is defined as the direct salaries of all the Architect's personnel engaged on the Project, and the portion of the cost of their mandatory and customary contributions and benefits related thereto, such as employment taxes and other statutory employee benefits, insurance, sick leave, holidays, vacations, pensions and similar contributions and benefits.

ARTICLE 5

REIMBURSABLE EXPENSES

5.1 Reimbursable Expenses are in addition to the Compensation for Basic and Additional Services and include actual expenditures made by the Architect and the Architect's employees and consultants in the interest of the Project for the expenses listed in the following Subparagraphs:

5.1.1 Expense of transportation in connection with the Project; living expenses in connection with out-of-town travel; long distance communications, and fees paid for securing approval of authorities having jurisdiction over the Project.

5.1.2 Expense of reproductions, postage and handling of Drawings, Specifications and other documents, excluding reproductions for the office use of the Architect and the Architect's consultants.

5.1.3 Expense of data processing and photographic production techniques when used in connection with Additional Services.

5.1.4 If authorized in advance by the Owner, expense of overtime work requiring higher than regular rates.

5.1.5 Expense of renderings, models and mock-ups requested by the Owner.

5.1.6 Expense of any additional insurance coverage or limits, including professional liability insurance, requested by the Owner in excess of that normally carried by the Architect and the Architect's consultants.

ARTICLE 6

PAYMENTS TO THE ARCHITECT

6.1 PAYMENTS ON ACCOUNT OF BASIC SERVICES

6.1.1 An initial payment as set forth in Paragraph 14.1 is the minimum payment under this Agreement.

6.1.2 Subsequent payments for Basic Services shall be made monthly and shall be in proportion to services performed within each Phase of services, on the basis set forth in Article 14.

6.1.3 If and to the extent that the Contract Time initially established in the Contract for Construction is exceeded

or extended through no fault of the Architect, compensation for any Basic Services required for such extended period of Administration of the Construction Contract shall be computed as set forth in Paragraph 14.4 for Additional Services.

6.1.4 When compensation is based on a percentage of Construction Cost, and any portions of the Project are deleted or otherwise not constructed, compensation for such portions of the Project shall be payable to the extent services are performed on such portions, in accordance with the schedule set forth in Subparagraph 14.2.2, based on (1) the lowest bona fide bid or negotiated proposal or, (2) if no such bid or proposal is received, the most recent Statement of Probable Construction Cost or Detailed Estimate of Construction Cost for such portions of the Project.

6.2 PAYMENTS ON ACCOUNT OF ADDITIONAL SERVICES

6.2.1 Payments on account of the Architect's Additional Services as defined in Paragraph 1.7 and for Reimbursable Expenses as defined in Article 5 shall be made monthly upon presentation of the Architect's statement of services rendered or expenses incurred.

6.3 PAYMENTS WITHHELD

6.3.1 No deductions shall be made from the Architect's compensation on account of penalty, liquidated damages or other sums withheld from payments to contractors, or on account of the cost of changes in the Work other than those for which the Architect is held legally liable.

6.4 PROJECT SUSPENSION OR TERMINATION

6.4.1 If the Project is suspended or abandoned in whole or in part for more than three months, the Architect shall be compensated for all services performed prior to receipt of written notice from the Owner of such suspension or abandonment, together with Reimbursable Expenses then due and all Termination Expenses as defined in Paragraph 10.4. If the Project is resumed after being suspended for more than three months, the Architect's compensation shall be equitably adjusted.

ARTICLE 7

ARCHITECT'S ACCOUNTING RECORDS

7.1 Records of Reimbursable Expenses and expenses pertaining to Additional Services and services performed on the basis of a Multiple of Direct Personnel Expense shall be kept on the basis of generally accepted accounting principles and shall be available to the Owner or the Owner's authorized representative at mutually convenient times.

ARTICLE 8

OWNERSHIP AND USE OF DOCUMENTS

8.1 Drawings and Specifications as instruments of service are and shall remain the property of the Architect whether the Project for which they are made is executed or not. The Owner shall be permitted to retain copies, including reproducible copies, of Drawings and Specifications for information and reference in connection with the Owner's use and occupancy of the Project. The Drawings and Specifications shall not be used by the Owner on

other projects, for additions to this Project, or for completion of this Project by others provided the Architect is not in default under this Agreement, except by agreement in writing and with appropriate compensation to the Architect.

8.2 Submission or distribution to meet official regulatory requirements or for other purposes in connection with the Project is not to be construed as publication in derogation of the Architect's rights.

ARTICLE 9

ARBITRATION

9.1 All claims, disputes and other matters in question between the parties to this Agreement, arising out of or relating to this Agreement or the breach thereof, shall be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then obtaining unless the parties mutually agree otherwise. No arbitration, arising out of or relating to this Agreement, shall include, by consolidation, joinder or in any other manner, any additional person not a party to this Agreement except by written consent containing a specific reference to this Agreement and signed by the Architect, the Owner, and any other person sought to be joined. Any consent to arbitration involving an additional person or persons shall not constitute consent to arbitration of any dispute not described therein or with any person not named or described therein. This Agreement to arbitrate and any agreement to arbitrate with an additional person or persons duly consented to by the parties to this Agreement shall be specifically enforceable under the prevailing arbitration law.

9.2 Notice of the demand for arbitration shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. The demand shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations.

9.3 The award rendered by the arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

ARTICLE 10

TERMINATION OF AGREEMENT

10.1 This Agreement may be terminated by either party upon seven days' written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination.

10.2 This Agreement may be terminated by the Owner upon at least seven days' written notice to the Architect in the event that the Project is permanently abandoned.

10.3 In the event of termination not the fault of the Architect, the Architect shall be compensated for all services performed to termination date, together with Reimbursable Expenses then due and all Termination Expenses as defined in Paragraph 10.4.

10.4 Termination Expenses include expenses directly attributable to termination for which the Architect is not otherwise compensated, ~~plus an amount computed as a percentage of the total Basic and Additional Compensation earned to the time of termination, as follows:~~

- ~~1. 20 percent if termination occurs during the Schematic Design Phase; or~~
- ~~2. 10 percent if termination occurs during the Design Development Phase; or~~
- ~~3. 5 percent if termination occurs during any subsequent phase.~~

ARTICLE 11

MISCELLANEOUS PROVISIONS

11.1 Unless otherwise specified, this Agreement shall be governed by the law of the principal place of business of the Architect.

11.2 Terms in this Agreement shall have the same meaning as those in AIA Document A201, General Conditions of the Contract for Construction, current as of the date of this Agreement.

11.3 As between the parties to this Agreement: as to all acts or failures to act by either party to this Agreement, any applicable statute of limitations shall commence to run and any alleged cause of action shall be deemed to have accrued in any and all events not later than the relevant Date of Substantial Completion of the Work, and as to any acts or failures to act occurring after the relevant Date of Substantial Completion, not later than the date of issuance of the final Certificate for Payment.

11.4 The Owner and the Architect waive all rights against each other and against the contractors, consultants, agents and employees of the other for damages covered by any property insurance during construction as set forth in the edition of AIA Document A201, General Conditions, current as of the date of this Agreement. The Owner and the Architect each shall require appropriate similar waivers from their contractors, consultants and agents.

ARTICLE 12

SUCCESSORS AND ASSIGNS

12.1 The Owner and the Architect, respectively, bind themselves, their partners, successors, assigns and legal representatives to the other party to this Agreement and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Agreement. Neither the Owner nor the Architect shall assign, sublet or transfer any interest in this Agreement without the written consent of the other.

ARTICLE 13

EXTENT OF AGREEMENT

13.1 This Agreement represents the entire and integrated agreement between the Owner and the Architect and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Owner and Architect.

ARTICLE 14

BASIS OF COMPENSATION

The Owner shall compensate the Architect for the Scope of Services provided, in accordance with Article 6, Payments to the Architect, and the other Terms and Conditions of this Agreement, as follows:

14.1 AN INITIAL PAYMENT of No dollars (\$ 0.00) shall be made upon execution of this Agreement and credited to the Owner's account as follows:

14.2 BASIC COMPENSATION

14.2.1 FOR BASIC SERVICES, as described in Paragraphs 1.1 through 1.5, and any other services included in Article 15 as part of Basic Services, Basic Compensation shall be computed as follows:

(Here insert basis of compensation, including fixed amounts, multiples or percentages, and identify Phases to which particular methods of compensation apply, if necessary.)

Percentage of construction cost based on a single stipulated sum construction contract shall be seven and three quarters (7.75%) percent.

14.2.2 Where compensation is based on a Stipulated Sum or Percentage of Construction Cost, payments for Basic Services shall be made as provided in Subparagraph 6.1.2, so that Basic Compensation for each Phase shall equal the following percentages of the total Basic Compensation payable:

(Include any additional Phases as appropriate.)

Schematic Design Phase:	Fifteen	percent (15 %)
Design Development Phase:	Twenty	percent (20 %)
Construction Documents Phase:	Forty	percent (40 %)
Bidding or Negotiation Phase:	Five	percent (5 %)
Construction Phase:	Twenty	percent (20 %)

14.3 FOR PROJECT REPRESENTATION BEYOND BASIC SERVICES, as described in Paragraph 1.6, Compensation shall be computed separately in accordance with Subparagraph 1.6.2.

14.4 COMPENSATION FOR ADDITIONAL SERVICES

14.4.1 FOR ADDITIONAL SERVICES OF THE ARCHITECT, as described in Paragraph 1.7, and any other services included in Article 15 as part of Additional Services, but excluding Additional Services of consultants, Compensation shall be computed as follows:

(Here insert basis of compensation, including rates and/or multiples of Direct Personnel Expense for Principals and employees, and identify Principals and classify employees, if required. Identify specific services to which particular methods of compensation apply, if necessary.)

1. Principals time at thirty-five dollars (\$35.00) per hour.
2. Project Architects time at twenty-five dollars (\$25.00) per hour.
3. Drafters time at twenty dollars (\$20.00) per hour.
4. Secretarial time at sixteen dollars (\$16.00) per hour.

14.4.2 FOR ADDITIONAL SERVICES OF CONSULTANTS, including additional structural, mechanical and electrical engineering services and those provided under Subparagraph 1.7.21 or identified in Article 15 as part of Additional Services, a multiple of one point one (1.1) times the amounts billed to the Architect for such services.

(Identify specific types of consultants in Article 15, if required.)

14.5 FOR REIMBURSABLE EXPENSES, as described in Article 5, and any other items included in Article 15 as Reimbursable Expenses, a multiple of one (1.0) times the amounts expended by the Architect, the Architect's employees and consultants in the interest of the Project.

14.6 Payments due the Architect and unpaid under this Agreement shall bear interest from the date payment is due at the rate entered below, or in the absence thereof, at the legal rate prevailing at the principal place of business of the Architect.

(Here insert any rate of interest agreed upon.) One and one half (1 1/2) percent per month

(Usury laws and requirements under the Federal Truth in Lending Act, similar state and local consumer credit laws and other regulations at the Owner's and Architect's principal places of business, the location of the Project and elsewhere may affect the validity of this provision. Specific legal advice should be obtained with respect to deletion, modification, or other requirements such as written disclosures or waivers.)

14.7 The Owner and the Architect agree in accordance with the Terms and Conditions of this Agreement that:

14.7.1 IF THE SCOPE of the Project or of the Architect's Services is changed materially, the amounts of compensation shall be equitably adjusted.

14.7.2 IF THE SERVICES covered by this Agreement have not been completed within twelve

(12) months of the date hereof, through no fault of the Architect, the amounts of compensation, rates and multiples set forth herein shall be equitably adjusted.

ARTICLE 15

OTHER CONDITIONS OR SERVICES

1. Compensation for previous work on Preliminary Design Estimate (Re: Architects Proposal of 3/19/84) of \$1,400.00 shall be credited to Owner at end of project.
2. Architect to coordinate his work with sitework, including paving and landscaping, by Civil Engineer retained by Owner for this project under separate contract. Architect assumes no responsibility or liability for Civil Engineer's work.

This Agreement entered into as of the day and year first written above.

OWNER

ARCHITECT

City of Leawood, Kansas

Ford Architects AIA

BY

Richard Garofano

BY

Larry A. Norris

Richard Garofano
City Administrator

Larry A. Norris, Partner

RESOLUTION NO. 654

A RESOLUTION RELATING TO THE CONSENT OF THE CITY OF LEAWOOD, KANSAS TO THE INCLUSION OF PROPERTY WITHIN THE BOUNDARIES OF TOMAHAWK CREEK MAIN SEWER DISTRICT NO. 1., TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 1, LATERAL SEWER DISTRICT NO. 3, JOHNSON COUNTY, KANSAS

WHEREAS, there has previously been created within the City of Leawood, Kansas, Tomahawk Creek Main Sewer District No. 1, Tomahawk Creek Sewer Sub-District No. 1, Lateral Sewer District No. 3; and

WHEREAS, it has been requested that the above-named districts be enlarged to include the property as described and shown in Exhibit "A" attached hereto; and

WHEREAS, the governing body of the City of Leawood, Kansas finds that by the provisions of the Article 27(a) of Chapter 19 of Kansas Statutes Annotated, the consent of the City is necessary before the property described in Exhibit "A" can be included within the previously created sewer districts above named.

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

Section 1. That the City of Leawood, Kansas, does hereby consent to the inclusion of the property described in Exhibit "A" within the boundaries of Tomahawk Creek Main Sewer District No. 1, Tomahawk Creek Sewer Sub-District No. 1, Lateral Sewer District No. 3, Johnson County, Kansas.

PASSED by the governing body this 21st day of May, 1984.

APPROVED by the Mayor this 21st day of May, 1984



[Handwritten Signature]

Mayor

[Handwritten Signature]

City Clerk

APPROVED BY THE BOARD:

[Handwritten Signature]

WATERFORD

(PLAT NO. 1)

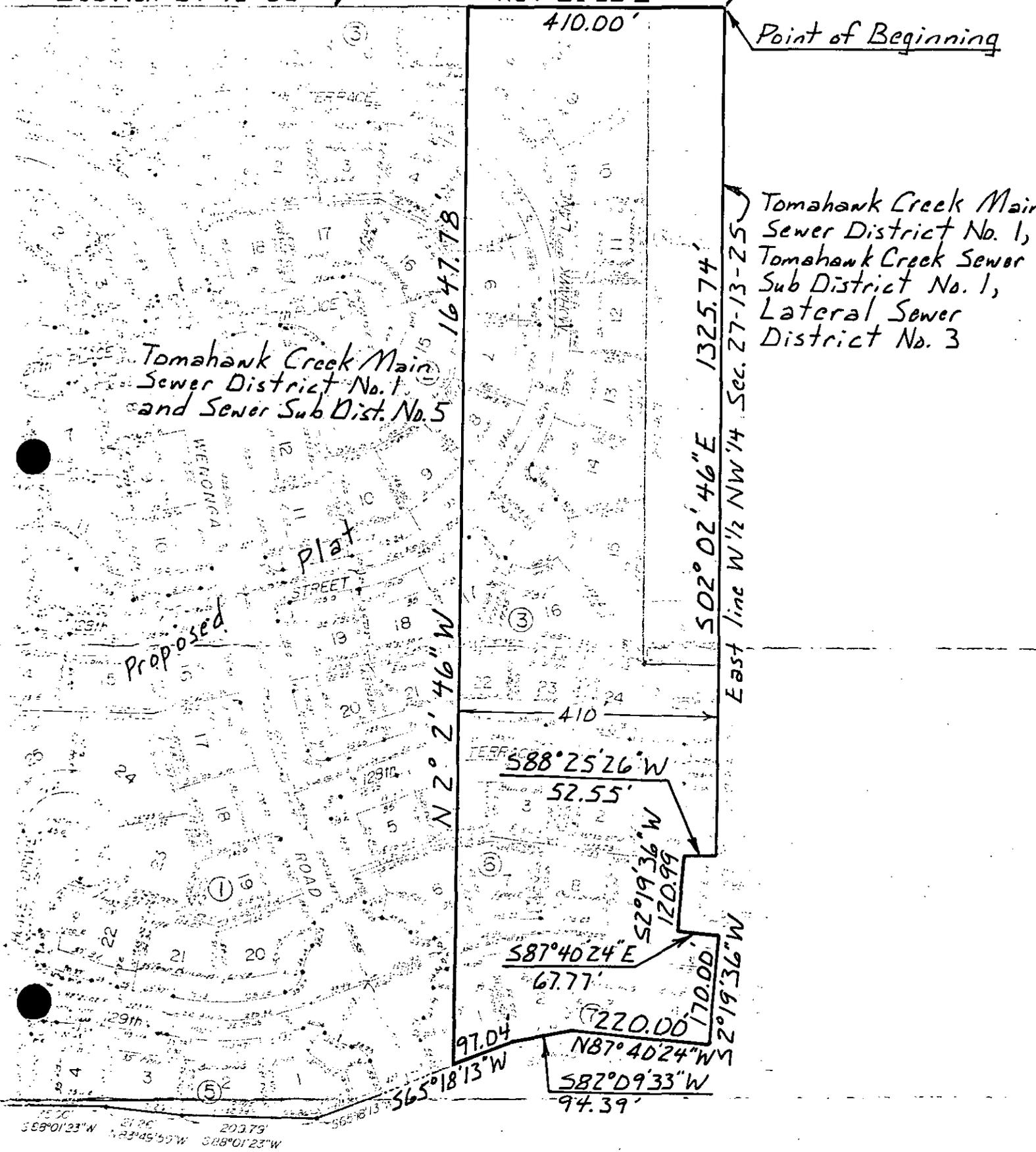
ALL OF BLOCKS 1, 2, 3 AND PART OF BLOCKS 4, 5, 6 AND 7
LEAWOOD, JOHNSON COUNTY, KANSAS

NE corner W $\frac{1}{2}$
NW $\frac{1}{4}$ Sec. 27-13-25

North line W $\frac{1}{2}$ NW $\frac{1}{4}$
Section 27-13-25

N87°32'25"E

Point of Beginning



Tomahawk Creek Main
Sewer District No. 1,
Tomahawk Creek Sewer
Sub District No. 1,
Lateral Sewer
District No. 3

Tomahawk Creek Main
Sewer District No. 1
and Sewer Sub Dist. No. 5

Proposed

East line W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 27-13-25

N 2° 2' 46" W

1647.78'

LEGAL DESCRIPTION OF AREA TO BE INCLUDED IN TOMAHAWK CREEK MAIN SEWER DISTRICT NO. 1, TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 1, LATERAL SEWER DISTRICT NO. 3.

All that area in the West Half of the NW $\frac{1}{4}$ of Section 27, Range 13, Township 25, in Leawood, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast corner of said West Half of the NW $\frac{1}{4}$ of Section 27; thence S-02°02'46"-E along the East line of the West Half, a distance of 1325.74 feet; thence S-88°25'26"-W, a distance of 52.56 feet; thence S-02°19'36"-W, a distance of 120.99 feet; thence S-87°40'24"-E, a distance of 67.77 feet; thence S-02°19'36"-W, a distance of 170.00 feet; thence N-87°40'24"-W, a distance of 220.00 feet; thence S-82°09'33"-W, a distance of 94.39 feet; thence S-65°18'13"-W, a distance of 97.04 feet to a point on the existing boundary line of Tomahawk Creek Sewer Sub-District No. 5, said boundary line being 410.00 feet West of and parallel to the East line of the West Half of the NW $\frac{1}{4}$ of Section 27; thence N-02°02'46"-W along said boundary line, a distance of 1647.78 feet to a point on the North line of said West Half; thence N-87°32'25"-E along said North line, a distance of 410.00 feet to the point of beginning. Containing 654,739 square feet or 15.03074 acres.

EXHIBIT "A"

RESOLUTION NO. 655

The Leawood City Council has considered the final plat for Berkshire Villas, which is the fourth plat of the Berkshire Subdivision, and which consists of approximately 18 acres in the southwest corner of the Berkshire Subdivision at 124th and Roe Avenue, and hereby resolves the following:

WHEREAS, the proposed final plat of Berkshire Villas was submitted in conformance with the preliminary plat; and

WHEREAS, the public works elements will be submitted and approved by the Director of Public Works; and

WHEREAS, the developer will provide the City with the Declaration of Restrictions and the Homes Association Declarations; and

WHEREAS, the additional information as requested by the Plan Commission at its last meeting will be furnished; and

WHEREAS, staff has reviewed and recommended approval of this plat; and

WHEREAS, the Plan Commission recommends approval of the said plat;

NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council approves the final plat of Berkshire Villas.

Adopted by the Governing Body this 21st day of May, 1984.



Attest:


D. Oberlander City Clerk


Kent E. Crippin Mayor

RESOLUTION NO. 656

The Leawood City Council has considered the final plan and final plat of the Fourth Plat for Patrician Woods, RP-4, Planned Cluster Residential, consisting of fifteen acres, divided into nine tracts, and hereby resolves the following:

WHEREAS, the plan and plat are in conformance with the preliminary plan and plat; and

WHEREAS, the submitted documents conform to City regulations; and

WHEREAS, the developer has agreed to relocate Linden as suggested by Staff; and

WHEREAS, the developer has agreed to relocate the main entrance further to the west, as suggested by staff, so that the cul de sac and the main entrance are reversed; and

WHEREAS, the developer has agreed to dedicate to the City, land within the 100 year flood plain for public purposes; and

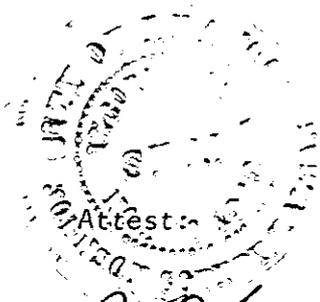
WHEREAS, the developer has agreed to revise the northerly portion of the plat and to provide for the westerly extension of the Tomahawk Creek Greenway, and to provide the necessary assurances that the westerly boundary of the plat encompassing the existing stream flowing to Tomahawk Creek will either be stabilized properly or be within land designated as common area and/or maintained by the homes association, and to provide the necessary security considerations for the entrance at Linden to Roe Avenue, and for Cedar at 126th Street, and to pay \$60.00 per foot for the platted area adjacent to Roe Avenue, all as approved by the Director of Public Works; and

WHEREAS, the developer will submit to the City deed restrictions and homes association documents; and

WHEREAS, the Plan Commission recommends approval of said final plan and plat;

NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council approves the final plan and final plat of the Fourth Plat for Patrician Woods, RP-4.

Adopted by the Governing Body this 4th day of June, 1984.



J. Oberlander
J. Oberlander, City Clerk

Phil Hodes

Phil Hodes, Presiding Officer

RESOLUTION NO. 657

The Leawood City Council has considered the final plat for Hunter's Ridge, 5th Plat, consisting of 25 R-1, Single Family, lots and hereby resolves the following:

WHEREAS, the 5th Plat of Hunter's Ridge is submitted in conformance with the preliminary plat; and

WHEREAS, the developer has satisfied all the requirements set out by the Plan Commission; and

WHEREAS, staff has reviewed and recommended approval of the plat; and

WHEREAS, the Plan Commission recommends approval of said plat;

NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council approves the 5th-Plat of Hunter's Ridge.

Adopted by the Governing Body this four day of June, 1984.



J. Oberlander
J. Oberlander City Clerk

Phillip Hodès
Phillip Hodès, Presiding Officer

RESOLUTION NO. 658

The Leawood City Council has considered the final plat for Leawood Country Manor, 6th Plat, consisting of a 17,000 square foot building at Ash and College Boulevard, and hereby resolves the following:

WHEREAS, the Plan Commission approved the final development plan in 1984; and

WHEREAS, the developer has complied with all requirements established by the Plan Commission; and

WHEREAS, the Plan Commission recommends approval of said final plat;

NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council approves the final plat of Leawood Country Manor, 6th Plat.

Adopted by the Governing Body this 4 day of June, 1984.



[Handwritten signature of Phillip Hodes]

Phillip Hodes, Presiding Officer

[Handwritten signature of J. Oberlander]
J. Oberlander City Clerk

RESOLUTION NO. 659

A RESOLUTION ESTABLISHING "STOP" SIGNS AT THE FOLLOWING LOCATIONS WITHIN THE CITY OF LEAWOOD.

WHEREAS, an evaluation of traffic flow along and in various newer subdivisions has been performed by a traffic specialist of the Leawood Police Department and reviewed by a consulting engineer, and it has been determined that a need exists for "Stop" signs at the following locations:

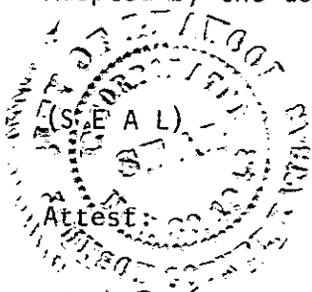
119th Terr. at Pawnee Lane
120th St. at Mohawk Lane
Mohawk Rd. at 123rd St.
Pawnee Lane at 123rd St.
Wenonga Lane at 123rd St.
Cherokee Place at 123rd St.
Cherokee Lane at 123rd St.
12300 block of High Dr. at its intersection
with Sagamore
Pawnee Lane at 121st St.
Mohawk Lane at 121st St.
12600 block of Howe Dr. at its intersection
with Mission Rd.
126th St. at Roe Blvd.
Buena Vista at 124th St.
Catalina at 124th St.
Delmar at 124th St.
124th St. at Roe Blvd.
124th Terr. at its intersection with 124th St.

NOW, THEREFORE, BE IT RESOLVED that stop signs be installed at the locations;
and

BE IT FURTHER RESOLVED that the Leawood Public Works Department is instructed
to post permanent stop signs at the locations; and

BE IT FURTHER RESOLVED that the Leawood Police Department is instructed to
enforce same.

Adopted by the Governing Body this 4th day of June, 1984.



J. Oberlander
J. Oberlander City Clerk

Phillip Hodes
Phillip Hodes, Presiding Officer

RESOLUTION NO. 660

The Leawood City Council has considered the request for rezoning and preliminary plat approval for the Aintree subdivision located at the northwest corner of 127th and Mission Road, and hereby resolves the following:

WHEREAS, the application conforms to the Master Development Plan of the City; and

WHEREAS, the preliminary plat conforms in general to the subdivision regulations; and

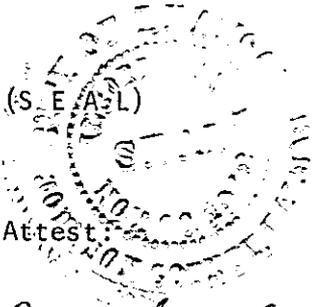
WHEREAS, the staff has recommended approval of the rezoning application and preliminary plat; and

WHEREAS, the developer has agreed to comply with six stipulations established by the Plan Commission; and

WHEREAS, the Plan Commission recommends approval of the requested rezoning from A to R-1, Single Family Residential, and approval of the preliminary plan;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the preliminary plat for said requested rezoning.

Adopted by the Governing Body this 18 day of June, 1984.



Attest:

J. Oberlander
J. Oberlander City Clerk

Kent E. Crippin
Kent E. Crippin Mayor

RESOLUTION NO. 661

The Leawood City Council has considered the application for rezoning, preliminary plan and preliminary plat approval for the Multi-use Development at 135th and State Line Road to Kenneth Road, and hereby resolves the following:

WHEREAS, the proposed application is in conformance to the current Master Development Plan of the City; and

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

WHEREAS, the developer has agreed to rezoning the residential area to RP-3, Garden Apartment Zoning District, and to providing a street right-of-way to the east from Kenneth Parkway north of triangular parking lot, and arranging the most feasible intersection of Kenneth Road and Kenneth Parkway for this property and adjacent property owners, and classifying existing Kenneth Road south from 135th Street as a primary collector street; and

WHEREAS, the developer shall be required to comply with all zoning and subdivision regulations; and

WHEREAS, the Plan Commission recommends approval of the rezoning from A to CP-2, Planned General Business District, approximately 20 acres; CP-0, Planned Office District, approximately 16.5 acres; and RP-3, Planned Garden Apartment District consisting of approximately 46.4 acres;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the preliminary plan and preliminary plat for said requested rezoning.

Adopted by the Governing Body this 18 day of June, 1984.



J. Oberlander
J. Oberlander City Clerk

Kent E. Crippin
Kent E. Crippin Mayor

RESOLUTION NO. 662

The Leawood City Council has considered the final plat of Waterford consisting of approximately 53 acres located at Mission Road and 127th Street; and hereby resolves the following:

WHEREAS, the final plat conforms to the subdivision regulations of the City; and

WHEREAS, the final plat is in general conformance to the revised preliminary plat; and

WHEREAS, the developer has submitted deed restrictions and Homes Association Declarations; and

WHEREAS, the developer has agreed to name the north-south divided street Glenfield in conformance with the established street grid system; and

WHEREAS, the existing street name Sagamore Road directly east of this plat shall be changed to 128th Terrace to be consistent with the established street grid; and

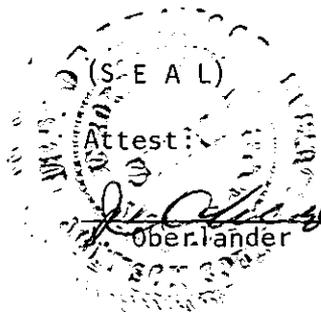
WHEREAS, the developer shall be responsible for the construction of Mission Road per subdivision regulations and that further the developer has agreed to enter into a benefit district for the purpose of constructing Mission Road from 127th Street to 135th Street; and

WHEREAS, the final plat in this configuration can be approved only if a two-foot strip of land located on the west side of Pawnee Lane be dedicated to the City as right-of-way by the Moffitt Development Company or other satisfactory arrangements are made which are acceptable to the City Council; and

WHEREAS, the Plan Commission recommends approval of said final plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the final plat of Waterford (Plat No. 1).

Adopted by the Governing Body this 18 day of June, 1984.



[Signature]
Oberlander
City Clerk

[Signature]
Kent F. Crippin
Mayor

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF MISSION ROAD BETWEEN 127TH STREET AND 135TH STREET IN THE CITY OF LEAWOOD, KANSAS, PURSUANT TO THE FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF CONSTRUCTING MISSION ROAD BETWEEN 127TH STREET AND 135TH STREET IN THE CITY OF LEAWOOD, KANSAS, ARE HEREBY MADE, TO-WIT:

1. That it is necessary and in the public interest to construct the following public improvement:

The construction and improvements of Mission Road, from the centerline of 127th Street (the north line of Section 28, Township 13, Range 25) to the centerline of 135th Street (south line of Section 28, Township 13, Range 25), a distance of 5,280 feet more or less. The improvements will be a 36 foot roadway in width, back to back with curb, all improvements to be inclusive of the storm drainage facilities, sidewalks, street lighting, and other appurtenances.

2. That the cost of said improvement provided for in Section 1 hereof is estimated to be \$950,000 payable by the improvement district and the City-at-large as set out hereinafter.

3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed as indicated on the attached Exhibit "A" and described as follows:

The property abutting the roadway, as described in Section 1 hereof, extending to a depth of 1320 feet on each side of the centerline of said roadway, except as adjustments are made to conform to the true property lines of properties within the district. The legal description of the improvement district is as indicated on the attached Exhibit "A" and as indicated in Sections 1 and 3.

4. The method of apportioning all costs of said improvements attributable to the owners of land liable for assessment and to the City-at-large shall be as follows:

All property within the assessment district shall be assessed on a square foot basis estimated to be approximately 7 cents per square foot for all private property in the district subject to the limitations and conditions set out in Resolution No. 520. The property dedicated to public rights-of-way should not be liable for such assessment.

5. The proposed apportionment of the cost between the improvement district and the City-at-large is:

The City-at-large shall pay only that cost as provided in Resolution No. 520.

6. The Director of Public Works shall have plans and specifications prepared for said improvement and a preliminary estimate of cost therefor, which plans, specifications and a preliminary estimate of cost shall be presented to this Governing Body for its approval.

7. The advisability of the improvement set forth is hereby established as authorized by K.S.A. 12-6a01 et seq.

BE IT FURTHER RESOLVED THAT THE ABOVE-DESCRIBED IMPROVEMENT IS HEREBY AUTHORIZED AND DECLARED TO BE NECESSARY IN ACCORDANCE WITH THE FINDINGS OF THE GOVERNING BODY AS SET OUT IN THIS RESOLUTION.

That the City Clerk shall make proper publication of this resolution which shall be published once in the official City paper and which shall be effective from and after said publication.

Adopted by the Governing Body this 18 day of June, 1984.



[Handwritten Signature]
Kent B. Crippen Mayor

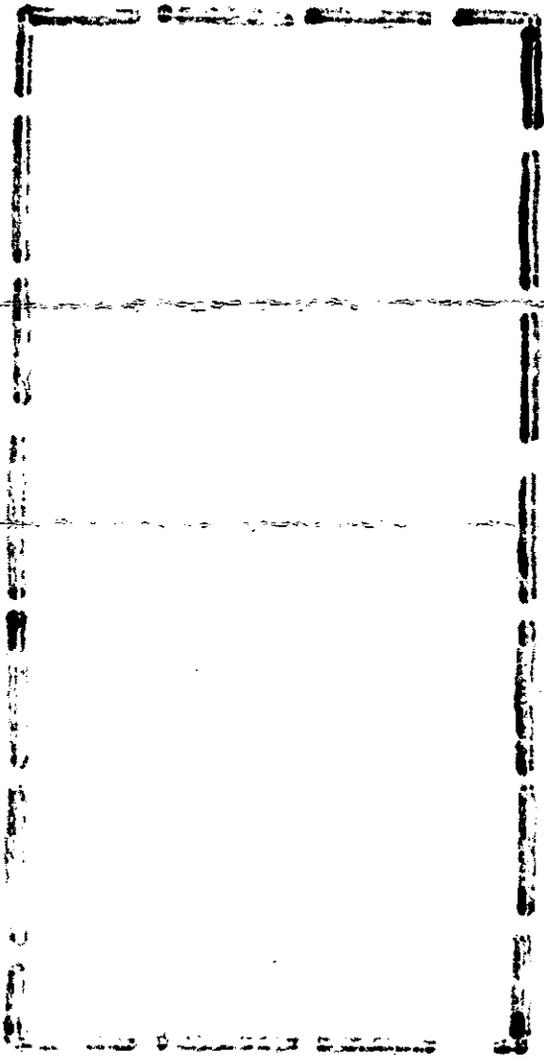
[Handwritten Signature]
Oberlander City Clerk

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

1984 JUN 29 P 1:15 6

722
RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP



City of Newwood
9017 Tree Blvd
Newwood Va
16206

RESOLUTION NO. 664

A RESOLUTION REQUESTING CONGRESSIONAL AUTHORITY FOR THE UNITED STATES ARMY CORPS OF ENGINEERS TO REVIEW THE REPORT OF THE CHIEF OF ENGINEERS ON THE BLUE RIVER, VICINITY OF KANSAS CITY, MISSOURI AND KANSAS, PUBLISHED AS HOUSE DOCUMENT 332, 91ST CONGRESS, SECOND SESSION, AND OTHER APPLICABLE REPORTS TO DETERMINE WHETHER ANY MODIFICATIONS IN THE REPORTS ARE ADVISABLE WITH REFERENCE TO THE RELIEF OF FLOODING ALONG INDIAN AND TOMAHAWK CREEK BASINS IN LEAWOOD, JOHNSON COUNTY, KANSAS.

WHEREAS, when authorized by the United States Congress, and upon proper request by local officials, the United States Army Corps of Engineers has the capability to make a complete study of any river basin subject to flood; and

WHEREAS, flooding continues in the Indian and Tomahawk Creek basins, which makes it imperative that measures be taken immediately to provide further engineering study for the purpose of protecting the area from future flood damage; and

WHEREAS, specifically, on June 8, 1984, extensive flooding occurred along Indian and Tomahawk Creeks causing widespread damage to property and the threatened loss of lives; and

WHEREAS, the problem of rising waters along Indian and Tomahawk Creeks presents a future threat of similar occurrences to the residents of the City,

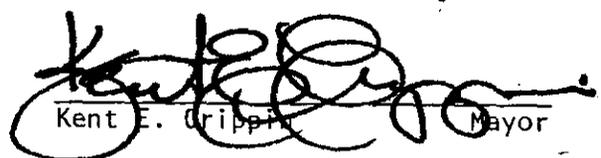
NOW, THEREFORE BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that a resolution be passed by the Committee on Environment and Public Works of the United States Senate (or Committee on Public Works and Transportation of the United States House of Representatives), requesting the Board of Engineers for Rivers and Harbors created under Section 3 of the Rivers and Harbors Act approved June 13, 1902, to review the report of the Chief of Engineers on the Blue River, vicinity of Kansas City, Missouri and Kansas, published as House Document No. 332, 91st Congress, Second Session, and other applicable reports with a view to determine whether any modifications in the reports under review are advisable at the present-time, with particular reference to flood damage and related storm water damage reduction on Indian and Tomahawk Creeks in Leawood, Johnson County, Kansas.

BE IT FURTHER RESOLVED, that the Kansas Water Office be requested to endorse this request of Leawood, Kansas, and communicate its endorsement to the United States Army Corps of Engineers, Kansas City District, and the Committee on Environment and Public Works of the United States Senate (or Committee of Public Works and Transportation of the United States House of Representatives); and

BE IT FURTHER RESOLVED, that copies of this resolution be delivered to Colonel Gurnie C. Gunter, District Engineer, Kansas City District, United States Army Corps of Engineers, and to the Kansas Water Office, as evidence of this request, and the deep concern of the City over the conditions in the Indian and Tomahawk Creek Basins.

ADOPTED UNANIMOUSLY BY THE GOVERNING BODY this 18th day of June, 1984.




Kent E. Grippin Mayor


Jimmy Oberlander City Clerk

RESOLUTION NO. 665

A RESOLUTION URGING GOVERNOR JOHN CARLIN TO ACTIVELY SUPPORT THE ADOPTION OF A POSITION BY THE NATIONAL GOVERNORS ASSOCIATION ENDORSING THE ENACTMENT OF LEGISLATION BY THE UNITED STATES CONGRESS TO IMMUNIZE CITIES AND OTHER LOCAL UNITS OF GOVERNMENT FROM FEDERAL ANTITRUST LIABILITY.

WHEREAS, the immunity of state governments from federal antitrust liability was recognized by the United States Supreme Court in 1943, in the case of Parker v. Brown, 317 U.S. 341; and

WHEREAS, the United States Supreme Court in Community Communications Co., Inc., v. City of Boulder, 455 U.S. 40 (1982) held that cities and other local units of government which have been granted home rule powers do not share in the immunity from federal antitrust liability enjoyed by state governments; and

WHEREAS, the Boulder decision has exposed local units of government to antitrust liability as a result of their regulatory, zoning, franchising, purchasing, and other day-to-day activities; and

WHEREAS, federal antitrust lawsuits involving claims for monetary relief for hundreds of millions of dollars have been filed and threaten the fiscal integrity of local units of government across the country; and

WHEREAS, even frivolous antitrust lawsuits can be extremely time-consuming and expensive to defend; and

WHEREAS, the activities of local government, like the activities of the state and federal governments, are particularly unsuited to the application of federal antitrust laws; and

WHEREAS, at its summer meeting the National Governors Association will consider whether it should endorse the passage of legislation by the U.S. Congress to immunize local units of government from antitrust liability; and

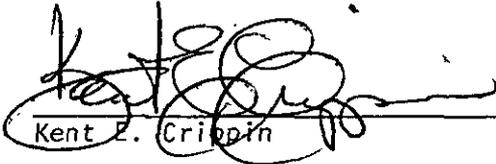
WHEREAS, the Convention of Voting Delegates of the League of Kansas Municipalities has formally endorsed the passage of such legislation;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that Governor John Carlin is strongly urged to become actively involved in persuading the National Governors Association to adopt a position endorsing the enactment of legislation by Congress which provides to municipalities and other local units of government the same immunity from federal antitrust liability as that which is currently enjoyed by state governments; and

BE IT FURTHER RESOLVED that the City Clerk transmit a copy of this resolution to the Honorable John Carlin, Governor of the State of Kansas, State Capitol, Topeka, Kansas.

Adopted by the Governing Body of the City of Leawood, Kansas, this
2nd day of July, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 666

The Leawood City Council has considered the final (R-1) plat of Aintree Manor, located at the northwest corner of Mission Road and 127th Street, and hereby resolves the following:

WHEREAS, the property is zoned R-1, Single Family Residential; and

WHEREAS, the preliminary plat was previously approved by the Plan Commission; and

WHEREAS, the final plat conforms to the preliminary plat; and

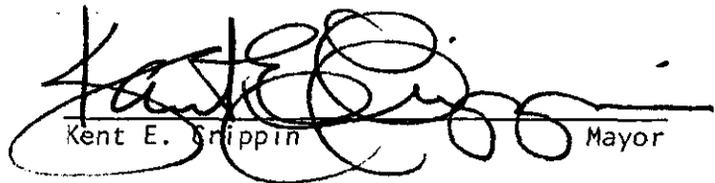
WHEREAS, the final public works plans have been approved by the City's Director of Public Works; and

WHEREAS, the Leawood Plan Commission recommends approval of said final plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the final (R-1) plat of Aintree Manor.

Adopted by the Governing Body this 6th day of August, 1984.




Kent E. Grippin Mayor

Attest:


J. Oberlander City Clerk

RESOLUTION NO. 667

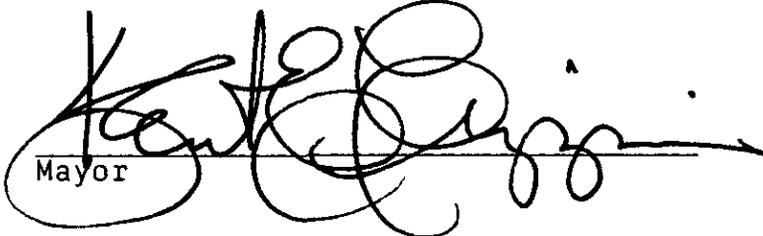
RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD CONSENTING
TO THE ENLARGEMENT OF TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4,
JOHNSON COUNTY, KANSAS

On this 6th day of August, 1984, the Governing Body of the City of Leawood, Kansas, met in regular session with the mayor and a majority of the Council being present.

There comes before the Council for consideration the matter of the proposed enlargement of Tomahawk Creek Sewer Sub-District No. 4, Johnson County, Kansas, the proposed outer boundaries of which are described on Exhibit A attached to this resolution.

The provisions of K. S. A. 1983 Supp. 19-27a05 and any amendments thereto provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have the power to create or extend such sewer district within the city limits without the consent of the governing body of such city.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD that said City does hereby consent that the property shown and described on Exhibit A attached to this resolution be included within Tomahawk Creek Sewer Sub-District No. 4, Johnson County, Kansas.


Mayor

ATTEST


City Clerk



SHAFER, KLINE & WARREN, P.A.

CIVIL ENGINEERS — LAND SURVEYORS — LAND PLANNERS

11100 WEST 91ST STREET, OVERLAND PARK, KANSAS 66214

TEL. (913) 888-7800

LARRY D. GRAHAM
PHILIP K. KLINE
ROBERT R. MYERS
TEX L. NEW
ROGER H. SELLERS
EMMETT J. WARREN

June 29, 1984

LEGAL DESCRIPTION FOR
PROPOSED ADDITION TO
TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

All that part of the SE $\frac{1}{4}$ of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast corner of the SE $\frac{1}{4}$ of said Section 22; thence S 89° 57' 52" W, along the North line of the SE $\frac{1}{4}$ of said Section 22, a distance of 1090 feet; thence S 0° 02' 08" E, a distance of 40 feet; thence S 5° 55' 30" E, a distance of 150.27 feet; thence S 3° 49' 28" E, a distance of 50 feet; thence Easterly, along a curve to the right, having a radius of 2000 feet, a central angle of 0° 24' 04", and whose initial tangent bearing is N 86° 10' 32" E, a distance of 14 feet; thence S 3° 25' 24" E, a distance of 151.62 feet; thence S 83° W, a distance of 83.97 feet; thence S 73° W, a distance of 87.34 feet; thence S 63° 59' 23" W, a distance of 100.06 feet; thence S 62° W, a distance of 100 feet; thence S 51° 50' 36" W, a distance of 135.67 feet, to the true point of beginning of subject tract; thence continuing S 51° 50' 36" W, a distance of 13.56 feet; thence N 87° W, a distance of 158.12 feet, to Point "A"; thence N 89° 57' 52" E, a distance of 168.57 feet, to the true point of beginning of subject tract . . . and also . . . All that part of the SE $\frac{1}{4}$ of said Section 22, more particularly described as follows: Commencing at said Point "A"; thence S 89° 57' 52" W, a distance of 58.49 feet, to the true point of beginning of subject tract; thence S 4° 23' 48" W, a distance of 127.41 feet; thence Westerly, along a curve to the left, having a radius of 900 feet, a central angle of 1° 45' 57", and whose initial tangent bearing is N 85° 36' 12" W, a distance of 27.74 feet; thence S 2° 37' 51" W, a distance of 175.01 feet; thence S 88° 55' W, a distance of 93.76 feet; thence S 76° W, a distance of 93.61 feet; thence N 12° 11' 55" W, a distance of 197.17 feet; thence Northeasterly, along a curve to the left, having a radius of 200 feet, a central angle of 5° 10' 36", and whose initial tangent bearing is N 54° 46' 36" E, a distance of 18.07 feet; thence N 40° 24' W, a distance of 141.47 feet; thence N 21° 30' E, a distance of 13.80 feet; thence N 89° 57' 52" E, a distance of 344.07 feet, to the true point of beginning of subject tract.

RESOLUTION NO. 668

A RESOLUTION TO SUBMIT TO THE VOTERS THE QUESTION OF WHETHER TO SUSPEND THE AGGREGATE TAX LEVY LIMITATION FOR A PERIOD OF EIGHT (8) YEARS AS PROVIDED FOR IN K.S.A. 79-5012.

WHEREAS, at the regular City election of April 5, 1977, electors of the City of Leawood voted to repeal the intangibles tax in effect at that time; and

WHEREAS, the repeal of the intangibles tax was contingent upon suspending the aggregate tax levy limitation for a period of eight (8) years in order to provide an alternate source of revenue; and

WHEREAS, the authorization to suspend the aggregate tax levy limitation to permit the total taxes levied by the City to be increased by no more than seven (7) mills for a period of eight (8) years, expires at the end of the 1985 budget year; and

WHEREAS, the Governing Body has concluded that the revenue generated by the supplemental 7 mills continues to be necessary to offset revenues lost through the repeal of the intangibles tax in 1977;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas that the question pertaining to the suspension of the aggregate tax levy limitation be submitted to the voters at the general election to be held on November 6, 1984 in the manner prescribed by K.S.A. 10-120; and

BE IT FURTHER RESOLVED that the question pertaining to the suspension of the aggregate tax levy limitation be in substantially the following form:

PROPOSITION NO. 1:

Shall the following be adopted?

"Shall the City of Leawood, Kansas suspend the aggregate tax levy limitation to permit total taxes levied by the City to be increased by not to exceed a total of seven (7) mills over a period of eight (8) years commencing with budget year 1986 for the purpose of providing revenue to the City?"

AND BE IT FURTHER RESOLVED that the NOTICE OF ELECTION and the question to appear on the ballot at said general election shall be in substantially the following form:

NOTICE OF SPECIAL QUESTION TO APPEAR ON THE BALLOT IN THE CITY OF LEAWOOD, KANSAS ON NOVEMBER 6, 1984

To all of the qualified electors of the City of Leawood, Kansas:

Notice is hereby given that a special question will appear on the ballot at the general election on November 6, 1984 for the purpose of:

Voting on the question of whether the suspension of the aggregate tax levy limitation, originally authorized at the April 5, 1977 election, should be renewed and extended, for an additional period not to exceed eight (8) years commencing in the budget year 1986 for the purpose of providing a source of revenue.

The voting shall be by ballot and the following question shall appear on said ballot:

PROPOSITION NO. 1:

SHALL THE FOLLOWING BE ADOPTED?

"Shall the City of Leawood, Kansas suspend the aggregate tax levy limitation to permit total taxes levied by the City to be increased by not to exceed a total of seven (7) mills over a period of eight (8) years commencing with budget year 1986 for the purpose of providing revenue to the City?"

To vote in favor of the proposition make a cross or check mark in the square after the word "Yes".

To vote against the proposition, make a cross or check mark in the square after the word "No".

Voting hours will be from 7 A.M. to 7 P.M. in all polling places on November 6, 1984. The voting places in said City shall be as follows:

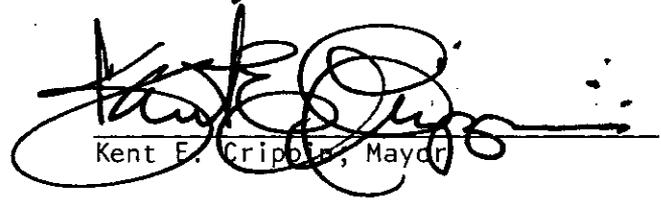
Ward 1: Precincts 1 & 2	-	Leawood Baptist Church 83rd and State Line
Precinct 3	-	Leawood Presbyterian Church 2715 W. 83rd Street
Ward 2: Precinct 1	-	Leawood Country Club 8901 Sagamore
Precinct 2	-	Marsha Bagby District Office 95th & Mohawk
Precinct 3	-	Leawood City Hall; Council Chamber 9615 Lee Boulevard
Ward 3: Precincts 1,2,& 3-	-	Brookwood School 103rd & Wenonga
Ward 4: Precincts 1,2,& 3-	-	Leawood Elementary School 2400 W. 123rd Street

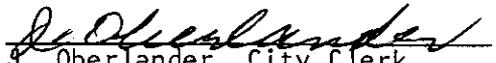
Johnson County Election Commissioner

Adopted by the Governing Body this 6th day of August 1984.



Attest:


Kent E. Crippen, Mayor


J. Oberlander, City Clerk

RESOLUTION NO. 669

The Leawood City Council has considered the preliminary and final plat of Mission View subdivision, southwest corner of 119th and Mission Road, and hereby resolves the following:

WHEREAS, surrounding properties are zoned R-1, Single Family Residential District; and

WHEREAS, the preliminary and final plats for this subdivision are in compliance with City regulations; and

WHEREAS, the final public works plans have been approved by the City's Director of Public Works; and

WHEREAS, the applicant has dedicated the necessary rights-of-way for all adjoining street improvements; and

WHEREAS, the developer shall be responsible for one-half of a collector street along 119th Street adjacent to this property; and

WHEREAS, the Leawood Plan Commission recommends approval of rezoning, preliminary and final plat approval for Mission View subdivision;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the preliminary and final plats for said rezoning.

Adopted by the Governing Body this 20th day of August, 1984.



Attest:

J. Oberlander
J. Oberlander City Clerk

Kent E. Crippin
Kent E. Crippin Mayor

RESOLUTION NO. 670

The Leawood City Council has considered a request for rezoning of approximately two and one-half acres and a preliminary plan for a total of ten acres at the southeast corner of Roe Avenue and College Boulevard, and hereby resolves the following:

WHEREAS, this request is in accordance with the Comprehensive Plan; and

WHEREAS, the staff has recommended approval of the rezoning and preliminary plan; and

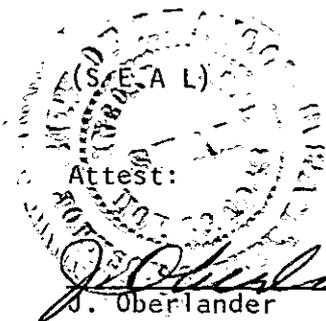
WHEREAS, the Plan Commission recommends approval of the rezoning and preliminary plan with the following conditions:

1. A storm drainage concept be developed with the intent of resolving existing downstream surface water problems. Ultimate design would be approved by the Director of Public Works. Storm drainage concept is to include any storm drainage detention that may be necessary on the vacant five-acre site directly to the south.
2. A preliminary plan is considered as a unified site development plan for the entire ten-acre tract.
3. Developer is responsible to pay for one-half of a collector street on both Roe Avenue and College Boulevard in the amount of \$80.00 per lineal foot along Roe Avenue and College Boulevard less street rights-of-way.
4. Reduce the number of parking spaces on the site to four per thousand gross floor area.
5. Phases of development are as shown on the plan.

WHEREAS, the Leawood Plan Commission recommends approval of the rezoning from A to CP-0, Planned Office Building, for approximately two and one-half acres, and preliminary plan for a total of ten acres at the southeast corner of College Boulevard and Roe Avenue;

NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council approves the preliminary plan for said requested rezoning.

Adopted by the Governing Body this 17th day of September, 1984.



J. Oberlander
J. Oberlander City Clerk

Kent E. Crappin
Kent E. Crappin Mayor

*rescinded by Res. 738
11/18/85*

RESOLUTION NO. 671

Resolution to provide new and/or adequate sanitary sewer collection systems, setting certain policies for connection to and use of the sanitary sewers, and authorizing and directing connection to the sanitary sewers within portions of the LEAWOOD subdivision, Leawood, Kansas, and SOMERSIDE subdivision, Prairie Village, Kansas.

WHEREAS, the governing body of the Leawood Sewer System has determined that certain sanitary sewer lines within the Leawood Sewer System, located within the area generally known and described as the LEAWOOD subdivision, Leawood, Kansas - lots 1 through 51, 59 through 79, 79A, 80, 90 through 103, 103A, 103B, 105 through 124, 124A, 125, 125A through 181, 184 through 190, 192 through 209, and the SOMERSIDE subdivision, Prairie Village, Kansas - lots 1 through 15 and lots 17 through 24, are presently inadequate to provide acceptable sanitary sewer services to that area; and

WHEREAS, the governing body of the Leawood Sewer System recognizes and finds that use of private sewer systems or private septic tank systems within the above defined areas of the Leawood Sewer System poses a significant environmental and health hazard; and

WHEREAS, an application for federal grant funding assistance is pending from the Environmental Protection Agency for the construction and replacement of new and/or inadequate sanitary sewer collection lines within the above defined areas; and

WHEREAS, the State of Kansas, Division of Health and Environment has recognized the health hazard posed by septic tank systems within the above defined areas within the Leawood Sewer System; and

WHEREAS, the City Council of the City of Leawood has authorized the preparation of final engineering plans for a project to construct new sanitary sewer lines within the above defined areas; and

WHEREAS, the City Council of the City of Leawood, as the governing body of the Leawood Sewer System deems it necessary and advisable to proceed with construction of new collection lines and replacements of inadequate lines within the above defined areas; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Leawood Sewer System that:

I. SCOPE OF PROJECT

A. The Leawood Sewer System proceed with grant application to the Environmental Protection Agency for federal funding assistance to construct and replace sanitary sewer collection lines for that portion of the Leawood Sewer System generally described as: LEAWOOD subdivision, Leawood, Kansas - Lots 1 through 51, 59 through 79, 79A, 80, 90 through 103, 103A, 103B, 105 through 124, 124A, 125, 125A through 181, 184 through 190, 192 through 209, and SOMERSIDE subdivision, Prairie Village, Kansas - lots 1 through 15 and lots 17 through 24 (hereinafter referred to as the construction project area).

B. If federal grant assistance is offered from the Environmental Protection Agency for project construction that the grant be accepted and the project constructed as shown on final engineering plans.

C. All inadequate utility lines and sanitary sewer lines now being used within the project area shall be replaced with new adequately sized and constructed parallel sanitary sewer lines.

D. All connections presently made to the inadequate utility lines and sanitary sewer lines shall be severed and the replaced inadequate utility lines and sanitary sewer lines within the project area shall be abandoned and not used or available for use by anyone.

II. PROJECT FUNDING

A. All project costs not funded by the Environmental Protection Agency grant funds shall be funded and paid by the Leawood Sewer System as a whole, which includes most of the City of Leawood north of Interstate Highway I-435 and portions of the City of Prairie Village, Kansas and the City of Overland Park, Kansas.

B. The project costs to be funded and paid by the Leawood Sewer System as a whole shall be funded through City bonds, which shall be retired through Sewer Service charges levied annually against all users of the Leawood Sewer System.

III. CONNECTIONS TO NEW LINES AND EXISTING ADEQUATE SANITARY SEWER LINES

A. All structures and residences located within the project area shall connect to the new replacement sanitary sewer lines being constructed by this project or to existing adequate sanitary sewer lines.

B. The connection of all existing house service lines and basement drain lines to the new sanitary sewer lines or existing adequate sanitary sewer lines will be accomplished as part of the construction project costs, from the current terminus of the existing house line to the new sanitary sewer line or existing adequate sanitary sewer line only.

C. Any home within the project area which is currently connected to a septic tank system must connect to the new or adequate sanitary sewer lines within one year after final acceptance of the construction of the new sanitary sewer lines. The connection to the sanitary sewer line shall be a part of the project costs if the homeowner has in place a house service line running from the residence to the point of construction of the new sanitary sewer line at the time that the sanitary sewer collection line is installed at that location. Otherwise, all costs for connection to the new sanitary sewer line will be the responsibility of the homeowner.

D. The Project Engineer and the Contractor shall coordinate the construction and installation of the sanitary sewer lines and the connections of the individual house service lines to the extent practical and feasible.

IV. HOUSE SERVICE LINES

A. The cost and construction of house service lines shall be the responsibility of the homeowner or property owner.

B. The replacement of any deteriorated, inadequate, or unusable existing house service lines shall be the responsibility of the homeowner or property owner.

V. CONNECTION FEES AND CHARGES

A. The Leawood Sewer System's connection fee will be waived for any homeowner or property owner who connects their sanitary service for the first time to a new or adequate sanitary sewer line within the project area; provided that the connection is made at the time that the new sanitary sewer lines are installed at that location.

B. There shall be no connection fee or charge to the homeowner or property owner for the connections made by the contractor or the City as a part of the project costs.

C. Any person, homeowner or property owner who does not connect to the new sanitary sewer collection lines at the time that the lines are installed at the connection site shall pay the connection fee or charge being assessed at the time connection is made.

D. Any person, homeowner or property owner, located within the project area, who has previously abandoned a septic tank system and connected to the sanitary sewer lines of the Leawood Sewer System and paid a connection fee may be eligible for a refund of that connection fee. To be eligible for a refund, the homeowner or property owner must make application to the City of Leawood and must demonstrate that he or she is the current resident of the residence, that he or she resided in the residence when connection was made, that he or she paid a connection fee to the Leawood Sewer System, and verification of the amount of the fee paid. All applications for refund shall be considered on an individual basis by the Public Works Committee of the City of Leawood.

ADOPTED BY THE Governing Body of the Leawood Sewer System this 17th
day of September, 1984.



Attested by:

J. Oberlander
J. Oberlander, City Clerk

Kent E. Crippin
Kent E. Crippin, Mayor
City of Leawood

RESOLUTION NO. 672

A RESOLUTION RELATION TO SPEED LIMITS ON CERTAIN STREETS WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood, Kansas, has determined upon the basis of an engineering and traffic investigation that the speed limit permitted under State law and Section 33 of the "Standard Traffic Ordinance for Kansas Cities", 1982 Edition, is greater or less than is reasonable under the conditions found to exist upon the City;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body hereby determines and declares that the reasonable and safe speed limit on said portion of said streets is as listed below; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby directed to cause to have erected appropriate signs giving notice of such speed limit along said streets maintained by the City.

<u>STREET</u>	<u>PORTION CONTROLLED</u>	<u>APPLICABLE SPEED LIMIT</u>
Lee Boulevard	81st St. to 103rd St.	35 mph
State Line Road	Within City Limits	35 mph
Mission Road	North City Limits to 93rd St.	35 mph
Mission Road	93rd St. to 95th St.	30 mph
Mission Road	95th St. to 103rd St.	35 mph
Mission Road	119th St. to 127th St.	35 mph
Mission Road	135th St. to 151st St.	35 mph
Roe Avenue	College Blvd. to K-150	45 mph
83rd Street	Within City Limits	30 mph
85th St. Terr.	Lee Blvd. to State Line Road	30 mph
89th Street	Lee Blvd. East to Rd. Termination	20 mph
89th Street	Mission Rd. to Lee Blvd.	30 mph
95th Street	Within City Limits	30 mph
103rd Street	Mission Rd. to Lee Blvd.	30 mph
103rd Street	Lee Blvd. to State Line Road	35 mph
College Blvd.	Between Roe Ave. and Nall	45 mph
College Blvd.	Roe to .1 mile East of Buena Vista	35 mph
I-435	Within City Limits	55 mph
119th Street	State Line Rd. to Mission	30 mph
119th Street	Mission Rd. to Roe Ave.	35 mph
123rd Street	.4 miles west to Mission Rd.	30 mph
K-150	Westbound from State Line Rd. to a point .10 miles west of intersection of K-150 and State Line Rd.	45 mph
K-150	Westbound from .10 miles west of State Line Rd. to City Limits.	55 mph

RESOLUTION NO. 673

A RESOLUTION ESTABLISHING "STOP" SIGNS AT THE FOLLOWING LOCATIONS WITHIN THE CITY OF LEAWOOD.

WHEREAS, an evaluation of traffic flow along various streets has been performed by a traffic specialist of the Leawood Police Department and reviewed by a consulting engineer, and it has been determined that a need exists for "Stop" signs at the following locations:

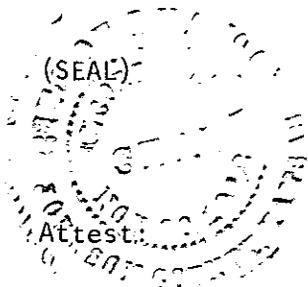
- 138th Street at Mission Road
- 140th Drive at Mission Road
- 141st Drive at Mission Road
- 142nd Drive at Mission Road
- Windsor at 143rd Street

NOW, THEREFORE, BE IT RESOLVED that stop signs be installed at the locations; and

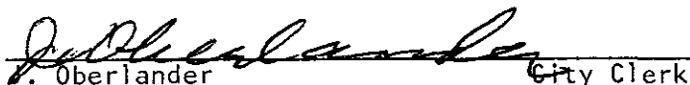
BE IT FURTHER RESOLVED that the Leawood Public Works Department is instructed to post permanent stop signs at the locations; and

BE IT FURTHER RESOLVED that the Leawood Police Department is instructed to enforce same.

Adopted by the Governing Body this 8th day of October 1984




Kent B. Crippin, Mayor


J. Oberlander, City Clerk

RESOLUTION NO. 674

WHEREAS, the Leawood Plan Commission has considered the request for a replat; and

WHEREAS, the Plan Commission has established conditions to the final plat; and

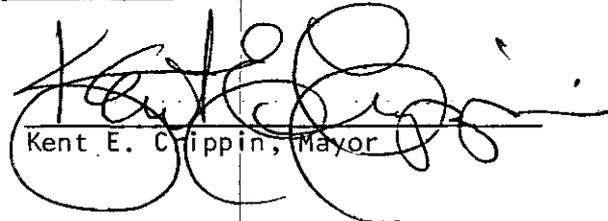
WHEREAS, the Staff has found that the conditions set out by the Plan Commission cannot be met; and

WHEREAS, these conditions do not materially affect the replat that the applicant has requested and the Staff finds no problems with deleting the Plan Commission conditions;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas approves the replat of Tomahawk Farms for approximately 15 lots, at Mission Road and 120th Terrace.

Adopted this 15 day of Oct., 1984.




Kent E. Crippin, Mayor


J. Oberlander, City Clerk

RESOLUTION NO. 675

WHEREAS the Leawood Plan Commission has reviewed the revised preliminary plan and plat for Patrician Woods and request for rezoning from RP-4 to R-1 on 19 acres on the north side of 127th Street between Roe and Nall Avenue, and the second plat south of 127th Street requesting rezoning from RP-1 to RP-4; and

WHEREAS, the plan and plat are in conformance with the Comprehensive Plan; and

WHEREAS, the Staff has recommended approval of the rezoning and revised preliminary plan and plat; and

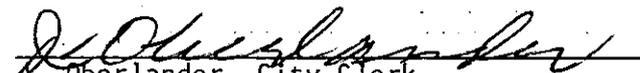
WHEREAS, Resolution No. 564 accessing the developer's commitment to dedicate the 100 year flood plain to the City for public use remains, it is not affected by the recommended rezoning changes before the Council;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Leawood approve the revised preliminary plan and plat and rezoning from RP-4 to R-1 on 19 acres on the north side of 127th Street between Roe and Nall Avenue, and the second plat south of 127th Street rezoning from RP-1 to RP-4.

Adopted this 15 day of Oct., 1984.



Attest:


J. Oberlander, City Clerk


Kent E. Crippin, Mayor

RESOLUTION NO. 676

WHEREAS, the proposed final plat of Leawood South 7th Plat is submitted in conformance with the subdivision regulations; and

WHEREAS, the developer has made changes and revisions in the preliminary plat of Waterford to create this Leawood South 7th plat; and

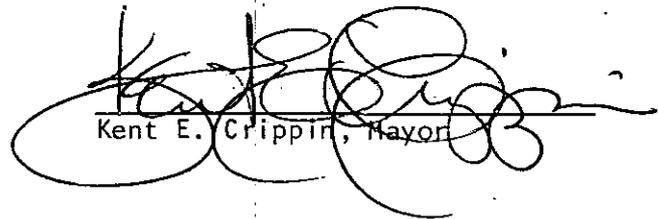
WHEREAS, the final plat can be approved only if a two-foot strip of land located on the west side of the Pawnee Lane right of way is dedicated to the City by the Moffitt Development Company or other satisfactory arrangements are made which are acceptable to the City Council; and

WHEREAS, the public works elements have been approved by the Director of Public Works;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Leawood, Kansas approves the final plat of Leawood South 7th plat.

Adopted this 15 day of Oct., 1984.




Kent E. Crippin, Mayor


J. Oberlander, City Clerk

RESOLUTION NO. 677

The Leawood City Council has considered a request for rezoning, A to R-1, Single Family Residential, and the preliminary plat for The Greenbrier of Leawood, approximately 49 acres at 131st Terrace between Pembroke and High Drive, and hereby resolves the following:

WHEREAS, this request is in accordance with the Comprehensive Plan; and

WHEREAS, the staff has recommended approval of the rezoning and preliminary plat; and

WHEREAS, on August 20, 1984, the Plan Commission recommended approval of the rezoning and preliminary plat with the following conditions:

1. Developer be required to build Pembroke Street north to connect to Sagamore Road.
2. Deed Restrictions be structured to include restrictions of fences in the drainage channel.
3. Align High Drive so that it connects at a 90 degree angle with the east-west collector street.
4. The storm drainage channel flowing from Leawood South to Greenbrier be adequately sized so as to prevent flooding and/or erosion onto Leawood South lots.
5. Recommend the overall plan as presented and modified at the meeting be approved as a preliminary plat only for the purpose of locating the road network within the entire tract; and

WHEREAS, the developer previously agreed to Plan Commission conditions specified; and

WHEREAS, following a second Public Hearing, the Plan Commission has recommended two additional conditions:

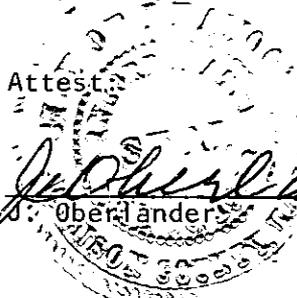
1. The Plan Commission recommends that Lots 73-83 on the eastern end of the tract not be approved for final platting until consideration has been given to adjacent land use by the Leawood Plan Commission.
2. The Plan Commission is also recommending that a temporary construction access road be constructed to the eastern part of the tract for the purpose of allowing construction vehicles to the site in order to construct all dedicated improvements; and

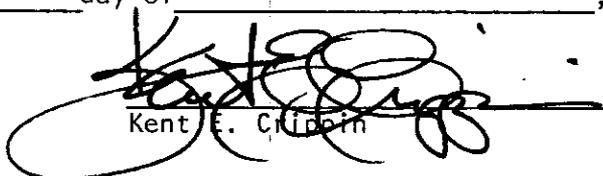
WHEREAS, the Leawood Plan Commission reaffirms its recommendation of its first resolution dated August 20, 1984;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the preliminary plat for said requested rezoning.

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

Attest


J. Oberlander
Oberlander
City Clerk


Kent E. Crispin
Mayor

RESOLUTION NO. 678

A RESOLUTION RELATING TO THE IMPROVEMENTS OF STATE LINE ROAD FROM APPROXIMATELY 700' NORTH OF 81ST STREET TO APPROXIMATELY 350' NORTH OF 85TH STREET WITHIN THE CITY OF LEAWOOD, KANSAS, IN CONJUNCTION WITH THE DEVELOPMENT OF THE WARD PARKWAY CORRIDOR BY KROH BROTHERS DEVELOPMENT COMPANY WITHIN THE CITY OF KANSAS CITY, MISSOURI.

WHEREAS, Kroh Brothers Development Company is developing the Ward Parkway Corridor from 81st Street through 84th Street, and from State Line Road to Ward Parkway, within the City of Kansas City, Missouri; and

WHEREAS, State Line Road adjacent to the Ward Parkway Corridor development is totally within the City of Leawood; and

WHEREAS, the City of Leawood has determined that the Ward Parkway Corridor development will create a traffic impact on State Line Road and other streets within the City of Leawood;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that State Line Road shall be improved by Kroh Brothers Development Company from approximately 700' north of 81st Street to approximately 350' north of 85th Street in accordance with Exhibit "A", a Preliminary Plan on file with the City of Leawood; and

BE IT FURTHER RESOLVED that the improvements to State Line Road shall be constructed by the developer as provided in the Preliminary Plan and shall include, but not be limited to the following:

1. Roadway widening along the East side of State Line Road only;
2. Raised median construction;
3. Painted median areas;
4. Widening and improvements to 83rd Street from the Kansas-Missouri state line westerly to a point approximately 200' West of State Line Road;
5. Widening of the existing 84th Street intersection East of State Line Road;
6. Private entrances at approximate Sta. 50 + 00 on the East side of State Line Road and approximate Sta. 62 + 25 on the East side of State Line Road;
7. New fully-actuated traffic signals at the following locations:
 - a. 81st Street and State Line Road;
 - b. 83rd Street and State Line Road;
8. The purchase of the existing traffic signal from Kansas City Power and Light Company at 83rd Street and State Line Road;

All improvements as approved by the City of Leawood, Kansas.

Adopted by the Governing Body this 19th day of November, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 679

A RESOLUTION SETTING OUT THE FINDINGS AND DETERMINATIONS OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS ON THE NECESSITY AND ADVISABILITY OF IMPROVING THE GEOMETRICS AND TRAFFIC CONTROL AT THE INTERSECTION OF STATE LINE ROAD AND HIGHWAY K-150 (135TH STREET) WITHIN THE CITY OF LEAWOOD, KANSAS, TO WIT:

IMPROVING BY REGRADING TO IMPROVE THE SIGHT DISTANCE ALONG HIGHWAY K-150 (135TH STREET), PROVIDING TURNING LANES AND RESURFACING A PORTION OF BOTH HIGHWAY K-150 (135TH STREET) AND STATE LINE ROAD SUCH INTERSECTION BEING LOCATED PARTIALLY IN THE CITY OF LEAWOOD, KANSAS, AND PARTIALLY IN THE CITY OF KANSAS CITY, MISSOURI.

PURSUANT TO K.S.A. 12-685, et seq.

WHEREAS, the City has by Ordinance designated State Line Road and Highway K-150 (135th Street) as main trafficways; and

WHEREAS, the City has made engineering studies of the current traffic conditions and roadway conditions at said intersection; and

WHEREAS, said Highway K-150 (135th Street) at State Line Road by reasons of the limited sight distance turning lanes requires improvement in order to insure a more effective and safer passage of vehicular traffic at said intersection; and

WHEREAS, the Governing Body has determined said improvement to be necessary and advisable in the best interest to the City of Leawood.

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

Section 1.

That the Governing Body of the City of Leawood, Kansas, finds it necessary and advisable to improve the following intersection in the City of Leawood, Kansas, to wit:

Highway K-150 (135th Street)
at State Line Road

Such improvement of said intersection will include grading and re-surfacing and shall be inclusive of turning lanes, traffic lane markings, signing, and storm drainage facilities.

Section 2.

The total estimated and probable cost is Two Hundred and Thirty Thousand Dollars (\$230,000) including final construction plans and specifications, and construction staking and inspection.

Section 3.

The improvements shall be as indicated in the Preliminary Engineering Study for the Intersection Improvements at State Line Road and Highway 150 (135th Street), prepared by Johnson, Brickell, Mulcahy and Associates, Inc., Consulting Engineers, and dated December, 1983.

Section 4.

The cost of making said public improvement shall include:

- (1) Expenses of engineering;
- (2) Relocation of any public utility facilities within the area proposed for the location of said public improvements;

- (3) Labor and materials used in the construction of said public improvements and;
- (4) Such other expenses which are necessary in making said public improvements, exclusive of the cost of appraising and acquiring real property and any other improvements thereon for the location of said public improvements.

Section 5.

The City of Leawood anticipates that said project will receive funding from the City of Kansas City, Missouri, the Missouri Highway Commission, the Kansas Department of Transportation, and Johnson County, Kansas, as indicated in the following preliminary funding amounts per entity:

MISSOURI PORTION	\$131,000 (57%)
<u>Kansas City, Missouri</u>	
Highway 150	\$ 72,710
State Line Road	<u>25,540</u>
Total Kansas City, MO	\$ 98,250 (43%)
Missouri Highway Commission	
Highway 150	\$ 24,240 (10.5%)
Total Missouri Funding	\$122,490 (53%)
KANSAS PORTION	\$ 99,000 (43%)
<u>Kansas Dept. of Transportation (Fixed Amount)</u>	
Highway 150	\$ 25,000 (11%)
<u>Johnson County, Kansas (Fixed Amount)</u>	
Highway 150 and State Line Road	\$ 38,100 (16.5%)
<u>Leawood</u>	
Total Kansas Portion	\$ 99,000
Less KDOT Funding	25,000
Less Johnson County Funding	38,100
Plus 25% State Line Funding	<u>8,510</u>
Total Leawood Funding	\$ 44,410 (19%)
Total Estimated Project Cost	\$230,000

Section 6.

The City of Leawood shall pay its' portion of such improvement cost from the 1985 Street Maintenance budget, account no. 01-22-8046, Improvement Projects.

Section 7.

Certain portions of the project lie within the City of Kansas City, Missouri and the City will enter into appropriate agreements with the City of Kansas City, Missouri, The Missouri Highway Commission, the Kansas Department of Transportation, and Johnson County, so that each entity will pay their respective pro rata share of the project cost.

Section 8.

The Mayor is hereby authorized on behalf of the City of Leawood to execute an Interlocal Agreement with the other participants in the project as may be necessary to carry out this Resolution.

PASSED AND APPROVED BY THE CITY OF LEAWOOD, KANSAS ON THE 19th DAY OF
November, 1984.


MAYOR KENT E. CRIPPIN




City Clerk

RESOLUTION NO. 680

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF LEAWOOD, KANSAS, FOR THE ISSUANCE OF INDUSTRIAL REVENUE BONDS TO FINANCE A PROJECT PURSUANT TO K.S.A. 12-1740, et seq. FOR VARNUM/ARMSTRONG/DEETER, INC., A KANSAS CORPORATION, OR ITS DESIGNEE.

WHEREAS, the City of Leawood, Kansas, (the "City"), is authorized and empowered under the provisions of K.S.A. 12-1740 to K.S.A. 12-1749(a), inclusive, as amended, to issue revenue bonds for industrial development purposes as described therein; and

WHEREAS, Varnum/Armstrong/Deeter, Inc., a Kansas corporation, or its designee (the "Company"), has requested the City to finance certain new facilities to be located at College Boulevard and Roe Avenue in said City at the cost of approximately \$10,000,000, subject to necessary planning and zoning approvals; and

WHEREAS, it is the desire of the City to finance the cost of purchasing land and constructing buildings thereon and equipping said buildings by the issuance of bonds under the Act in an amount not to exceed \$10,000,000, said bonds being payable solely out of the rentals, revenues and receipts derived from the leasing and sale of the project by the City to the Company; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, AS FOLLOWS:

Section One: That the Governing Body of the City of Leawood, Kansas, hereby approves, subject however to necessary zoning and planning approvals, a project to be carried out by Varnum/Armstrong/Deeter, Inc., a Kansas corporation, or its designee, to be financed by the issuance of industrial revenue bonds of said City in an amount not to exceed \$10,000,000, all pursuant to K.S.A. 12-1740 to K.S.A. 12-1749(a), inclusive, as amended.

Section Two: That the Governing Body hereby agrees to issue said industrial revenue bonds of the City in an amount not to exceed \$10,000,000 to finance said project, upon and subject to the terms and conditions expressed in the Memorandum of Agreement attached hereto and made a part hereof, which Memorandum of Agreement the Mayor and City Clerk are authorized to execute and attest, respectively. Said bonds shall not constitute an obligation of the City of Leawood, Kansas, but shall be payable solely from the rentals, revenues, and receipts derived by the City from the leasing and sale of the project to the Company.

Section Three: That the City Attorney, as City Representative, is hereby authorized and directed to work with designated bond counsel for the project and to negotiate the necessary documents to provide for the issuance of said bonds and leasing of said project for final presentation to and action by the Governing Body of the City.

Section Four: This Resolution shall become effective upon its passage by the Governing Body.

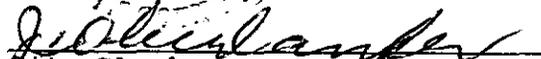
PASSED by the Governing Body on the 19th day of November, 1984.

SIGNED by the Mayor on the 19th day of November, 1984.

CITY OF LEAWOOD, KANSAS


Mayor

ATTEST:


City Clerk

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT is between the CITY OF LEAWOOD, KANSAS, acting by and through its Governing Body (the "Issuer"), and VARNUM/ARMSTRONG/DEETER, INC., a Kansas corporation, or its designee (the "Company").

1. Preliminary Statement. Among the matters of mutual inducement which have resulted in this Agreement are the following:

(a) The Issuer is authorized, pursuant to Sections 12-1740 et seq., Kansas Statutes Annotated, as amended (the "Act"), to issue revenue bonds for the purpose of defraying or financing the cost of a Project (as defined in the Act) and to lease such facility to others and proposes to acquire certain facilities (the "Project") useful in the Company's customary business activities and to lease and sell the Project to the Company to finance the costs thereof.

(b) The Company intends to acquire, construct and equip facilities in Leawood, Kansas. The Project, which is subject to planning and zoning approvals by the City, is expected to cost approximately Ten Million Dollars (\$10,000,000), and consists of an office building facility to be located at the southeast corner of the intersection of College Boulevard and Roe Avenue. The Company has requested that the Issuer assist the Company or its designee in defraying part of the cost of the Project by issuing its revenue bonds.

(c) The proposed financing will contribute to increased employment opportunities and other benefits for the Issuer.

~~(d) The revenue bonds of the Issuer shall be limited obligations of the Issuer payable solely out of the revenues and receipts derived with respect to the Project which shall be for an amount sufficient to pay the principal of, premium, if any, and interest on such revenue bonds. No owner of any such bonds shall have the right to compel any exercise of the taxing power of the Issuer or any political subdivision of the State of Kansas, and such bonds shall not constitute an indebtedness or a loan of credit of the Issuer.~~

(e) The Issuer finds that the financing as herein described will further the purposes as expressed in Section 12-1740, Kansas Statutes Annotated, as amended. Subject to due compliance with all requirements of law, including but not limited to, the issuance of an opinion of bond counsel acceptable to the City that the bonds when and as issued will be tax exempt, the Issuer by virtue of such authority

as may now or hereafter be conferred, and subject to receipt of adequate assurance from the Company that there are one or more purchasers for the bonds, will issue and sell its revenue bonds in an amount of Ten Million Dollars (\$10,000,000) to help defray the cost of the Project.

2. Undertakings on the Part of the Issuer. Subject to the conditions above stated, the Issuer agrees as follows:

(a) That it will authorize the issuance and sale of the bonds pursuant to its lawful and constitutional authority in the amount of Ten Million Dollars (\$10,000,000).

(b) That it will acquire the Project with the proceeds of the sale of the revenue bonds and lease the Project to the Company for an aggregate basic rental (i.e., amount to be paid by the Company and used by the Issuer to pay the principal, interest and premium, if any, on the bonds), payable under the instruments whereby the Project shall be leased and sold to the Company, which shall be in such sums as shall be sufficient to pay the principal and interest and redemption premium, if any, on the bonds, as and when the same shall become due and payable.

3. Undertakings on the Part of the Company. Subject to the conditions above stated, the Company agrees as follows:

(a) That it will use all reasonable efforts to find one or more purchasers for the bonds.

(b) That contemporaneously with the delivery of the bonds, it will enter into a Lease with the Issuer, under the terms of which the Company will obligate itself to pay to or on behalf of the Issuer sums sufficient in the aggregate to pay the principal of and interest and redemption premium, if any, on the bonds as and when the same shall become due and payable.

4. General Provisions.

(a) All commitments of the Issuer under Paragraph 2 hereof and of the Company under Paragraph 3 hereof are subject to the conditions that on or before 360 days from the date hereof (or such other date as shall be mutually satisfactory to the Issuer and the Company), the Issuer and the Company shall have agreed to mutually acceptable terms and conditions of the Lease, referred to in Paragraph 3 and of bonds and other instruments or proceedings relating to the bonds.

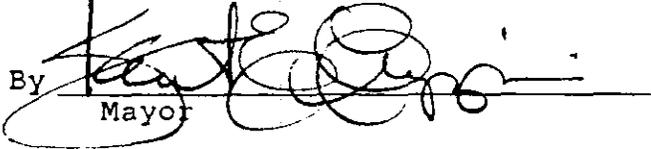
(b) If the events set forth in (a) of this paragraph do not take place within the time set forth or an extension thereof and the bonds in an amount of approximately the amount stated above are not sold within such time, the

Company agrees that it will reimburse the Issuer for all reasonable and necessary direct out-of-pocket expenses which by the execution of this Agreement and the performance by the Issuer of its obligations hereunder it shall incur, including attorney's fees and expenses in preparation for performance, and fees of the Issuer's fiscal or financial advisor, and this Agreement shall thereupon terminate. In addition, Issuer shall have no liability to the Company and the Company shall indemnify and hold Issuer harmless as to any claims which may be made by third parties.

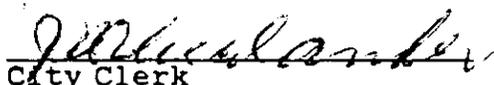
(c) This Memorandum of Agreement may be amended or modified with the consent of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement by their officers hereunto duly authorized as of the 5th day of Dec., 1984.

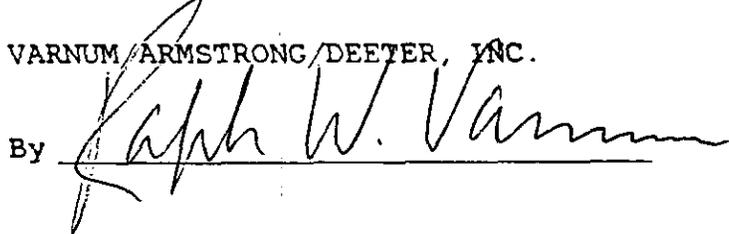
CITY OF LEAWOOD, KANSAS

By 
Mayor

ATTEST:


City Clerk

VARNUM ARMSTRONG DEETER, INC.

By 

ATTEST:


Secretary

Company agrees that it will reimburse the Issuer for all reasonable and necessary direct out-of-pocket expenses which by the execution of this Agreement and the performance by the Issuer of its obligations hereunder it shall incur, including attorney's fees and expenses in preparation for performance, and fees of the Issuer's fiscal or financial advisor, and this Agreement shall thereupon terminate. In addition, Issuer shall have no liability to the Company and the Company shall indemnify and hold Issuer harmless as to any claims which may be made by third parties.

(c) This Memorandum of Agreement may be amended or modified with the consent of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement by their officers hereunto duly authorized as of the ____ day of _____, 1984.



CITY OF LEAWOOD, KANSAS

By [Signature]
Mayor

ATTEST:
[Signature]
City Clerk

VARNUM/ARMSTRONG/DEETER, INC.

By _____

ATTEST:

Secretary

RESOLUTION NO. 681

The Leawood City Council has considered the request for preliminary and final plan approval for a mini one-hour photo lab to be located at Ranch Mart North Shopping Center, 95th & Mission Road, applicant being Fox Photo, and hereby resolves the following:

WHEREAS, the planned facility is in conformance with Planned General Business District; and

WHEREAS, the staff has reviewed and recommended approval of this plan; and

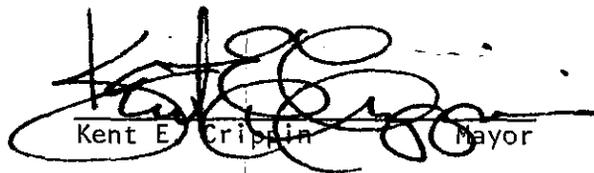
WHEREAS, Fox Photo has agreed to all conditions stipulated by the Leawood Plan Commission; and

WHEREAS, the Plan Commission recommends approval of the requested preliminary and final plan;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the preliminary and final plan for Fox Photo, One-Hour Mini Lab, at Ranch Mart.

Adopted by the Governing Body this 3rd day of December, 1984.




Kent E. Crippin Mayor


J. Oberlander City Clerk

Recorded by 692

A RESOLUTION ESTABLISHING FEE SCHEDULE FOR THOSE FEES NOT SPECIFICALLY PROVIDED FOR IN THE 1984 CODIFICATION.

WHEREAS, the Codification of 1984 omits certain fee schedules for reasons of economy and expediency; and

WHEREAS, the City Administrator is, by Section 1-701 of the Codification, authorized to make fee adjustments necessary from time to time, and annually report to the Council amounts at which such fees are established;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby ratify the following Fee Schedule for 1984:

4-208 114.3.1 FEE SCHEDULE: NEW CONSTRUCTION, ALTERATIONS, AND REMODELING.

New Building Construction Permits

A through R-1 Zoning	\$.07/SF
Churches	.12/SF
RP-1 to RP-4 Zoning	.08/SF
RP-5 to RP-6 Zoning	.09/SF
CP-0, CP-1, CP-2 Zoning	.09/SF
MP-1 Zoning	.07/SF

Existing Building Construction Permits

Residential:

- | | |
|---|---------------------|
| 1. Building alterations, remodeling, additions, decks (fees are calculated on the area being added or improved) | 30.00 min. + .07/SF |
| 2. Mechanical, electrical, and plumbing | 20.00 each |

Commercial, Office, Industrial:

- | | |
|---|------------|
| 1. Interior finish for new construction | .09/SF |
| 2. Mechanical, electrical, plumbing | 40.00 each |

Miscellaneous

- | | |
|---|-------------|
| 1. Swimming pools, whirlpool; hydro pool, other pools | 50.00 each |
| 2. Reroofing | 14.00 each |
| 3. Lawn sprinkler systems | 20.00 each |
| 4. Towers | 22.00 each |
| 5. Demolition, each unit or building | 60.00 each |
| 6. Structure moving | 150.00 each |
| 7. Permanent signs | |
| Small (0 to 10/SF total area) | 25.00 each |
| Large (over 10/SF total area) | 50.00 each |
| 8. Street curb cut | 15.00 each |
| 9. Fences, walls, patio covers | 20.00 each |
| 10. Foundation repair | 25.00 each |

Occupancy of Space or Building

Application fee \$ 10.00 each
 Inspection fee 15.00 each

Reinspection Fees

Residential reinspections 30.00 each
 Office/Commercial reinspections 30.00 each
 Occupancy reinspection 20.00 each

4-603(g) APPLICATION FEE; MOVING BUILDING PERMIT. 150.00

4-803(b)(3) FEES FOR OIL AND GAS DRILLING AND PRODUCTION.

Special Use Permit 200.00
 Permit for one well 50.00
 Blanket permit where there is more than one well 150.00

11-306 FALSE ALARMS.

Seven (7) through ten (10) false alarms 25.00 each
 Eleven (11) through fourteen (14) false alarms 50.00 each
 Fifteen (15) through eighteen (18) false alarms 75.00 each
 Nineteen (19) and each subsequent alarm 100.00 each

11-511 SIGN PERMIT FEE. 5.00

13-1A03 PERMIT FEES; SIDEWALKS.

For any permit issued under the provisions of this article 10.00 each

13-207 PERMIT FEES; STREETS.

(a) For any permit issued under the provisions of this article 10.00 each
 (b) Maintenance bond 100% of construction cost for 2 years

15-110 SEWER CONNECTION CHARGE. 800.00

16-202 FEES FOR ZONING PROCEDURES.

<u>Re zoning</u>	<u>Tract Size</u>	<u>Rezoning Fee</u>	<u>Preliminary Plan</u>	<u>Final Plan</u>
Residential (AR-1 to RP-6)	0 - 5 acres	\$ 100	\$ 100	\$ 100
	5+ - 40	150	150	100
	40+ - up	150	200	150
Office (CP-0)	0 - 5 acres	100	150	100
	5+ - 10	100	200	100
	10+ - 25	150	250	150
	25+ - 50	150	300	150
	50+ - up	200	350	200

<u>Rezoning</u>	<u>Tract Size</u>	<u>Rezoning Fee</u>	<u>Preliminary Plan</u>	<u>Final Plan</u>
Commercial (CP-1 to CP-2)	0 - 5 acres	\$ 100	\$ 150	\$ 100
	5+ - 10	100	200	100
	10+ - 25	150	300	150
	25+ - 50	150	350	200
	50+ - up	200	400	200
Recreation	0 - 5 acres	100	100	50
	5+ - 25	100	100	100
	25+ - up	100	150	150
Industrial	0 - 5 acres	100	150	100
	5+ - 10	100	200	100
	10+ - up	150	250	150
Special Development	0 - 5 acres	100	150	100
	5+ - 10	150	150	100
	10+ - 25	150	200	250
	25+ - up	150	250	250
Mixed Zoning (Combination of any two or more districts)	0 - 10 acres	150	150	150
	10+ - 25	200	200	200
	25+ - 50	200	250	250
	50+ - 75	250	300	250
	75+ - up	300	300	300
Special Use Permits, except oil and gas	0 - 5 acres	150		
	5+ - 10	200		
	10+ - up	250		
Other Plan Approvals		-		
. Landscape Plan		- \$ 75.00		
. Sign Policy Approval		- 50.00		
. Flood Plain Development		- 100.00		
Streets, Utility Vacation		- 100.00		
Board of Zoning Appeals Hearing		- 50.00		

Applicant is responsible for the cost of publishing rezoning or special use permit ordinance following City Council approval, and cost of recording plats.

Applicant shall be responsible for paying a late fee in the amount of \$250.00 if an application for site development plan is submitted to the City after the deadline for submissions has expired.

16-309 BOARD OF ZONING APPEALS HEARING; FEE.

\$ 50.00

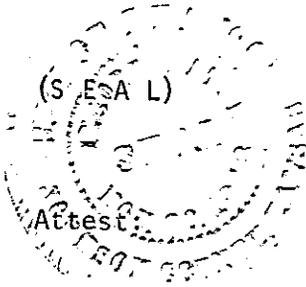
16-402 FEES FOR SUBDIVISION REGULATION PROCEDURES.

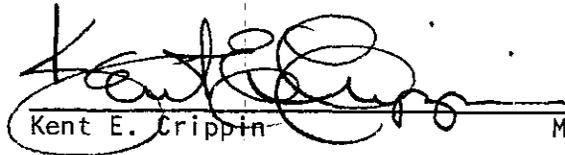
Preliminary plat submission: Ten dollars (\$10.00) per lot for the first ten lots plus two dollars (\$2.00) for each lot over ten, the minimum being one hundred dollars (\$100.00) and no fee shall exceed seven hundred fifty dollars (\$750.00).

An additional fee in the amount of three dollars (\$3.00) per lot shall be paid with the submittal of the final plat.

Adopted by the Governing Body this 17th day of December, 1984.

TAKE EFFECT: December 21, 1984, with the "Code of 1984".




Kent E. Crippin Mayor


J. Oberlander City Clerk

RESOLUTION NO. 683

A RESOLUTION SETTING FORTH FINDINGS AND DETERMINATIONS OF THE GOVERNING BODY ON THE ADVISABILITY OF THE CRATION OF AN IMPROVEMENT DISTRICT FOR THE IMPROVEMENT OF STATE LINE ROAD FROM APPROXIMATELY 700 FEET NORTH OF 81ST STREET TO APPROXIMATELY 350 FEET NORTH OF 85TH STREET.

WHEREAS, it is deemed necessary and desirable by the Governing Body of the city of Leawood, Kansas that certain improvements be made to State Line Road from approximately 700 feet north of 81st Street to approximately 350 feet north of 85th Street, which improvements were set forth in Resolution No. 678, adopted by the Governing Body on the 19th day of November, 1984; and

WHEREAS, the said improvements were requested by petition of those liable for the cost of the same; and

WHEREAS, the petition is sufficient and in compliance with Kansas statutes; and

WHEREAS, the petition has been presented by those liable for the costs of the same who have requested that the improvement be made without notice and hearing as required by K.S.A. 12-6a04, as amended, and have expressly waived their right to a public hearing.

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

Section 1. That the Governing Body hereby determines that it is advisable to make certain improvements to State Line Road from approximately 700 feet north of 81st Street to approximately 350 feet north of 85th Street in accordance with Exhibit "A", a Preliminary Plan on file with the City of Leawood, which improvements shall include the following:

1. Roadway widening along the East side of State Line Road only
2. Raised median construction;
3. Painted median areas;
4. Widening and improvements to 83rd Street from the Kansas-Missouri state line westerly to a point approximately 200' West of State Line Road;
5. Widening of the existing 84th Street intersection East of State Line Road;
6. Private entrances at approximate Sta. 50 + 00 on the East side of State Line Road and approximate Sta. 62 + 25 on the East side of State Line Road;
7. New fully-actuated traffic signals at the following locations:
 - a. 81st Street and State Line Road;
 - b. 83rd Street and State Line Road;
 - and
8. The purchase of the existing traffic signal from Kansas City Power and Light

Company at 83rd Street and State Line Road.

Section 2. The estimate or probable cost of such improvements is Seven Hundred and Fifty Thousand Dollars (\$750,000.00).

Section 3. The boundaries of the improvement district to be assessed shall be as follows:

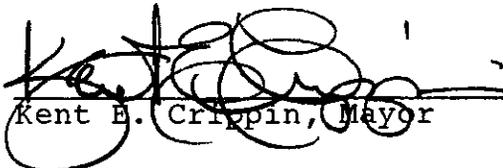
All of the vacated street lying between Lots A and B1, and all of Lots A, B1, C2, D3, E4, F5, N13, O14, and P15, all in Crest Hill Acres, a subdivision of land in the City of Leawood, Johnson County, Kansas, subject to that part thereof dedicated for street purposes.

Section 4. The method of assessment shall be to assess each tract within the district equally per front foot along State Line Road, with the total sum of all assessments being the total cost of the improvements.

Section 5. The entire cost of the improvements will be paid by the improvement district and no costs will be paid by the city at large.

Section 6. The advisability of the improvements set forth herein is hereby established without notice and hearing as authorized by K.S.A. 12-6a04(2), as amended.

ADOPTED THIS 7th DAY OF JANUARY, 1985.


Kent E. Crippin, Mayor

ATTEST:


J. Oberlander, City Clerk

Recorded 1/10/85
Vol. 2108 pg. 612
" " 613
" " 614

RESOLUTION NO. 684

A RESOLUTION AUTHORIZING AND DIRECTING THE IMPROVEMENT OF STATE LINE ROAD FROM APPROXIMATELY 700 FEET NORTH OF 81ST STREET TO APPROXIMATELY 350 FEET NORTH OF 85TH STREET.

WHEREAS, the Governing Body of the City of Leawood, Kansas, did on the 7th day of January, 1985, find that the petition for the improvement of State Line Road by those liable for the costs of the improvement was sufficient, and did on the 7th day of January, 1985, adopt Resolution No. 683 finding it advisable to make said improvement as provided by K.S.A. 126a01 et seq., as amended.

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

Section 1. That the following improvement is hereby authorized and ordered to be made in accordance with Resolution No. 683, and the findings of the Governing Body:

The improvement of State Line Road from approximately 700 feet north of 81st Street to approximately 350 feet north of 85th Street in accordance with Exhibit "A", a Preliminary Plan on file with the City of Leawood, which improvement shall include the following:

1. Roadway widening along the East side of State Line Road only
2. Raised median construction;
3. Painted median areas;
4. Widening and improvements to 83rd Street from the Kansas-Missouri state line westerly to a point approximately 200' West of State Line Road;
5. Widening of the existing 84th Street intersection East of State Line Road;
6. Private entrances at approximate Sta. 50 + 00 on the East side of State Line Road and approximate Sta. 62 + 25 on the East side of State Line Road;
7. New fully-actuated traffic signals at the following locations:
 - a. 81st Street and State Line Road;
 - b. 83rd Street and State Line Road;
 - and
8. The purchase of the existing traffic signal from Kansas City Power and Light Company at 83rd Street and State Line Road.

Section 2. The estimate or probable cost of such improvements is Seven Hundred and Fifty Thousand Dollars (\$750,000.00).

Section 3. The boundaries of the improvement district to be assessed shall be as follows:

All of the vacated street lying between Lots A and B1, and all of Lots A, B1, C2, D3, E4, F5, N13, O14, and P15, all in Crest Hill

Acres, a subdivision of land in the City of Leawood, Johnson County, Kansas, subject to that part thereof dedicated for street purposes.

Section 4. The method of assessment shall be to assess each tract within the district equally per front foot along State Line Road, with the total sum of all assessments being the total cost of the improvements.

Section 5. The entire cost of the improvements will be paid by the improvement district and no costs will be paid by the city at large.

Section 6. This resolution shall take effect and be in force from and after its passage and adoption by the Governing Body, and its publication in the official City newspaper.

ADOPTED THIS 7TH DAY OF JANUARY, 1985.


Kent E. Crippin, Mayor

ATTEST:


J. Oberlander, City Clerk

1511027 ✓

RESOLUTION NO. 684

A RESOLUTION AUTHORIZING AND DIRECTING THE IMPROVEMENT OF STATE LINE ROAD FROM APPROXIMATELY 700 FEET NORTH OF 81ST STREET TO APPROXIMATELY 350 FEET NORTH OF 85TH STREET.

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 6. Private entrances at approximate Sta. 50 + 00 on the East side of State Line Road and approximate Sta. 62 + 25 on the East side of State Line Road;
- New fully-actuated traffic signals at the following locations:

- a. 81st Street and State Line Road;
 - b. 83rd Street and State Line Road;
- and

8. The purchase of the existing traffic signal from Kansas City Power and Light Company at 83rd Street and State Line Road.

STATE OF KANSAS
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1985 JAN 10 P 3:12 3

no chg
RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP

Section 2. The estimate or probable cost of such improvements is Seven Hundred and Fifty Thousand Dollars (\$750,000.00).

Section 3. The boundaries of the improvement district to be assessed shall be as follows:

All of the vacated street lying between Lots A and B1, and all of Lots A, B1, C2, D3, E4, F5, N13, O14, and P15, all in Crest Hill

no chg

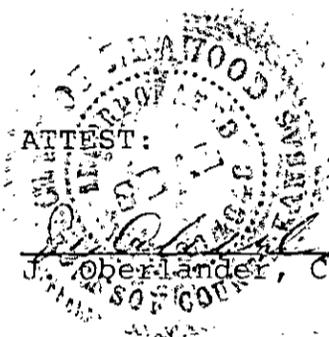
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Section 5. The entire cost of the improvements will be paid by the improvement district and no costs will be paid by the city at large.

Section 6. This resolution shall take effect and be in force from and after its passage and adoption by the Governing Body, and its publication in the official City newspaper.

ADOPTED THIS 7TH DAY OF JANUARY, 1985.




Kent E. Chippin, Mayor



City of Lawrence
9617 Lee Blvd.
Lawrence, KS
66206

CERTIFICATION

I, J. Oberlander, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Leawood, Kansas, and that the attached is a full, true and correct copy of Resolution No. 684 adopted by the Governing Body at a regular meeting held January 7, 1985.

(S E A L)



J. Oberlander
J. Oberlander
City Clerk
City of Leawood, Kansas

RESOLUTION NO. 685

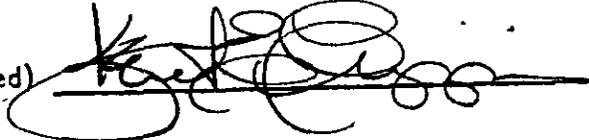
A RESOLUTION RELATING TO STATE AID
FOR THE IMPROVEMENT OF CITY CONNECTING LINKS
ON THE STATE HIGHWAY SYSTEM

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

That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of Leawood, Kansas, Agreement No. 89-84 between the City and the Kansas Department of Transportation, giving the Secretary of Transportation of the State of Kansas authority to act for the City, and in its place and stead, to obtain for the City the benefits of State Aid and obtain the benefits of such legislation for the City on the terms and conditions set forth in such agreement as may be prepared and approved by the Secretary of Transportation for the improvement of K 150. Intersection improvement project at intersection of state highway K 150 (135th Street) and State Line Road, that portion within Kansas on K 150. (project description) designated as a city connecting link on the State Highway System and known as Project No. 150-46 K 2579-01.

Passed by the (Council) (Commission) this 7 day of Jan, 1985

(Approved) (Signed)



, Mayor

(SEAL)

ATTEST:


City Clerk

RESOLUTION NO. 686

A RESOLUTION RELATION TO SPEED LIMITS ON CERTAIN STREETS WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood, Kansas, has determined upon the basis of an engineering and traffic investigation that the speed limit permitted under State law and Section 33 of the "Standard Traffic Ordinance for Kansas Cities", 1985 Edition, is greater or less than is reasonable under the conditions found to exist upon the City;

NOW THEREFORE, BE IT RESOLVED that the Governing Body hereby determines and declares that the reasonable and safe speed limit on said portion of said streets is as listed below; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby directed to cause to have erected appropriate signs giving notice of such speed limit along said streets maintained by the City.

<u>STREET</u>	<u>PORTION CONTROLLED</u>	<u>APPLICABLE SPEED LIMIT</u>
Lee Boulevard	81st Street to 103rd Street	35 mph
State Line Road	Within City Limits	35 mph
Mission Road	North City Limits to 93rd Street	35 mph
Mission Road	93rd Street to 95th Street	30 mph
Mission Road	95th Street to 103rd Street	35 mph
Mission Road	119th Street to 127th Street	35 mph
Mission Road	135th Street to 151st Street	35 mph
Roe Avenue	College Boulevard to K-150	45 mph
Roe Avenue	K-150 to Deadend	35 mph
83rd Street	Within City Limits	30 mph
85th St. Terrace	Lee Boulevard to State Line Road	30 mph
89th Street	Lee Blvd. East to Rd. Termination	20 mph
89th Street	Mission Road to Lee Boulevard	30 mph
95th Street	Within City Limits	30 mph
103rd Street	Mission Road to Lee Boulevard	30 mph
103rd Street	Lee Boulevard to State Line Road	35 mph
College Boulevard	Between Roe Avenue and Nail	45 mph
College Boulevard	Roe to .1 mile East of Buena Vista	35 mph
I-435	Within City Limits	55 mph
119th Street	State Line Road to Mission	30 mph
119th Street	Mission Road to Roe Avenue	35 mph
123rd Street	.4 miles West to Mission Road	30 mph
127th Street	Mission to Juniper	30 mph
K-150	Westbound from State Line Road to a point .10 miles west of intersection of K-150 and State Line Road	45 mph
K-150	Westbound from .10 miles west of State Line Road to City Limits	55 mph

<u>STREET</u>	<u>PORTION CONTROLLED</u>	<u>APPLICABLE SPEED LIMIT</u>
K-150	Eastbound from a point .30 miles west of State Line Road to State Line Road	45 mph
K-150	Eastbound from City Limits to a point .30 miles west of State Line Road	55 mph
143rd Street	Kenneth Road to Nall Avenue	30 mph
151st Street	Within City Limits	45 mph
Kenneth Road	Within City Limits	45 mph

Adopted by the Governing Body this 7 day of January 1985.



Randy Jacob
Randy Jacob, Mayor

J. Oberlander
J. Oberlander, City Clerk

RESOLUTION NO. 687

WHEREAS, the Governing Body of the City of Leawood, Kansas, has determined that certain improvements and re-improvements are necessary and should be made at the City Public Works generally described as 2008 West 104th Street, Leawood, Kansas.

WHEREAS, certain plans have been prepared for said project which plans are described as Project No. RENOVATION-PUBLIC WORKS FACILITY;

WHEREAS, in connection with said proposed improvements and re-improvements the Governing Body of the City of Leawood, Kansas, deems that it will be necessary for the City to appropriate certain private property adjacent to the existing Public Works facility for the uses of the City.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the City of Leawood, Kansas, that it is hereby declared to be necessary for the City of Leawood, Kansas, to appropriate certain private property in connection with improvements and re-improvements at the City Public Works facility at 2008 West 104th Street, Leawood, Kansas, which improvements and re-improvements are described in detail in the plans for said project.

The Governing Body of the City of Leawood, Kansas further authorizes and directs that a survey and description of the land to be condemned and appropriated to the City's use be made by a competent engineer and filed with the City Clerk.

IT IS FURTHER RESOLVED that this Resolution shall be published once in the official City newspaper.

PASSED AND APPROVED BY THE CITY OF LEAWOOD, KANSAS ON THE

21 DAY OF January, 1985.

CITY OF LEAWOOD, KANSAS

By Randy Jacob
Randy Jacob, Mayor



Jinny Oberlander
Jinny Oberlander, City Clerk

RESOLUTION NO. 688

RESOLUTION OF THE GOVERNING BODY OF THE
CITY OF LEAWOOD CONSENTING TO THE ENLARGEMENT OF
STATE LINE 123RD STREET MAIN SEWER DISTRICT AND
LATERAL SEWER DISTRICT NO. 2, JOHNSON COUNTY, KANSAS

On this 4th day of February, 1985, the
Governing Body of the City of Leawood met in regular session with
the Mayor and a majority of the council being present.

There comes before the council for consideration the
matter of the enlargement of State Line 123rd Street Main Sewer
District and Lateral Sewer District No. 2, the tract in question
being described on Exhibit A attached to this Resolution.

The provisions of K.S.A. 1983 Supp. 19-27a05, provides
that when any such sewer district extends into the city limits of
any incorporated city, the Board of County Commissioners shall not
have the power to create or extend such sewer district within the
city limits without the consent of the Governing Body of the
city.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
CITY OF LEAWOOD that said city does hereby consent that the
property shown and described on Exhibit A attached to this
Resolution be included within State Line 123rd Street Main Sewer
District and Lateral Sewer District No. 2 thereof, Johnson
County, Kansas.



MAYOR


ATTEST:


CITY CLERK

LEGAL DESCRIPTION:

All that part of the S½ of the SE¼ of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the most Northerly corner of Lot 1, Block 5, ROYSE, 2ND PLAT, a platted subdivision of land; thence S 68° 00' 45" W, along the North line of said Lot 1, a distance of 130 feet to the most Westerly corner thereof; thence N 48° 00' W, along the Northeast lines of Lots 8 and 9, Block 5, ROYSE, 2ND PLAT, a distance of 211.94 feet to the most Northerly corner of said Lot 9; thence N 19° 48' W, a distance of 288.13 feet; thence Westerly, along a curve bearing to the right, having a radius of 650 feet, a central angle of 5° 44' 36", and whose initial tangent bearing is S 73° 33' 24" W, a distance of 65.16 feet; thence N 10° 42' W, a distance of 175.08 feet; thence N 0° 28' W, a distance of 169.75 feet to a point on the North line of the S½ of the SE¼ of Section 22, Township 13, Range 25; thence N 89° 59' 45" E, along said North line, a distance of 312.54 feet; thence S 0° 27' 49" W, a distance of 400 feet; thence S 31° 46' 33" E, a distance of 269.82 feet to a point on the North right-of-way line of High Drive, as now platted; thence S 63° 39' 55" W, along said North right-of-way line, a distance of 1.46 feet; thence Southerly, along the West right-of-way line of High Drive, as now platted, along a curve bearing to the right, having a radius of 552.34 feet, a central angle of 2° 08' 32", and whose initial tangent bearing is S 21° 25' E, a distance of 20.65 feet to a point of reverse curvature; thence continuing Southerly along said West right-of-way line, along a curve bearing to the left, having a radius of 934 feet, a central angle of 2° 42' 47", and whose initial tangent bearing is S 19° 16' 28" E, a distance of 44.23 feet to the true point of beginning of subject tract, said tract containing 179,514.74 square feet.

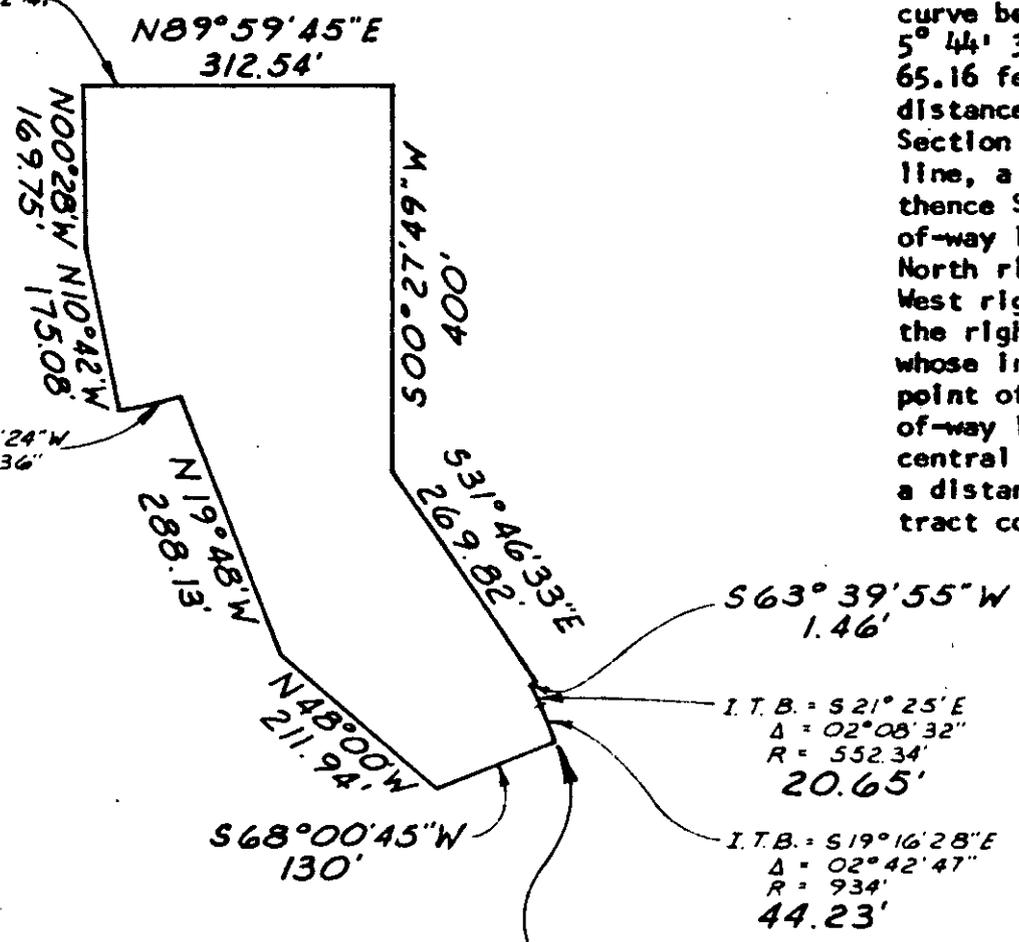
NORTH LINE S½, SE¼,
SEC. 22-13-25

EXHIBIT A

I.T.B. = S 73° 33' 24" W
Δ = 05° 44' 36"
R = 650'
65.16'



SCALE: 1" = 200'



TRUE POINT OF
BEGINNING OF
SUBJECT TRACT

PROJECT NO. 41341	DATE 11-84	BY DAL
PLAT AND LEGAL DESCRIPTION		
ADDITION TO LATERAL SEWER DISTRICT NO. 2		
STATE LINE - 123RD STREET		
MAIN SEWER DISTRICT		
JOHNSON COUNTY, KANSAS		



SHAFFER, KLINE & WARREN, P.A.
ENGINEERS-SURVEYORS
OVERLAND PARK, KANSAS

RESOLUTION NO. 689

The Leawood City Council has considered the preliminary and final plat of Leawood Meadows, approximately Roe Avenue and 135th Street, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

WHEREAS, the developer has made changes and revisions in the preliminary plat of Leawood Meadows to create Leawood Meadows, 3rd Plat, consisting of 12 lots; and

WHEREAS, the developer has made the changes on the preliminary and final plat as suggested by staff and the Plan Commission; and

WHEREAS, the developer has agreed to provide street lighting; and

WHEREAS, the developer has funded construction of Roe Avenue, south of 135th Street; and

WHEREAS, the Leawood Plan Commission recommends approval of the revised preliminary plat and final plat of Leawood Meadows;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the revised preliminary plat and final plat of Leawood Meadows.

Adopted by the Governing Body this 18th day of February, 1985.



Randy Jacob
Randy Jacob

J. Oberlander
J. Oberlander City Clerk

RESOLUTION NO. 690

The Leawood City Council has considered the application for replat, Berkshire subdivision, consisting of four lots located on the south side of 124th Street between Roe Avenue and Mission Road, and hereby resolves the following:

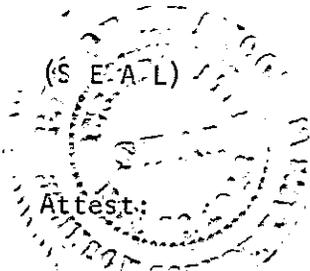
WHEREAS, the applicant is requesting a replat of a part of the existing 4th Plat of Berkshire, creating Berkshire 5th Plat; and

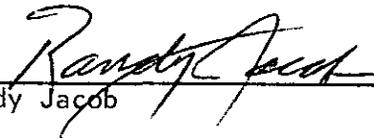
WHEREAS, the staff recommends approval of the replat; and

WHEREAS, the Leawood Plan Commission recommends approval of the replat of Berkshire 4th Plat to be known as Berkshire 5th Plat;

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the replat of Berkshire 4th Plat to be known as Berkshire 5th Plat.

Adopted by the Governing Body this 18th day of February, 1985.




Randy Jacob Mayor


J. Oberlander City Clerk

RESOLUTION NO. 691

The Leawood City Council has considered the request for replat of Lot 373, Leawood Estates, commonly known as 9710 State Line Road, and hereby resolves the following:

WHEREAS, the land in question is zoned R-1, single family residential; and

WHEREAS, the Public Works elements and other requirements were met when the land was previously platted; and

WHEREAS, the north lot is now named 373A where an existing house is located and Lot 373B for the newly created lot; and

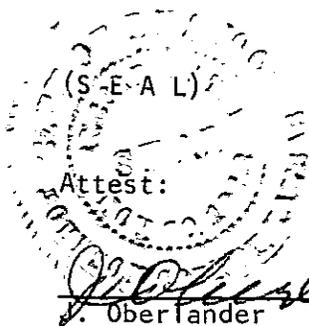
WHEREAS, setback for any new house would be averaged between existing structures on the north and on the south; and

WHEREAS, the applicant has established that the side setback for the south side of the existing house at 9710 shall meet the minimum setback requirements to the newly created lot line as established by City requirements; and

WHEREAS, the Leawood Plan Commission recommends approval of the replat of Lot 373, Leawood Estates;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the replat of Lot 373, Leawood Estates.

Adopted by the Governing Body this 18th day of February, 1985.



J. Oberlander
J. Oberlander City Clerk

Randy Jacob
Randy Jacob Mayor

Amended by 698

RESOLUTION NO. 692

A RESOLUTION ESTABLISHING FEE SCHEDULE FOR THOSE FEES NOT SPECIFICALLY PROVIDED FOR IN THE 1984 CODIFICATION, AND RESCINDING RESOLUTION NO. 682.

WHEREAS, the Codification of 1984 omits certain fee schedules for reasons of economy and expediency; and

WHEREAS, the City Administrator is, by Section 1-701 of the Codification, authorized to make fee adjustments necessary from time to time, and annually report to the Council amounts at which such fees are established;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby ratify the following Fee Schedule for 1985:

4-208 114.3.1 FEE SCHEDULE: NEW CONSTRUCTION, ALTERATIONS, AND REMODELING.

New Building Construction Permits

A through R-1 Zoning	\$.07/SF
Churches	.12/SF
RP-1 to RP-4 Zoning	.08/SF
RP-5 to RP-6 Zoning	.09/SF
CP-0, CP-1, CP-2 Zoning	.09/SF
MP-1 Zoning	.07/SF

Existing Building Construction Permits

Residential:

- 1. Building alterations, remodeling, additions, decks (fees are calculated on the area being added or improved) 30.00 min. + .07/SF
- 2. Mechanical, electrical, and plumbing 20.00 each

Commercial, Office, Industrial:

- 1. Interior finish for new construction Building alterations, remodeling .09/SF
- 2. Mechanical, electrical, plumbing 40.00 each

Miscellaneous

- 1. Swimming pools, whirlpool, hydro pool, other pools 50.00 each
- 2. Reroofing 14.00 each
- 3. Lawn sprinkler systems 20.00 each
- 4. Towers 22.00 each
- 5. Demolition, each unit or building 60.00 each
- 6. Structure moving 150.00 each
- 7. Permanent signs
 - Small (0 to 10/SF total area) 25.00 each
 - Large (over 10/SF total area) 50.00 each
- 8. Street curb cut 15.00 each
- 9. Fences, walls, patio covers 20.00 each
- 10. Foundation repair 25.00 each

Occupancy of Space or Building

Application fee \$ 10.00 each
Inspection fee 15.00 each

Reinspection Fees

Residential reinspections 30.00 each
Office/Commercial reinspections 30.00 each
Occupancy reinspection 20.00 each

4-603(g) APPLICATION FEE; MOVING BUILDING PERMIT. 150.00

4-803(b)(3) FEES FOR OIL AND GAS DRILLING AND PRODUCTION.

Special Use Permit 200.00
Permit for one well 50.00
Blanket permit where there is more than one well 150.00

11-306 FALSE ALARMS.

Seven (7) through ten (10) false alarms 25.00 each
Eleven (11) through fourteen (14) false alarms 50.00 each
Fifteen (15) through eighteen (18) false alarms 75.00 each
Nineteen (19) and each subsequent alarm 100.00 each

11-511 SIGN PERMIT FEE. 5.00

13-1A03 PERMIT FEES; SIDEWALKS.

For any permit issued under the provisions of this article 10.00 each

13-207 PERMIT FEES; STREETS.

(a) For any permit issued under the provisions of this article 10.00 each
(b) Maintenance bond 100% of construction cost for 2 years

15-110 SEWER CONNECTION CHARGE. 800.00

16-202 FEES FOR ZONING PROCEDURES.

<u>Rezoning</u>	<u>Tract Size</u>	<u>Rezoning Fee</u>	<u>Preliminary Plan</u>	<u>Final Plan</u>
Residential (AR-1 to RP-6)	0 - 5 acres	\$ 100	\$ 100	\$ 100
	5+ - 40	150	150	100
	40+ - up	150	200	150
Office (CP-0)	0 - 5 acres	100	150	100
	5+ - 10	100	200	100
	10+ - 25	150	250	150
	25+ - 50	150	300	150
	50+ - up	200	350	200

Rezoning	Tract Size	Rezoning Fee	Preliminary Plan	Final Plan
Commercial (CP-1 to CP-2)	0 - 5 acres	\$ 100	\$ 150	\$ 100
	5+ - 10	100	200	100
	10+ - 25	150	300	150
	25+ - 50	150	350	200
	50+ - up	200	400	200
Recreation	0 - 5 acres	100	100	50
	5+ - 25	100	100	100
	25+ - up	100	150	150
Industrial	0 - 5 acres	100	150	100
	5+ - 10	100	200	100
	10+ - up	150	250	150
Special Development	0 - 5 acres	100	150	100
	5+ - 10	150	150	100
	10+ - 25	150	200	250
	25+ - up	150	250	250
Mixed Zoning (Combination of any two or more districts)	0 - 10 acres	150	150	150
	10+ - 25	200	200	200
	25+ - 50	200	250	250
	50+ - 75	250	300	250
	75+ - up	300	300	300
Special Use -Permits, except oil and gas	0 - 5 acres	150		
	5+ - 10	200		
	10+ - up	250		
Other Plan Approvals		-		
. Landscape Plan		-	\$ 75.00	
. Sign Policy Approval		-	50.00	
. Flood Plain Development		-	100.00	
Streets, Utility Vacation		-	100.00	
Board of Zoning Appeals Hearing		-	50.00	

Applicant is responsible for the cost of publishing rezoning or special use permit ordinance following City Council approval, and cost of recording plats.

Applicant shall be responsible for paying a late fee in the amount of \$250.00 if an application for site development plan is submitted to the City after the deadline for submissions has expired.

16-309 BOARD OF ZONING APPEALS HEARING; FEE. \$ 50.00

16-402 FEES FOR SUBDIVISION REGULATION PROCEDURES.

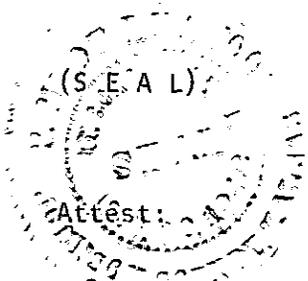
Preliminary Plat Submission:

Applicant to pay -
\$200.00 minimum plus additional \$2.00 per lot.

Final Plat Submission:

Applicant to pay -
\$200.00 minimum plus additional \$2.00 per lot.

Adopted by the Governing Body this 18th day of February, 1985.



Randy Jacob
Randy Jacob Mayor

J. Oberlander
J. Oberlander City Clerk

RESOLUTION NO. 693

The Leawood City Council has considered the application for final plat approval, Foxborough subdivision-2nd Plat, RP-1, Planned Single Family Residential, located at the southwest corner of State Line Road and 123rd Street, and hereby resolves the following:

WHEREAS, the plat conforms to City Subdivision Regulations; and

WHEREAS, Staff has recommended approval of the final plat and final development plan; and

WHEREAS, the developer has submitted information which satisfies the conditions established by the Plan Commission on February 27, 1985; and

WHEREAS, the Leawood Plan Commission recommends approval of the 2nd Plat of Foxborough;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve Foxborough, 2nd Plat.

Adopted by the Governing Body this 18th day of March, 1985.




Randy Jacob Mayor


J. Oberlander City Clerk

*repealed by Res. #1615
6/18/01*

RESOLUTION NO. 694

A resolution establishing a policy for the creation of improvement districts for the purpose of financing the construction of certain streets within the City of Leawood, and rescinding Resolution No. 520 dated December 17, 1979 relating to the same.

WHEREAS, the City of Leawood recognizes the need to provide a network of arterial and collector streets throughout the City in order to facilitate an orderly movement of traffic, and

WHEREAS, the City also recognizes the need to establish a financing mechanism for the construction of such a street network; and

WHEREAS, the City further recognizes that the establishment of improvement districts is an integral part of such a financing mechanism; and;

WHEREAS, it is also the desire of the City to generally recognize the distinction between properties occupied as single family residences and properties which have development potential in formulating an improvement district policy.

NOW, THEREFORE, BE IT RESOLVED that the following policy regarding the creation of improvement districts for the purpose of financing the construction of certain streets is hereby established.

1. GENERAL PARAMETERS:

A. In the event the City deems that a certain street must be improved and no petition for the establishment of an improvement district has been presented to the Governing Body, the City may initiate the creation of an improvement district and the following criteria will apply to said district.

associated with the construction of a residential street. The calculations involving the cost associated with a residential street in relationship to the total cost of the collector street shall be determined by the City and the City's determinations shall be final. For the purpose of this resolution, single family residential property shall be defined as:

a. An existing habitable single family residential dwelling as set out in the Leawood Zoning Code.

b. Any single family residential structure for which a building permit has been obtained prior to the date shown on any resolution creating an improvement district.

c. Any public or semi-public uses set out in the R-1 single family section of the Zoning Code with the exception of uses by governmental entities with separate taxing authority.

d. For the purpose of this resolution, single family residential properties for which adjustments and assessments may be made under the terms of this resolution, shall not exceed ten acres in area as computed at the time of formation. To the extent that a single family residential tract exceeds ten acres, the property in excess of ten acres shall be assessed at the rate set out for development properties. Public or semi-public uses shall not be subject to a ten acre limitation.

B. Each development property tract within the improvement district shall be equally assessed on an abutting front foot or a per square foot basis for the cost of the roadway associated with a collector street as computed by the City. In cases where unusual ownership patterns, abnormal street or road conditions and/or other circumstances make this procedure unworkable, inequitable or contrary to the public interest, the Governing Body may negotiate alternative methods of achieving acceptable improvements.

C. The city at large shall bear all costs for the improvement district that have not been assessed to single family residential or development tracts. In addition, the City may choose to bear an additional cost of the improvement district in the event of any unusual or non-reoccurring costs

involved in the construction such as utility relocation or major structures such as bridges or storm drainage culverts. In the event that the City elects to bear an additional portion of the cost, all single family residential tracts and development tracts will be credited equally with the cost borne by the city at large.

D. Those properties which were developed prior the adoption of the City's subdivision regulations dated April 17, 1978, or those properties or portions thereof which have made payment (or similar arrangements) to the City for the improvement of the street abutting said property in accordance with the subdivision regulations, shall be not be included in the assessment of the cost associated with an improvement district.

E. In the event that funds become available to the City as a result of federal, state, or county action, said funds will first be used to reduce the burden of the city at large. If additional funds remain after discharging the city at large's obligation, then all single family residential tracts and development tracts will be credited equally until said funds are expended.

4. REASSESSMENT POLICY:

In the event that a single family residential tract which has been granted a reduced assessment under the terms of this policy is sold for development within five years of the date of the assessment ordinance, then in such event the city may, by procedure set forth in K.S.A. 6a01 et seq., convene a subsequent assessment hearing and adjust the assessment on the property previously assessed as single family residential and upgrade said assessment to the assessment charged to development property.

5. IMPROVEMENT DISTRICT APPROVAL:

Approval for improvement district financing will be given only after consideration is given to the overall financial status of the City, including but not limited to, the total amount of the City's bonded indebtedness, the City's legal debt limit, estimated overlapping bonded indebtedness and the

financial impact on the residents of the City.

6. ELIGIBLE STREETS:

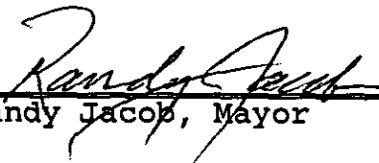
The following streets will be considered eligible for financing under this improvement district policy:

Roe Avenue, 112th to 143rd Street
Nall Avenue, College Blvd to 135th Street
Tomahawk Creek Parkway, College Blvd to Roe Ave
115th Street, Roe Ave to Tomahawk Creek Parkway
119th Street, Nall Ave to Mission Road
State Line Road, Red Bridge to 135th Street
Kenneth Road, 135th Street to 143rd Street

Adopted by the Governing Body this 18th day of
March, 1985.



Attest:


Randy Jacob, Mayor


Ginny Oberlander, City Clerk

RESOLUTION NO. 695

A RESOLUTION ESTABLISHING THE COST PER FOOT FOR ARTERIAL STREETS AND COLLECTOR STREETS AS REQUIRED BY THE SUBDIVISION REGULATIONS AND SATISFACTORY ARRANGEMENTS FOR PAYMENT.

WHEREAS, Section 17-402, REQUIRED IMPROVEMENTS, of the "Subdivision Regulations" adopted by the City of Leawood on January 16, 1978, requires, when a collector street or arterial street abuts a subdivision or development, the subdivider or owner shall make satisfactory arrangements to pay fifty percent (50%) of the cost to develop collector streets; and

WHEREAS, the City of Leawood has deemed it necessary to establish the cost per foot to develop arterial streets and collector streets; and

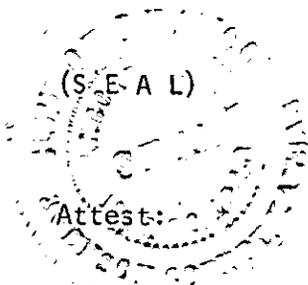
WHEREAS, said Section 17-402, REQUIRED IMPROVEMENTS, requires that the subdivider or property owner shall make satisfactory arrangements with the City of Leawood to pay for fifty percent (50%) of the cost to develop a collector street;

NOW, THEREFORE, BE IT RESOLVED that the following requirements regarding the cost to develop arterial streets and collector streets in conjunction with the "Subdivision Regulations" are hereby adopted:

1. Fifty percent (50%) of the cost to develop urban residential collector streets (for residential type development) as defined in the "Public Improvement Construction Standards" adopted by the City of Leawood on May 2, 1983, by Resolution No. 612, be established at Eighty Dollars (\$80.00) per foot.
2. Fifty percent (50%) of the cost to develop primary collector streets (for commercial type developments) as defined in the "Public Improvement Construction Standards" adopted by the City of Leawood on May 2, 1983, by Resolution No. 612, be established at One Hundred Dollars (\$100.00) per foot.
3. When an arterial street abuts a subdivision, the developer or owner shall pay the rate established for a primary collector street or \$100.00 per foot.
4. When an arterial street abuts a subdivision or development and an arterial street is required to serve the development as determined by the City, the subdivision or development shall be responsible for the full cost of an arterial street. The cost of an arterial street in this case shall be determined at the time of construction.

5. Satisfactory arrangements with the City of Leawood for payment of fifty percent (50%) of the cost to develop collector streets shall be either in the form of cash at the time of final plat approval by the Leawood City Council, or a letter of credit not to exceed three (3) years. The letter of credit may be drawn upon at any time within the three (3) year period.

Adopted by the Governing Body this 18th day of March, 1985.



Randy Jacob
Randy Jacob Mayor

J. Oberlander
J. Oberlander City Clerk

RESOLUTION NO. 696

WHEREAS, the Johnson County Board of County Commissioners has placed a general obligation bond issue on the ballot in an April 2, 1985, County election for the purpose of constructing new Johnson County detention facilities; and

WHEREAS, the proposed Johnson County Detention Center would replace the Johnson County Jail, a facility that was constructed many years ago for Johnson County; and

WHEREAS, the proposed Detention Center has been the subject in recent years of a variety of studies that all have concluded that a new facility is necessary for legal and financial reasons that could impact on every County resident; and

WHEREAS, the proposed Detention Center has been designed with enough flexibility to comfortably accommodate growth well beyond the year 2000 without the need for an additional major bond issue;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, go on record as endorsing passage of the general obligation bond issue to construct new Johnson County detention facilities; and, in view of its importance to the County,

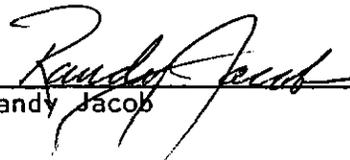
BE IT FURTHER RESOLVED that the Governing Body encourages residents to also support construction of a new Johnson County Detention Center by voting "Yes" on the general obligation bond issue in the April 2, 1985, election.

Adopted by the Governing Body this 18th day of March, 1985.

(S E A L)

Attest:


J. Oberlander
City Clerk


Randy Jacob

Mayor

RESOLUTION NO. 697

The Leawood City Council has considered the final plat of the second plat of The Woodlands, a single family residential development, approximately 600 feet east of the southeast corner of 127th Street and Roe Avenue, and hereby resolves the following:

WHEREAS, the proposed final plat of the second plat of The Woodlands has been submitted in exact conformance with the preliminary plat; and

WHEREAS, the documents for sidewalks, streets and storm sewers have been submitted to the Director of Public Works and have been approved by him; and

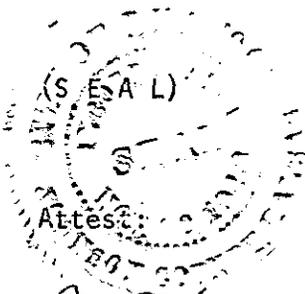
WHEREAS, the Plan Commission recommends two conditions:

1. Street names be added to the plat in accordance with the county grid;
2. Fifteen (15) foot radii be shown at the street intersections; and

WHEREAS, the Staff and the Leawood Plan Commission recommend approval of said plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the final plat of the second plat of The Woodlands.

Adopted by the Governing Body this 1 day of April, 1985.



Randy Jacob
Randy Jacob Mayor

J. Oberlander
J. Oberlander City Clerk

RESOLUTION NO. 698

*rescinded by Res. 751
1/6/86*

A RESOLUTION ESTABLISHING FEE SCHEDULE FOR THOSE FEES NOT SPECIFICALLY PROVIDED FOR IN THE 1984 CODIFICATION, AND RESCINDING RESOLUTION NO. 692.

WHEREAS, the Codification of 1984 omits certain fee schedules for reasons of economy and expediency; and

WHEREAS, the City Administrator is, by Section 1-701 of the Codification, authorized to make fee adjustments necessary from time to time, and annually report to the Council amounts at which such fees are established;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby ratify the following Fee Schedule for 1985:

4-208 114.3.1 FEE SCHEDULE: NEW CONSTRUCTION, ALTERATIONS, AND REMODELING.

New Building Construction Permits

A through R-1 Zoning	\$.07/SF
Churches	.12/SF
RP-1 to RP-4 Zoning	.08/SF
RP-5 to RP-6 Zoning	.09/SF
CP-0, CP-1, CP-2 Zoning	.09/SF
MP-1 Zoning	.07/SF

Existing Building Construction Permits

Residential:

- | | |
|---|---------------------|
| 1. Building alterations, remodeling, additions, decks (fees are calculated on the area being added or improved) | 30.00 min. + .07/SF |
| 2. Mechanical, electrical, and plumbing | 20.00 each |

Commercial, Office, Industrial:

- | | |
|---|------------|
| 1. Interior finish for new construction | .09/SF |
| 2. Mechanical, electrical, plumbing | 40.00 each |

Miscellaneous

- | | |
|---|-------------|
| 1. Swimming pools, whirlpool, hydro pool, other pools | 50.00 each |
| 2. Reroofing | 14.00 each |
| 3. Lawn sprinkler systems | 20.00 each |
| 4. Towers, satellite dish equipment, solar equipment | 22.00 each |
| 5. Demolition, each unit or building | 60.00 each |
| 6. Structure moving | 150.00 each |
| 7. Permanent signs | |
| Small (0 to 10/SF total area) | 25.00 each |
| Large (over 10/SF total area) | 50.00 each |

(continued, next page)

<u>Miscellaneous (continued)</u>	
8. Street curb cut	\$ 15.00 each
9. Fences, walls, patio covers	20.00 each
10. Foundation repair	25.00 each
<u>Occupancy of Space or Building</u>	
Application fee	10.00 each
Inspection fee	15.00 each
<u>Reinspection Fees</u>	
Residential reinspections	30.00 each
Office/Commercial reinspections	30.00 each
Occupancy reinspection	20.00 each
4-603(g) APPLICATION FEE; MOVING BUILDING PERMIT.	150.00
4-803(b) (3) FEES FOR OIL AND GAS DRILLING AND PRODUCTION.	
Special Use Permit	200.00
Permit for one well	50.00
Blanket permit where there is more than one well	150.00
11-306 FALSE ALARMS.	
Seven (7) through ten (10) false alarms	25.00 each
Eleven (11) through fourteen (14) false alarms	50.00 each
Fifteen (15) through eighteen (18) false alarms	75.00 each
Nineteen (19) and each subsequent alarm	100.00 each
11-511.SIGN PERMIT FEE.	5.00
13-1A03 PERMIT FEES; SIDEWALKS.	
For any permit issued under the provisions of this article.	10.00 each
13-207 PERMIT FEES; STREETS.	
(a) For any permit issued under the provisions of this article.	10.00 each
(b) Maintenance bond	100% of construction cost for 2 years
15-110 SEWER CONNECTION CHARGE.	800.00

16-202 FEES FOR ZONING PROCEDURES.

<u>Rezoning</u>	<u>Tract: Size</u>	<u>Rezoning Fee</u>	<u>Preliminary Plan</u>	<u>Final Plan</u>
Residential (AR-1 to RP-6)	0 - 5 acres	\$ 100	\$ 100	\$ 100
	5+ - 40	150	150	100
	40+ - up	150	200	150
Office (CP-0)	0 - 5 acres	100	150	100
	5+ 10	100	200	100
	10+ - 25	150	250	150
	25+ - 50	150	300	150
	50+ - up	200	350	200
Commercial (CP-1 to CP-2)	0 - 5 acres	100	150	100
	5+ - 10	100	200	100
	10+ - 25	150	300	150
	25+ - 50	150	350	200
	50+ - up	200	400	200
Recreation	0 - 5 acres	100	100	50
	5+ - 25	100	100	100
	25+ - up	100	150	150
Industrial	0 - 5 acres	100	150	100
	5+ - 10	100	200	100
	10+ - up	150	250	150
Special Devel- opment	0 - 5 acres	100	150	100
	5+ - 10	150	150	100
	10+ - 25	150	200	250
	25+ - up	150	250	250
Mixed Zoning (Combination of any two or more districts)	0 - 10 acres	150	150	150
	10+ - 25	200	200	200
	25+ - 50	200	250	250
	50+ - 75	250	300	250
	75+ - up	300	300	300
Special Use Permits, ex- cept oil and gas	0 - 5 acres	150		
	5+ - 10	200		
	10+ - up	250		
Other Plan Approvals		-		
. Landscape Plan		-	\$ 75.00	
. Sign Policy Approval		-	50.00	
. Flood Plain Development		-	100.00	

(continued, next page)

16-202 FEES FOR ZONING PROCEDURES (continued).

Streets, Utility Vacation - \$ 100.00

Board of Zoning Appeals Hearing - 50.00

Applicant is responsible for the cost of publishing rezoning or special use permit ordinance following City Council approval, and cost of recording plats.

Applicant shall be responsible for paying a late fee in the amount of \$250.00 if an application for site development plan is submitted to the City after the deadline for submissions has expired.

16-309 BOARD OF ZONING APPEALS HEARING; FEE. \$ 50.00

16-402 FEES FOR SUBDIVISION REGULATION PROCEDURES.

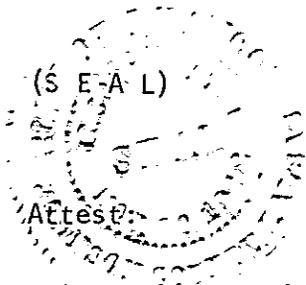
Preliminary Plat Submission:

Applicant to pay -
\$200.00 minimum plus additional \$2.00 per lot.

Final Plat Submission:

Applicant to pay -
\$200.00 minimum plus additional \$2.00 per lot.

Adopted by the Governing Body this 15th day of April, 1985.



J. Oberlander
J. Oberlander City Clerk

Randy Jacob
Randy Jacob Mayor

RESOLUTION NO. 699

The Leawood City Council has considered the preliminary and final plat of Hunter's Ridge, 6th Plat, Aberdeen at 124th Street and 124th Terrace, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application; and

WHEREAS, the developer has made the changes on the preliminary and final plat as directed by staff and the Plan Commission; and

WHEREAS, the Leawood Plan Commission recommends approval of said plats;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the preliminary plat and final plat of Hunter's Ridge, 6th Plat.

Adopted by the Governing Body this 6th day of May, 1985.



J. Oberlander
J. Oberlander City Clerk

Jan Thrice

RESOLUTION NO. 700

The Leawood City Council has considered the preliminary and final plat of Royse, 4th Plat, High Drive at 125th Street, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

WHEREAS, the developer has made the changes on the preliminary and final plat as directed by staff and the Plan Commission; and

WHEREAS, the Leawood Plan Commission recommends approval of said plats;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the preliminary plat and final plat of Royse, 4th Plat.

Adopted by the Governing Body this 6th day of May, 1985.



J. Oberlander
J. Oberlander City Clerk

Jean Wise

RESOLUTION NO. 701

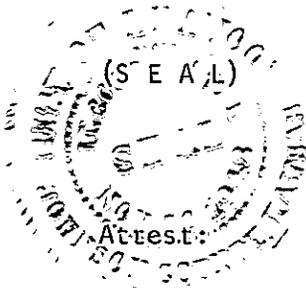
WHEREAS, certain publications are required by State Statute and by Ordinance; and

WHEREAS, the City of Leawood finds increasing need for prompt, regular publication of ordinances and legal notices; and

WHEREAS, it has been determined that THE JOHNSON COUNTY SUN and THE DAILY NEWS OF JOHNSON CO. meet all statutory requirements;

NOW, THEREFORE, BE IT RESOLVED that the City of Leawood, Kansas, does hereby designate THE JOHNSON COUNTY SUN and/or THE DAILY NEWS OF JOHNSON CO. as the official City newspapers for all documents requiring legal publication.

Adopted by the Governing Body this 6th day of May, 1985.



Jean Wise
Jean Wise Mayor

J. Oberlander
J. Oberlander City Clerk

orig. HOPKs.

RESOLUTION NO. 702

WHEREAS, the City of Overland Park, Kansas was incorporated as a City of the first class on May 20, 1960, with a population of 28,000; and

WHEREAS, the City of Overland Park enters its silver anniversary year May 20, 1985, with a population of 84,800;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Leawood, Kansas extend its congratulations to the Governing Body of the City of Overland Park, Kansas, and to all its citizens, on the occasion of the twenty-fifth anniversary of its founding.

Adopted by the Governing Body this 20th day of May, 1985.

Jean Wise
Jean Wise, Mayor

Attest:

J. Oberlander
J. Oberlander, City Clerk

RESOLUTION NO. 703

The Leawood City Council has considered the preliminary and final plat of The Greenbrier of Leawood, approximately from High Drive to Pembroke Street at 131st Street, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

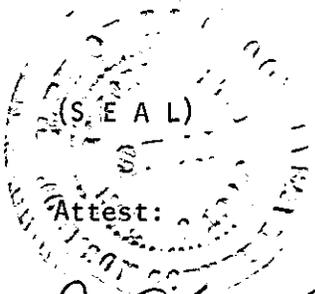
WHEREAS, the developer has made the changes on the preliminary and final plat as directed by staff and the Plan Commission; and

WHEREAS, the developer has agreed to dedicate 80 feet right-of-way for 131st Terrace, center the roadway within the right-of-way, and build the roadway to primary collector standards; and

WHEREAS, the Leawood Plan Commission recommends approval of said plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the preliminary plat and final plat of The Greenbrier of Leawood.

Adopted by the Governing Body this 3rd day of June, 1985.



Attest:

J. Oberlander
J. Oberlander City Clerk

Jean Wise
Jean Wise, Mayor

RESOLUTION NO. 704

The Leawood City Council has considered the preliminary and final plat of Leawood Executive Centre, at the southeast corner of College Boulevard and Roe Avenue, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

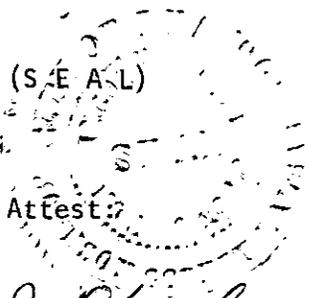
WHEREAS, the developer has made the changes on the preliminary and final plat as directed by staff; and

WHEREAS, the approval of this plat is contingent upon issuance of a letter of credit for improvements of Roe Avenue in the amount of \$48,590.80 and College Boulevard in the amount of \$48,298.80 for a total of \$96,889.60, the letter of credit to be received prior to recording of the plat; and

WHEREAS, the Leawood Plan Commission recommends approval of the preliminary and final plat of Leawood Executive Centre;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the preliminary and final plat of Leawood Executive Centre.

Adopted by the Governing Body this 3rd day of June, 1985.



Jean Wise
Jean Wise Mayor

J. Oberlander
J. Oberlander City Clerk

CITY RIGHT OF WAY RESOLUTION

WHEREAS, by resolution passed by the Mayor and governing body of the City of LEAWOOD, JOHNSON County, Kansas FEBRUARY 20, 19 84, said City agreed with the Kansas Department of Transportation to furnish the right of way and access control within the city limits for the construction of the street or road as shown by the plans of Project Number 46 U 0610-01 M 2824 (002), and

WHEREAS, the City of LEAWOOD, and the Department of Transportation desire that the construction of the above project be commenced and completed without unnecessary delay.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and governing body of the City of LEAWOOD, Kansas, that after such right of way has been obtained, the City Clerk be, and is hereby authorized to notify the Department of Transportation by certification, and said City hereby agrees to save the Department of Transportation from any and all liability action or suit as a result of construction commenced in reliance upon said certification.

Passed by the governing body this 2nd day of June, 19 85.



Jean Wise
Jean Wise --- Mayor

[Signature]
City Clerk

RESOLUTION NO. 706

A RESOLUTION AUTHORIZING AND APPROVING CONSTRUCTION AND REMODELING OF THE CITY OF LEAWOOD, KANSAS, PUBLIC WORKS FACILITY INCLUDING BUT NOT LIMITED TO COST OF CONSTRUCTION, ENGINEERING AND ARCHITECTURAL FEES AND LAND ACQUISITION.

WHEREAS, the City of Leawood owns an existing Public Works Facility located at 2008 W. 104th Street, Leawood, Kansas; and

WHEREAS, the Governing Body has determined that it would be in the best interest of the City of Leawood and necessary that the City of Leawood remodel the existing Public Works facility and make additions to said facility to house the existing and expanding services of the Public Works Department of the City of Leawood, Kansas; and

WHEREAS, it is necessary to retain the services of Architects and Engineers to design said Public Works Facility; and

WHEREAS, the Governing Body did by prior action authorize condemnation of certain additional land necessary for improvement and expansion of the Leawood Public Works facility; and

WHEREAS, land necessary for improvement and expansion of the Public Works facility has been acquired through condemnation at a cost of \$90,792.56; and

WHEREAS, by Resolution No. 655 the Governing Body resolved that the estimated cost of remodeling the existing Public Works facility was \$850,000.00 including construction cost, land acquisition, and architects and engineering fees; and

WHEREAS, subsequent bids were received by the City all of which exceeded the engineers estimate and the amount resolved by the City; and

WHEREAS, the project engineers have revised their prior estimate and now believe the reasonable estimated cost of construction and other related costs including construction costs, land acquisition and architects and engineering fees is \$1,077,036.56;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LEAWOOD, KANSAS:

1. That the City of Leawood approve the proposals by Ford Architects, and Allenbrand-Drews, Civil Engineers, for engineering work, site work and architectural services, all as set out in the architectural and engineering proposals, on file in the office of the Director of Public Works,

600
ch

2. That the estimated cost of constructing the addition to the existing Public works facility and for remodeling the existing Public Works facility is \$1,077,036.56 including; construction cost, land acquisition, and architects and engineering fees.

3. That for the purpose of providing funds for the construction of the Public Works facility and set out above, which improvements shall be made by the City of Leawood, Kansas pursuant to KSA 12-1736 et seq. there will be authorized by separate ordinance the issuance of General Obligation bonds of the City of Leawood, in the total principle amount of \$1,100,000.00. Said bonds will be advertised and sold at public sale in the manner provided by law.

Adopted by the Governing Body this 10 day of June, 1985.



Jean Wise
Jean Wise

J. Oberlander
J. Oberlander City Clerk

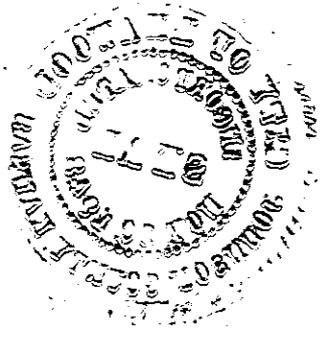
STATE OF KANSAS }
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1985 JUN 21 A 10:56.6

6⁰⁰
RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP.

12



City of Leawood
9617 Leawood Blvd
Leawood, Mo. 66206

RESOLUTION NO. 707

The Leawood City Council has considered the preliminary and final plat of Normandy Place, west of Roe at 129th Street, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

WHEREAS, the developer has made the changes on the preliminary and final plat as directed by staff and the Plan Commission; and

WHEREAS, the Plan Commission recommends approval of the preliminary plat and final plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the preliminary plat and final plat of Normandy Place.

Adopted by the Governing Body this 16th day of June, 1985.



Attest:

J. Oberlander
J. Oberlander City Clerk

Jean Wise
Jean Wise

Jean Wise
Mayor

RESOLUTION NO. 708

The Leawood City Council has considered the request for rezoning from RP-4 (Planned Cluster Residential) and R-1 (Single Family Residential) to RP-1 (Planned Single Family Residential), and the request for approval of the revised preliminary plan and final plan for single family residences north of 127th Street between Nall and Roe, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application; and

WHEREAS, the Plan Commission recommends approval of the requested rezoning from RP-4 and R-1 to RP-1, and approval of the revised preliminary plan and final plan of Patrician Woods, 5th Plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the requested rezoning from RP-4 and R-1 to RP-1, and the revised preliminary plan and final plan of Patrician Woods, 5th Plat.

Adopted by the Governing Body this 26th day of June, 1985.



Attest:

J. Oberlander
J. Oberlander City Clerk

Jean Wise
Jean Wise Mayor

*changed to Leawood
Forest Estates*

RESOLUTION NO. 709

The Leawood City Council has considered the revised preliminary and final plat of Patrician Woods, 5th Plat, approximately between Nall and Roe Avenue, north of 127th Street, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

WHEREAS, the developer has made the changes on the revised preliminary and final plat as directed by staff and the Plan Commission; and

WHEREAS, the developer has agreed to the conditions of approval; and

WHEREAS, the Plan Commission recommends approval of the revised preliminary plat and final plat of Patrician Woods, 5th Plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the revised preliminary plat and final plat of Patrician Woods, 5th Plat.

Adopted by the Governing Body this 1st day of July, 1985.



Jean Wise

Jean Wise Mayor

J. Oberlander

J. Oberlander City Clerk

RESOLUTION NO. 710

RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS,
CONSENTING TO THE ENLARGEMENT OF AREA INTO CERTAIN SEWER DISTRICTS
GOVERNED BY JOHNSON COUNTY, KANSAS

On this 1st day of July, 1985, the
Governing Body of the City of Leawood, Kansas, met in regular ses-
sion with the Mayor and a majority of the Council being present.

There comes before the Council for consideration the mat-
ter of the enlargement of Tomahawk Creek Main Sewer District No. 1.
There are two tracts to be enlarged into sewer districts governed
by the county and they are described as follows:

Tract No. 1: Description on Exhibit A attached and
drawing on Exhibit B attached

Tract No. 2: Description on Exhibit C attached and
drawing on Exhibit D attached.

The provisions of Charter Resolution 18-84, Johnson County,
Kansas, provide that when any such sewer districts extend into the
city limits of any incorporated city, the Board of County Commis-
sioners shall not have the power to create or extend such sewer
district within the city limits without the consent of the govern-
ing body of the city.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY
OF LEAWOOD, KANSAS, that the City does hereby consent that the
property shown and described on the attached exhibits be included
within sewer districts as described and which are governed by John-
son County, Kansas.



[Signature]
City Clerk

[Signature]
Mayor



SHAFER, KLINE & WARREN, P.A.

CIVIL ENGINEERS — LAND SURVEYORS — LAND PLANNERS
11100 WEST 91ST STREET, OVERLAND PARK, KANSAS 66214
TEL. (913) 888-7800

LARRY D. GRAHAM
PHILIP K. KLINE
ROBERT R. MYERS
TEX L. NEW
ROGER H. SELLERS

April 29, 1985

LEGAL DESCRIPTION FOR
PROPOSED LAND TO BE ADDED TO
TOMAHAWK CREEK MAIN SEWER DISTRICT NO. 1
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

All that part of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the $SE\frac{1}{4}$ of said Section 22; thence $S 0^{\circ} 23' 03'' W$, along the West line of the $SE\frac{1}{4}$ of said Section 22, a distance of 600 feet, to the true point of beginning of subject tract; thence continuing $S 0^{\circ} 23' 03'' W$, along the West line of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of said Section 22, a distance of 727.14 feet, to the Southwest corner thereof; thence $N 89^{\circ} 59' 45'' E$, along the South line of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of said Section 22, a distance of 1132.65 feet; thence $N 0^{\circ} 00' 15'' W$, a distance of 124.86 feet; thence $N 77^{\circ} 54' W$, a distance of 24.04 feet; thence $N 12^{\circ} 06' E$, a distance of 50 feet; thence $N 14^{\circ} W$, a distance of 209.79 feet; thence $N 69^{\circ} 21' W$, a distance of 98.62 feet; thence $N 83^{\circ} 40' W$, a distance of 93.76 feet; thence $S 88^{\circ} 55' W$, a distance of 93.76 feet; thence $S 76^{\circ} W$, a distance of 93.61 feet; thence $N 12^{\circ} 11' 55'' W$, a distance of 197.17 feet; thence Northeasterly, along a curve to the left, having a radius of 200 feet, a central angle of $5^{\circ} 10' 36''$, and whose initial tangent bearing is $N 54^{\circ} 46' 36'' E$, a distance of 18.07 feet; thence $N 40^{\circ} 24' W$, a distance of 141.47 feet; thence $N 21^{\circ} 30' E$, a distance of 13.79 feet; thence $S 89^{\circ} 57' 52'' W$, along a line parallel to the North line of the $SE\frac{1}{4}$ of said Section 22, a distance of 579.94 feet, to the true point of beginning of subject tract.

The above described tract of land contains 15.202 Gross Acres, more or less.

Exhibit A

NORTH LINE SE 1/4
SEC 22-13-25
389°57'52"N

POINT OF COMMENCING
NKJ COR SE 1/4
SEC 22-13-25

389°57'52"N
579.94'

TRUE POINT OF
BEGINNING OF
SUBJECT TRACT

13.79'
N12°21'30"E
101.07'

18.45°40'30"E
5'10'36"
R. 200'
18.07'

N12°11'55"N
197.17'

388°55'N N85°40'N N69°21'N
576'N 93.76' 93.76' 90.62'

N14°N
21.60'

N12°06'E
50'
N77°54'N
24.09'

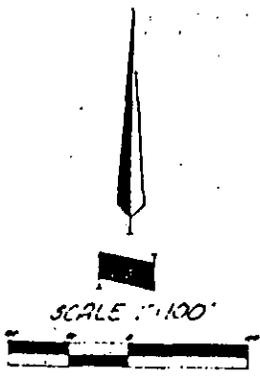
N15°00'N
100.00'

SOUTH LINE N 1/2 SE 1/4
SEC 22-13-25
1132.65'
N89°59'45"E

N 50°53'05"N
600'

N 50°53'05"N
600'

N 50°53'05"N
600'



PROJECT NO. 41662	DATE 5-85	BY TLM
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LEGAL DESCRIPTION FOR
PROPOSED LAND TO BE ADDED TO
TOMAHAWK CREEK MAIN SEWER DISTRICT NO. 1
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS



SHAFER, KLINE & WARREN, P.A.
ENGINEERS-SURVEYORS
OVERLAND PARK, KANSAS

Exhibit B



SHAFER, KLINE & WARREN, P.A.

CIVIL ENGINEERS — LAND SURVEYORS — LAND PLANNERS

11100 WEST 91ST STREET, OVERLAND PARK, KANSAS 66214

TEL. (913) 888-7800

LARRY D. GRAHAM
PHILIP K. KLINE
ROBERT R. MYERS
TEX L. NEW
ROGER H. SELLERS

April 29, 1985

LEGAL DESCRIPTION FOR
PROPOSED LAND TO BE ADDED TO
TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4
AND TO LATERAL SEWER DISTRICT NO. 3
TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

All that part of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the $SE\frac{1}{4}$ of said Section 22; thence S $0^{\circ} 23' 03''$ W, along the West line of the $SE\frac{1}{4}$ of said Section 22, a distance of 600 feet; thence N $89^{\circ} 57' 52''$ E, along a line parallel to the North line of the $SE\frac{1}{4}$ of said Section 22, a distance of 362.49 feet, to the true point of beginning of subject tract; thence continuing N $89^{\circ} 57' 52''$ E, along a line parallel to the North line of the $SE\frac{1}{4}$ of said Section 22, a distance of 217.45 feet; thence S $21^{\circ} 30'$ W, a distance of 13.79 feet; thence S $63^{\circ} 12'$ W, a distance of 187.75 feet; thence N $24^{\circ} 43' 15''$ W, a distance of 107.17 feet, to the true point of beginning of subject tract.

The above described tract of land contains 0.263 Gross Acres, more or less.

Exhibit C

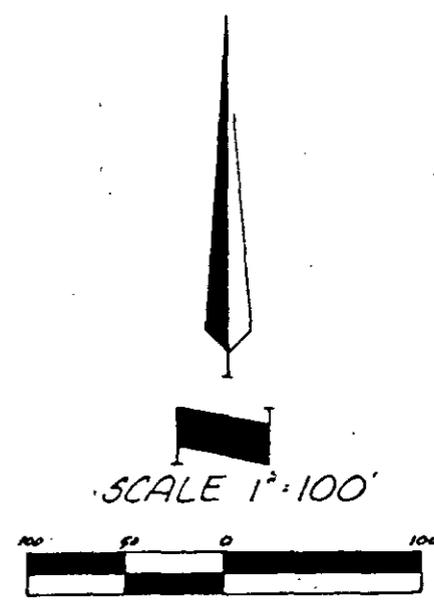
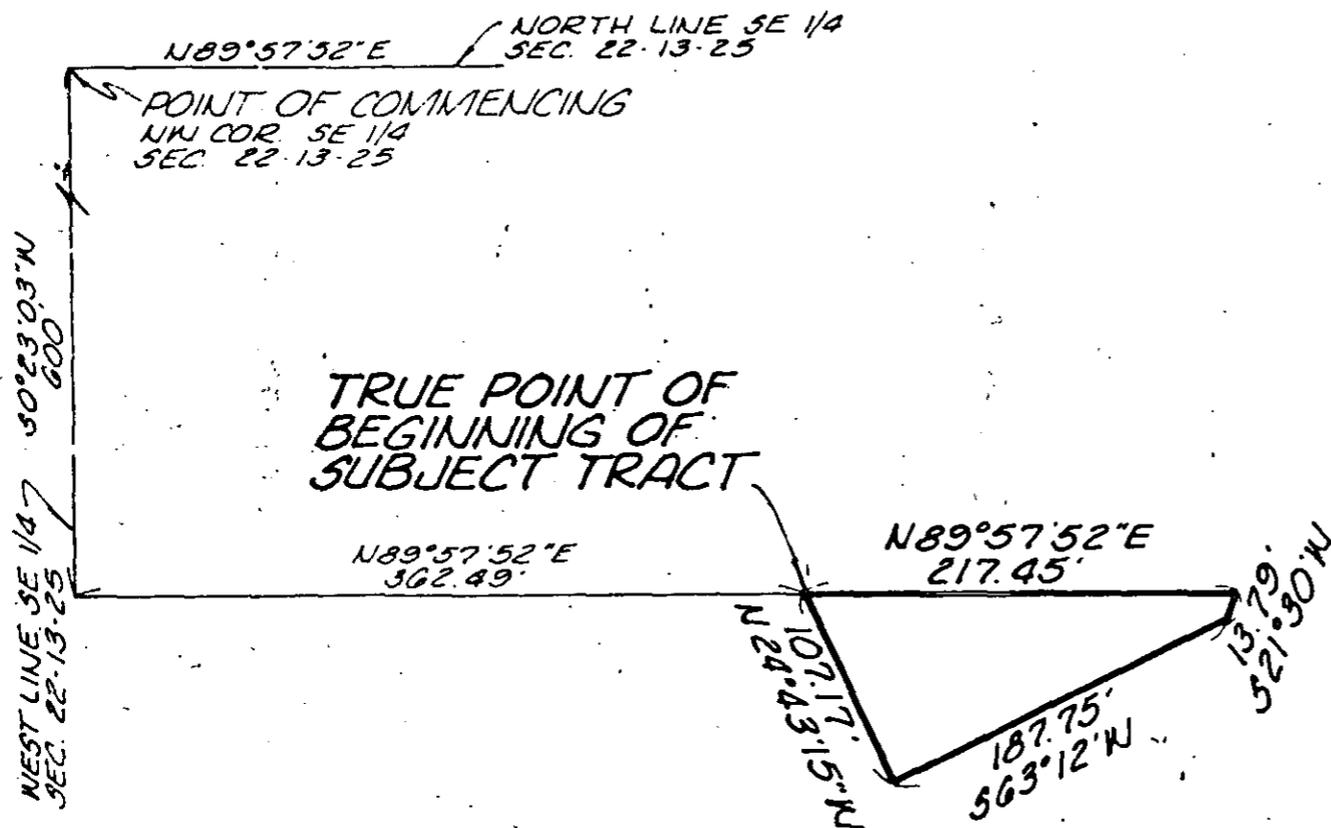


Exhibit D

PROJECT NO. 41662	DATE 5-85	BY TLN
LEGAL DESCRIPTION FOR PROPOSED LAND TO BE ADDED TO TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4 AND TO LATERAL SEWER DISTRICT NO. 3 TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4 CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS		



SHAFFER, KLINE & WARREN, P.A.
 ENGINEERS-SURVEYORS
 OVERLAND PARK, KANSAS

RESOLUTION NO. 711

The Leawood City Council has considered the request for rezoning from A (Agricultural) to R-1 (Single Family Residential) on Lots 1 and 2, and the request for approval of the preliminary and final plat of Osage Downs, west of Kenneth Road at 142nd Street, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

WHEREAS, the Plan Commission recommends four conditions:

- 1) The City requires that all lands within the 100-year flood plain be indicated on the plat as flood plain to be maintained by the property owner in such a way that it will not affect the flow of water;
- 2) The property owner agrees to enter into an agreement with the City to preclude any further subdivision of Lots 1 and 2. This agreement would be subject to the approval of the City Attorney and filed with the final plat;
- 3) A building line not less than 50 feet (from the property line) be established on Lots 1 and 2;
- 4) The owner agrees to build 142nd Street to City standards to serve as access to the property; and

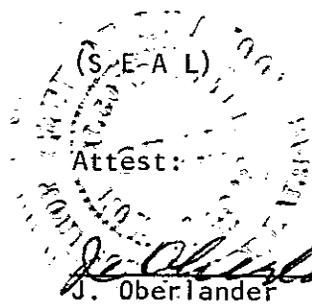
WHEREAS, the developer is willing to meet the four conditions; and

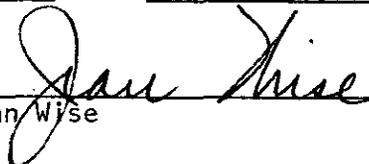
WHEREAS, the developer has made the changes on the preliminary and final plat as suggested by staff and the Plan Commission; and

WHEREAS, the Leawood Plan Commission recommends approval of the rezoning and preliminary and final plat of Osage Downs, with conditions;

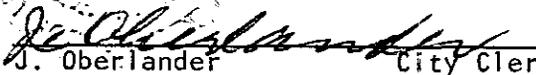
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the request for rezoning from A to R-1, and the preliminary and final plat of Osage Downs, with conditions.

Adopted by the Governing Body this 15th day of July, 1985.





Jean Wise Mayor



J. Oberlander City Clerk

RESOLUTION NO. 712

The Leawood City Council has considered the request for rezoning from A (Agricultural) to MP-1 (Planned Industrial) on Lots 6,7,8,9, 10,11,41,42,43 and 44, and the request for approval of the preliminary plat and preliminary plan of Bi-State Business Park, 143rd and Kenneth Road, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommends approval of the application with conditions; and

WHEREAS, the developer will be required to meet all City regulations at the time of development; and

WHEREAS, the Plan Commission recommends eight conditions:

- 1) Development standards be submitted with the initial final development plan. The standards will govern the quality of buildings, site design, etc.;
- 2) Kenneth Road from south property line one-fourth mile south of 143rd Street to State Line Road to be built prior to occupancy of the first building in Leawood, Kansas;
- 3) The owner shall contribute to the formation of a benefit district for the construction of Kenneth Road from 143rd Street to State Line Road;
- 4) There shall be a stipulation on the final plat to prohibit access from lots onto Kenneth Road;
- 5) Engagement of a professional archaeologist to recommend appropriate action for any archaeological sites upon the property;
- 6) Prohibit parking or paving in the 60-foot gas easement along the east side of Kenneth Road and the north property line;
- 7) The applicant agrees to convert from MP-1 to the proposed "BP" (business park) zoning when it is available;
- 8) 143rd Street to be built to City standards prior to occupancy of the first building in Leawood, Kansas; and

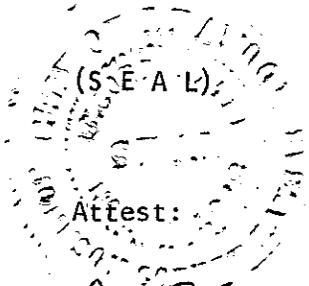
WHEREAS, the developer is willing to meet these conditions; and

WHEREAS, the developer has made the changes on the preliminary plat as directed by staff and Plan Commission; and

WHEREAS, the Leawood Plan Commission recommends approval of the rezoning and preliminary plat and plan of Bi-State Business Park with conditions;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the request for rezoning from A to MP-1, and the preliminary plat and preliminary plan of Bi-State Business Park, with conditions.

Adopted by the Governing Body this 15th day of July, 1985.



Jean Wise
Jean Wise Mayor

J. Oberlander
J. Oberlander City Clerk

RESOLUTION NO. 713

The Leawood City Council has considered the request for rezoning from MP-1 (Planned Industrial Park) to CP-2 (Planned General Business) and the request for approval of the preliminary plat and preliminary plan of Kansas City P.M., 103rd and State Line Road, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

WHEREAS, the Plan Commission recommends four conditions:

- 1) Outside lighting to be located such that it does not shine onto neighboring residential properties;
- 2) Signage to be limited to one sign over the door measuring one foot by six feet and one monument sign at the northeast corner of the property with a maximum of 40 square feet on each of two faces;
- 3) Access points to be limited to those shown on the plan;
- 4) No outside storage of products or materials; and

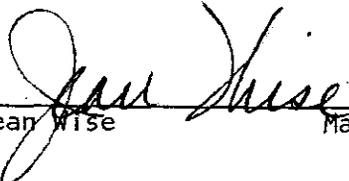
WHEREAS, the developer is willing to meet the four conditions; and

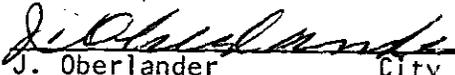
WHEREAS, the Leawood Plan Commission recommends approval of the rezoning and preliminary plat and preliminary plan of Kansas City P.M., with conditions;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the request for rezoning from MP-1 to CP-2, and the preliminary plat and preliminary plan of Kansas City P.M., with conditions.

Adopted by the Governing Body this 15th day of July, 1985.




Jean Wise Mayor


J. Oberlander City Clerk

RESOLUTION NO: 714

The Leawood City Council has considered the final plat of The Woodlands, 3rd Plat, Roe at 129th Street, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommends approval of the application; and

WHEREAS, the Plan Commission recommends the following condition:

Adequate screening be established along the south property line of the lot

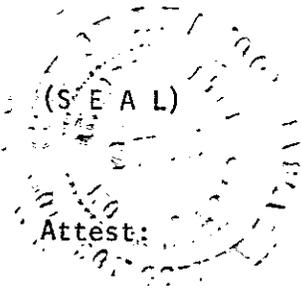
and;

WHEREAS, the developer is willing to meet this condition; and

WHEREAS, the Leawood Plan Commission recommends approval of the third plat of The Woodlands as submitted;

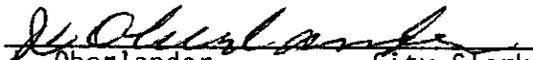
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the final plat of The Woodlands, 3rd Plat.

Adopted by the Governing Body this 15th day of July, 1985.





Jean Wise Mayor



J. Oberlander City Clerk

RESOLUTION NO. 715

The Leawood City Council has considered the final plat of Oxford Park, 123rd and State Line Road, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application; and

WHEREAS, the developer has made the changes on the final plat as directed by staff and the Plan Commission; and

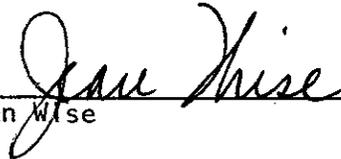
WHEREAS, approving the final plat will not release the property owner from any of the conditions stipulated in the Settlement Agreement; and

WHEREAS, the Leawood Plan Commission recommends approval of the plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the final plat of Oxford Park.

Adopted by the Governing Body this 15th day of July, 1985.




Jean Wise Mayor


J. Oberlander City Clerk

RESOLUTION 716

A RESOLUTION RELATING TO SPEED LIMITS ON CERTAIN STREETS WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood, Kansas, has determined upon the basis of an engineering and traffic investigation that the speed limit permitted under State law and Section 33 of the "Standard Traffic Ordinance for Kansas Cities", 1982 Edition, is greater or less than is reasonable under the conditions found to exist upon the City.

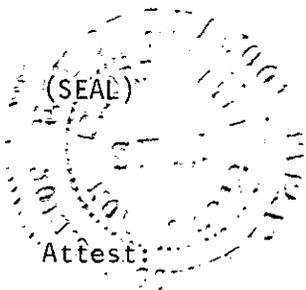
NOW, THEREFORE, BE IT RESOLVED that the Governing Body hereby determines and declares that the reasonable and safe speed limit on said portion of said streets is as listed below; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby directed to cause to have erected appropriate signs giving notice of such speed limit along said streets maintained by the City.

<u>STREET</u>	<u>PORTION CONTROLLED</u>	<u>APPLICABLE SPEED LIMIT</u>
Lee Boulevard	81st Street to 103rd Street	35 mph
State Line Road	Within City Limits	35 mph
Mission Road	North City Limits to 93rd Street	35 mph
Mission Road	93rd Street to 95th Street	30 mph
Mission Road	95th Street to 103rd Street	35 mph
Mission Road	119th Street to 151st Street	35 mph
Roe Avenue	Within City Limits	35 mph
83rd Street	Within City Limits	30 mph
85th St. Terrace	Lee Blvd. to State Line Road	30 mph
89th Street	Lee Blvd. East to Rd. Termination	20 mph
89th Street	Mission Road to Lee Boulevard	30 mph
95th Street	Within City Limits	30 mph
103rd Street	Mission Road to Lee Boulevard	30 mph
103rd Street	Lee Blvd. to State Line Road	35 mph
College Blvd.	Between Roe Avenue and Nall	45 mph
College Blvd.	Roe to .1 mile West of Buena Vista	35 mph
I-435	Within City Limits	55 mph
119th Street	State Line Road to Mission	30 mph
119th Street	Mission Road to Roe Avenue	35 mph
123rd Street	.4 miles West to Mission Road	30 mph
K-150	Westbound from State Line Road to a point .10 miles West of intersection of K-150 and State Line Road	45 mph
K-150	Westbound from .10 miles West of State Line Road to City Limits	55 mph

<u>STREET</u>	<u>PORTION CONTROLLED</u>	<u>APPLICABLE SPEED LIMIT</u>
K-150	Eastbound from a point .30 miles West of State Line Road to State Line Road	45 mph
K-150	Eastbound from City Limits to a point .30 miles West of State Line Road	55 mph
143rd Street	Kenneth Road to Nall Avenue	30 mph
151st Street	Within City Limits	45 mph
Kenneth Road	Within City Limits	45 mph
Nall Avenue	Within City Limits	30 mph

Adopted by the Governing Body this 15th day of July, 1985.



Jean Wise
Jean Wise Mayor

J. Oberlander
J. Oberlander City Clerk

RESOLUTION NO. 717

A RESOLUTION APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT BETWEEN THE CITY OF LEAWOOD, KANSAS, AND GEORGE K. BAUM & COMPANY WITH RESPECT TO THE SALE AND PURCHASE OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF \$4,585,000; APPOINTING GEORGE K. BAUM & COMPANY AS THE AGENT OF THE CITY FOR THE PURPOSE OF SUBSCRIBING FOR CERTAIN UNITED STATES TREASURY OBLIGATIONS NECESSARY TO EFFECT THE REFUNDING OF THE CITY'S OUTSTANDING BONDS; AND AUTHORIZING CERTAIN ADDITIONAL ACTS BY OFFICIALS OF THE CITY TO ACCOMPLISH THE FINANCING OF VARIOUS IMPROVEMENT PROJECTS BY THE ISSUANCE OF SAID BONDS.

WHEREAS, the Governing Body of the City of Leawood, Kansas, (the "City"), having considered a proposal prepared by George K. Baum & Company (the "Underwriter") for the sale and purchase of certain general obligation bonds of the City to be issued for the purpose of providing funds to refund outstanding general obligation bonds of the City in the principal amount of \$2,635,000 and to finance the cost of certain capital improvement projects within the City for which temporary notes of the City in the principal amount of \$2,177,000 have been heretofore issued; and

WHEREAS, in order to accomplish the refunding of the outstanding bonds it is necessary that the City subscribe for the purchase of certain United States Treasury Obligations - State and Local Government Series, and for such purpose the City desires to appoint the Underwriter as its agent to make such subscription on its behalf; and

WHEREAS, the temporary notes issued to finance the cost of said improvement projects become due on August 1, 1985, and the City intends to pay off said notes with a portion of the proceeds of said general obligation bonds and desires to authorize action to extend the maturity of said temporary notes as necessary to accomplish such purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, AS FOLLOWS:

Section 1. That the form and substance of the Bond Purchase Agreement ("the "Agreement") between the City and the Underwriter attached hereto as Exhibit A is hereby approved, and the Mayor and City Clerk of the City are hereby authorized to execute and attest, respectively, said Agreement in substantially such form with such changes therein as with advice of counsel said officers deem appropriate.

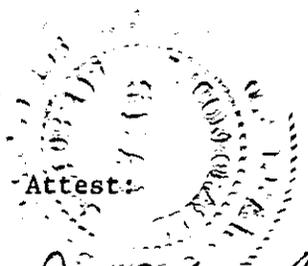
Section 2. That the City hereby appoints the Underwriter as its agent for the purpose of subscribing for United States Treasury Obligations - State and Local Government Series necessary to effect the refunding of the City's outstanding general obligation bonds.

Section 3. That a portion of the proceeds of the general obligation refunding and improvement bonds to be issued and sold pursuant to the Agreement

shall be applied on or prior to September 1, 1985, to the payment of the temporary notes of the City becoming due on August 1, 1985, and the officers of the City are hereby authorized to take such action as may be necessary to extend the maturity of said temporary notes to September 1, 1985, and to apply such portion of the proceeds to such purpose.

PASSED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, this 22 day of July, 1985.

Jean Hise
Mayor



Attest:

J. B. Alexander
City Clerk

Approved As To Form

[Signature]
City Attorney

\$4,585,000
CITY OF LEAWOOD, KANSAS
General Obligation Refunding and Improvement Bonds
Series 1985

BOND PURCHASE AGREEMENT

On the basis of the representations, warranties and covenants and upon the terms and conditions contained in this Bond Purchase Agreement, George K. Baum & Company (the "Underwriter"), offers to purchase from the City \$4,585,000 aggregate principal amount of City of Leawood, Kansas, General Obligation Refunding and Improvement Bonds, Series 1985 (the "Bonds"), to be issued by the City of Leawood, Kansas (the "City"), under and pursuant to an Ordinance to be adopted by the governing body of the City on August 5, 1985 (the "Ordinance").

SECTION 1. REPRESENTATIONS, WARRANTIES AND AGREEMENTS

By the City's acceptance hereof the City hereby represents and warrants to, and agrees with, the Underwriter that:

- (a) The City is a municipal corporation duly organized under the laws of the State of Kansas. The City is authorized pursuant to the Constitution and laws of the State of Kansas, to issue the Bonds for the purpose of providing moneys to advance refund the Refunded Bonds as defined in the Ordinance and to pay the cost of constructing certain capital improvements as described in the Ordinance. A portion of the proceeds of the Bonds shall be applied to refund the Refunded Bonds and shall be deposited in escrow under and pursuant to an Escrow Trust Agreement to be dated as of August 27, 1985, by and between the City and the Escrow Trustee named therein (the "Escrow Trust Agreement"). The balance of the proceeds of the Bonds shall be used to pay for certain capital improvements and to pay for the costs incurred in connection with the issuance of the Bonds.
- (b) The City has complied with all provisions of the Constitution and laws of the State of Kansas and has full power and authority to consummate all transactions contemplated by this Bond Purchase Agreement, the Bonds, the Ordinance, the Escrow Trust Agreement and any and all other agreements relating thereto.

SECTION 2. PURCHASE, SALE AND DELIVERY

On the basis of the representations, warranties and covenants contained herein and in the other agreements referred to herein, and subject to the terms and conditions herein set forth, at the Closing Time (hereinafter defined) the Underwriter agrees to purchase from the City and the City agrees to sell to the Underwriter the Bonds at a purchase price equal to 100% of the principal amount thereof, plus accrued interest from the date of the Bonds to the date of delivery thereof, less certain Costs of Issuance incurred by the City including the payment of the Underwriter's Fee (said Costs of Issuance and Underwriter's Fee being set forth in the Non-Arbitrage Certificate of the City). The Underwriter will offer the Bonds to the public initially at the offering prices or yields set forth in Exhibit A attached hereto and incorporated herein by reference.

The Bonds shall be issued under and secured as provided in the Ordinance and the Escrow Agreement and the Bonds shall have the maturities and interest rates as set forth therein and shall be subject to redemption as set forth in the Ordinance and the Official Statement.

Payment for the Bonds shall be made in immediately available federal funds to the order of the Escrow Trustee for the City's account at Johnson County National Bank and Trust Company, Prairie Village, Kansas, by 10:00, local time on August 27, 1985, or such other place, time or date as shall be mutually agreed upon by the City and the Underwriter. The date of such delivery and payment is herein called the "Closing Date", and the hour and date of such delivery and payment is herein called the "Closing Time". The delivery of the Bonds shall be made in definitive form, bearing CUSIP numbers (provided neither the printing of a wrong number on any Bond nor the failure to print a number thereon shall constitute cause to refuse delivery of any Bond) as fully registered bonds (in such denominations as the Underwriter shall specify in writing at least 72 hours prior to the Closing Time). The Bonds shall be available for examination and packaging by the Underwriter at least 24 hours prior to the Closing Time.

SECTION 3. CONDITIONS TO THE UNDERWRITER'S RIGHT TO CANCELLATIONS

The Underwriter's obligations hereunder shall be subject to the due performance by the City of the City's obligations and agreements to be performed hereunder at or prior to the Closing Time and to the accuracy of and compliance with the City's representations and warranties contained herein, as of the date hereof and as of the Closing Time, and are also subject to the following conditions:

SECTION 4. THE UNDERWRITER'S RIGHT TO CANCEL

The Underwriter shall have the right to cancel its obligation hereunder to purchase the Bonds by notifying the City in writing or by telegraph of its election to make such cancellation between the date hereof and the Closing Time, if at any time hereafter and prior to the Closing Time any of the following shall occur:

- (a) A decision with respect to legislation shall be reached by a committee of the House of Representatives or the Senate of the Congress of the United States, or legislation shall be favorably reported by such a committee, or be enacted by either a branch of the Congress of the United States, or a decision by a court established

under Article III of the Constitution of the United States or the Tax Court of the United States shall be rendered, or a ruling, regulation or order of the Treasury Department of the United States or the Internal Revenue Service shall be made or proposed having the effect of imposing (or purporting to impose) federal income tax upon revenues or other income of the general character of the Bonds, or the Bonds, which, in the Underwriter's opinion, materially adversely affects the market price of the Bonds;

- (b) A stop order, ruling, regulation or official statement by, or on behalf of, the Securities and Exchange Commission or any other governmental agency having jurisdiction of the subject matter shall be issued or made to the effect that the issuance, offering or sale of obligations of the general character of the Bonds, or the issuance, offering or sale of the Bonds, including all underlying obligations, as contemplated hereby or by the Official Statement, is in violation or would be in violation of any provision of the federal securities laws, the Securities Act of 1933, as amended and as then in effect, or the qualification provisions of the Trust Indenture Act of 1939, as amended and as then in effect; or
- (c) Legislation shall be enacted by the Congress of the United States of America, or a decision by a court of the United States of America shall be rendered, to the effect that obligations of the general character of the Bonds, or the Bonds, including all the underlying obligations, are not exempt from registration under or other requirements of the Securities Act of 1933, as amended and as then in effect, or the Securities Exchange Act of 1934, as amended and as then in effect.

SECTION 5. CONDITIONS OF OBLIGATIONS

The obligations of the parties hereto are subject to the receipt of the approving opinion of Linde Thomson Fairchild Langworthy Kohn and Van Dyke, P.C., Kansas City, Missouri, Bond Counsel, with respect to the Bonds and to the receipt of a letter, in form and substance satisfactory to the Underwriter, from a firm of independent public accountants verifying the mathematical accuracy of the computations relating to the payment of the Refunded Bonds and certain yield calculations, the sufficiency of funds and Government Obligations deposited to and held under the Escrow Agreement to provide for payment of the Refunded Bonds in accordance with the Ordinance and the Escrow Agreement.

SECTION 6. REPRESENTATIONS, WARRANTIES AND AGREEMENTS TO SURVIVE DELIVERY

All of the representations, warranties, and agreements by either party shall remain operative and in full force and effect, and shall survive delivery of the Bonds to the Underwriter.

SECTION 7. PAYMENT OF EXPENSES

The Underwriter shall pay all expenses and costs to effect the authorization, preparation, issuance, delivery and sale of the Bonds and any expenses incident to the performance of the obligations of the City hereunder, but only from Bond proceeds, including but not limited to (i) the fees and disbursements of Bond Counsel; (ii) the fees and disbursements of accountants and of any other experts or consultants retained in connection with verification of the cash flow projections made in connection with the Bonds and the advance refunding of the Refunded Bonds; (iii) costs associated with

SECTION 11. EXECUTION OF COUNTERPARTS

This Bond Purchase Agreement may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document.

Very truly yours,

GEORGE K. BAUM & COMPANY

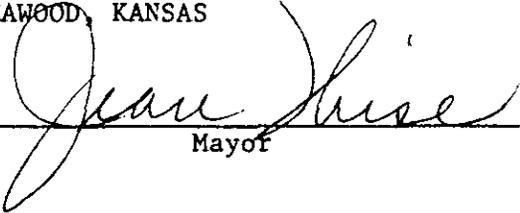


Roger S. Edgar
Vice President

Accepted as of the date
first above written

CITY OF LEAWOOD, KANSAS

BY: _____



Mayor

(Seal)

ATTEST:

BY _____



City Clerk

EXHIBIT A

Maturity Schedule

<u>DATE</u>	<u>PRINCIPAL AMOUNT</u>	<u>RATE</u>
09/01/86	\$355,000	5.500
09/01/87	405,000	6.000
09/01/88	410,000	6.500
09/01/89	365,000	7.000
09/01/90	380,000	7.200
09/01/91	385,000	7.400
09/01/92	375,000	7.600
09/01/93	310,000	7.800
09/01/94	325,000	8.000
09/01/95	350,000	8.200
09/01/96	240,000	8.400
09/01/97	245,000	8.600
09/01/98	260,000	8.700
09/01/99	180,000	8.800

CITY OF LEAWOOD, KANSAS G.O. REFUNDING AND IMPROVEMENT BONDS

SEMIANNUAL DEBT SERVICE FROM 08/15/85

DATE	PRINCIPAL	RATE	INTEREST	TOTAL	ANNUAL
02/01/86			184,536.72	184,536.72	
09/01/86	355,000	5.500	169,472.50	524,472.50	709,009.22
03/01/87			159,710.00	159,710.00	
09/01/87	405,000	6.000	159,710.00	564,710.00	724,420.00
03/01/88			147,560.00	147,560.00	
09/01/88	410,000	6.500	147,560.00	557,560.00	705,120.00
03/01/89			134,235.00	134,235.00	
09/01/89	365,000	7.000	134,235.00	499,235.00	633,470.00
03/01/90			121,460.00	121,460.00	
09/01/90	380,000	7.200	121,460.00	501,460.00	622,920.00
03/01/91			107,780.00	107,780.00	
09/01/91	385,000	7.400	107,780.00	492,780.00	600,560.00
03/01/92			93,535.00	93,535.00	
09/01/92	375,000	7.600	93,535.00	468,535.00	562,070.00
03/01/93			79,285.00	79,285.00	
09/01/93	310,000	7.800	79,285.00	389,285.00	468,570.00
03/01/94			67,195.00	67,195.00	
09/01/94	325,000	8.000	67,195.00	392,195.00	459,390.00
03/01/95			54,195.00	54,195.00	
09/01/95	350,000	8.200	54,195.00	404,195.00	458,390.00
03/01/96			39,845.00	39,845.00	
09/01/96	240,000	8.400	39,845.00	279,845.00	319,690.00
03/01/97			29,765.00	29,765.00	
09/01/97	245,000	8.600	29,765.00	274,765.00	304,530.00
03/01/98			19,230.00	19,230.00	
09/01/98	260,000	8.700	19,230.00	279,230.00	298,460.00
03/01/99			7,920.00	7,920.00	
09/01/99	180,000	8.800	7,920.00	187,920.00	195,840.00
TOTAL	4,585,000		2,477,439.22	7,062,439.22	
ACCRUED THRU 08/27/85			11,298.17	11,298.17	
NET COST			2,466,141.06	7,051,141.06	
AVERAGE COUPON		7.923			
BOND YEARS	31,125.944				
AVERAGE LIFE	6.789				

COMPARISON OF REFUNDING AND NON-REFUNDING ISSUES
 PERIODIC DEBT SERVICE COMPARISON FROM 08/01/85

DATE	PRINCIPAL	RATE	INTEREST	TOTAL P&I	PRIOR D/S	DIFFERENCE	*INVESTMENT EARNINGS AT 9%	NET DIFFERENCE
03/01/85					153,960	+153,960		+153,960
09/01/85								
03/01/86			184,537					
09/01/86	355,000	5.500	169,472	709,009	675,692	-33,317	9,450	-23,867
03/01/87			159,710					
09/01/87	405,000	6.000	159,710	724,420	717,327	-7,092	9,450	+2,358
03/01/88			147,560					
09/01/88	410,000	6.500	147,560	705,120	701,791	-3,329	9,675	+6,346
03/01/89			134,235					
09/01/89	365,000	7.000	134,235	633,470	624,654	-8,816	9,900	+1,084
03/01/90			121,460					
09/01/90	380,000	7.200	121,460	622,920	615,511	-7,409	10,125	+2,716
03/01/91			107,780					
09/01/91	385,000	7.400	107,780	600,560	595,339	-5,221	9,900	+4,679
03/01/92			93,535					
09/01/92	375,000	7.600	93,535	562,070	555,127	-6,942	8,550	+1,608
03/01/93			79,285					
09/01/93	310,000	7.800	79,285	468,570	466,697	-1,872	4,950	+3,078
03/01/94			67,195					
09/01/94	325,000	8.000	67,195	459,390	454,107	-5,282	4,950	-332
03/01/95			54,195					
09/01/95	350,000	8.200	54,195	458,390	450,212	-8,177	4,950	-3,227
03/01/96			39,845					
09/01/96	240,000	8.400	39,845	319,690	309,132	-10,557	4,950	-5,607
03/01/97			29,765					
09/01/97	245,000	8.600	29,765	304,530	297,445	-7,085	4,950	-2,135
03/01/98			19,230					
09/01/98	260,000	8.700	19,230	298,460	290,012	-8,447	4,950	-3,497
03/01/99			7,920					
09/01/99	180,000	8.800	7,920	195,840	281,422	+85,582	4,950	+90,532
03/01/00								
09/01/00					267,095	+267,095	4,950	+272,045
TOTAL	4,585,000		2,477,439	7,062,439	7,455,527	+393,088.00	106,650	\$499,738.00
						Less Escrow Contribution		178,855.43
						Plus Accrued Interest		11,298.17
						Net Savings		\$332,180.74

*Investment earnings calculated at 9% for 6 months only on bonds which would have been retired on March 1 of each year.

RESOLUTION NO. 718

The Leawood City Council has considered the preliminary and final plat of Normandy Place II, west of Roe at 129th Street, and hereby resolves the following:

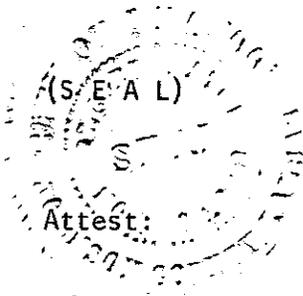
WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

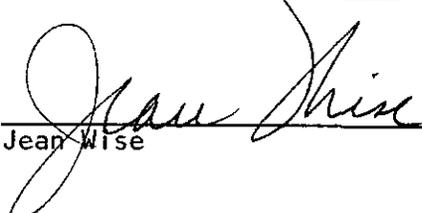
WHEREAS, the developer has made the changes on the preliminary and final plat as directed by staff and the Plan Commission; and

WHEREAS, the Leawood Plan Commission recommends approval of said plats;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the preliminary and final plat of Normandy Place II.

Adopted by the Governing Body this 5th day of August, 1985.





Jean Wise Mayor



J. Oberlander City Clerk

RESOLUTION NO. 719

WHEREAS, the City of Leawood, Kansas, has applied to the Environmental Protection Agency for Federal assistance for the construction of sanitary sewers in the vicinity of 83rd Street and Lee Boulevard in Leawood, Kansas, and Somerside Subdivision in the City of Prairie Village, Kansas, served by the Leawood Sewer System; and

WHEREAS, the Environmental Protection Agency and the Kansas Department of Health and Environment require that the City of Leawood designate a certified representative in all matters pertaining to a grant from the Environmental Protection Agency and the construction of sanitary sewers; and

WHEREAS, Tom E. Bieszczat, Director of Public Works for the City of Leawood, Kansas, is the logical City official to be designated as the certifying representative;

NOW, THEREFORE, BE IT RESOLVED that Tom E. Bieszczat, Director of Public Works for the City of Leawood, Kansas, be designated as the certifying representative to the Environmental Protection Agency and the Kansas Department of Health and Environment for the aforementioned Grants and Sanitary Sewer Construction.

Adopted by the Governing Body this 5th day of August, 1985.



J. Oberlander
J. Oberlander, City Clerk

Jean Wise
Jean Wise, Mayor

5

RESOLUTION NO. 720

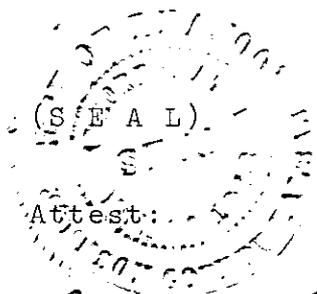
WHEREAS, the Cambridge Townhouse Association has requested that the City of Leawood assume ownership of the private street, Cambridge Road; and

WHEREAS, said Association has met all requirements as set forth by the Director of Public Works in accordance with Council Resolution No. 515 relating to the acceptance of private streets as public streets; and

WHEREAS, Cambridge Road has been reconstructed to conform to City street standards for a public street and the necessary right-of-way for a public street, has been reviewed by City staff and determined to be acceptable;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby accept Cambridge Road as a public street.

Adopted by the Governing Body this 5th day of August, 1985.



Jean Wise

Jean Wise, Mayor

Attest:

J. Oberlander
J. Oberlander, City Clerk

1985 AUG -8 A 11: 21 7

RUBIE M. SCOTT
REGISTER OF DEEDS

1548619 ✓

700 BY _____ DEPRESOLUTION NO. 721

A RESOLUTION ORDERING THE CONSTRUCTION OF THAT PORTION OF 119TH STREET IN THE CITY OF LEAWOOD, KANSAS, from the centerline of ROE AVENUE TO THE CENTERLINE OF NALL AVENUE a distance of 2,638.87 feet more or less.

WHEREAS, a petition has been filed with the City Clerk of the City of Leawood by the owners of a majority of the area sought to be included in the improvement district described herein, proposing the following improvements:

The construction of 119th Street in the City of Leawood, Kansas, and Overland Park, Kansas, from the centerline of Roe Avenue (the East line of the S.W. 1/4 Section 16, Township 13, Range 25) to the centerline of Nall Avenue (the West line, the S.W. 1/4 Section 16, Township 13, Range 25) a distance of 2,638.87 feet more or less. The improvement will generally consist of construction of two 28 foot asphaltic concrete lanes with turning lanes, concrete curbs and gutter and a 39 foot median. The improvement will also include all necessary storm drainage facilities, sidewalks, street lighting and other appurtenances.

WHEREAS, said improvements were requested by petition of those liable for the cost of same said proceedings shall be without notice as provided by K.S.A. 12-6a 04.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF LEAWOOD, KANSAS:

That the Governing Body hereby finds and finally determines that it is necessary and advisable to make the following improvements:

The construction of 119th Street in the City of Leawood, Kansas, and Overland Park, Kansas, from the centerline of Roe Avenue (the East line of the S.W. 1/4 Section 16, Township 13, Range 25) to the centerline of Nall Avenue (the West line, the S.W. 1/4 Section 16, Township 13, Range 25) a distance of 2,638.87 feet more or less. The improvement will generally consist of construction of two 28 foot asphaltic concrete lanes with turning lanes, concrete curbs and gutter and a 39 foot median. The improvement will also include all necessary storm drainage facilities, sidewalks, street lighting and other appurtenances.

That said improvements are hereby authorized and ordered to be made in accordance with the finding of the Governing Body of the City of Leawood.

That estimated or probable cost of the total improvement is \$758,500. The improvement is being undertaken in cooperation with the City of Overland Park, Kansas and Johnson County, Kansas. This petition relates to financing of that portion of the improvement which will be located in the City of Leawood and which will not be paid for by Johnson County, Kansas. The estimated or probable total cost of the portion of the improvement which will be paid by the benefit district sought to be formed by this petition will be approximately \$201,150.00 or an estimated approximate of \$80.00 per abutting front foot.

700

That the boundaries of the Improvement District are as follows: (See Exhibit A, attached)

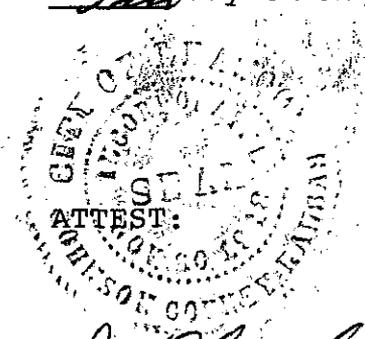
All that part of the SW 1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the SW 1/4 of said Section 16, said point also being the centerline intersection of Nall Avenue, as now established, with the centerline of 119th Street, as now established; thence Easterly, along the South line of the SW 1/4 of said Section 16, and along the centerline of said 119th Street, to the Southeast corner of the SW 1/4 of said Section 16, said point also being on the centerline of Roe Avenue, as now established, said point also being the point of termination.

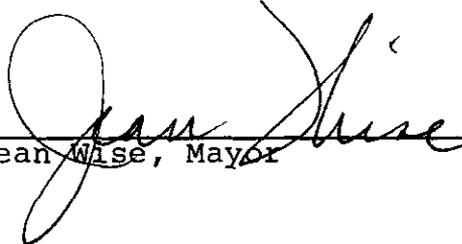
That the method of assessment will be as follows: All assessable property within the Improvement District which abuts the proposed Improvement District shall be assessed on an abutting front foot basis.

That the entire cost of the improvements described hereinbefore shall be borne by the proposed Improvement District.

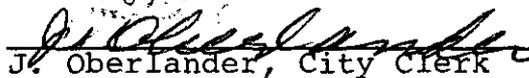
The City Clerk shall make proper publication of this resolution which shall be published once in the official city paper and which shall be effective from and after said publication.

ADOPTED by the Governing Body of the City of Leawood this ~~5th~~ day of August, 1985.





Jean Wise, Mayor



J. Oberlander, City Clerk

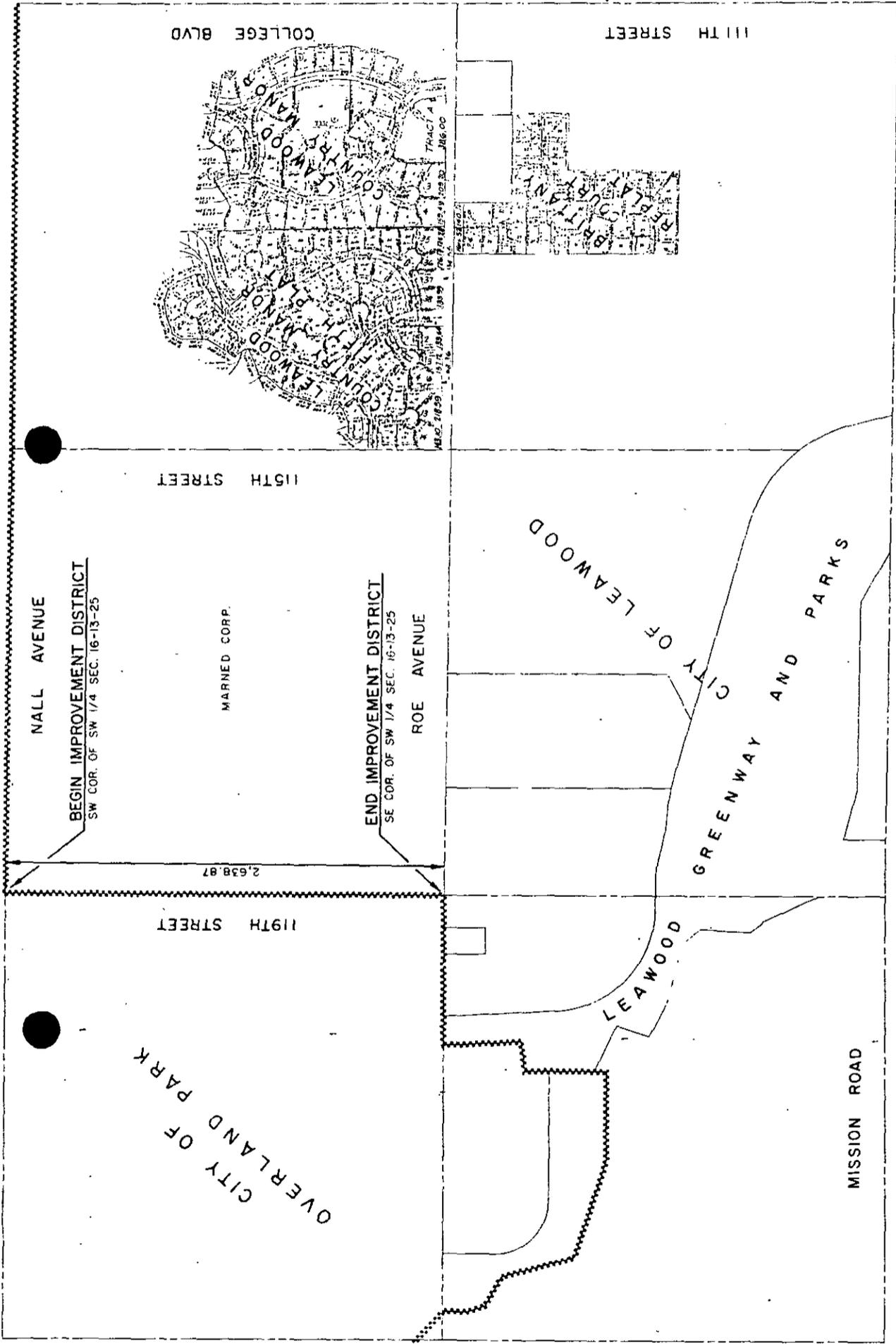


EXHIBIT "A"
IMPROVEMENT DISTRICT MAP - 119th STREET
 (NALL TO ROE)

----- CITY LIMITS LINE



SCALE: 1" = 500'

RESOLUTION NO. 722

The Leawood City Council has considered the preliminary plat and revised preliminary plan of Leawood Executive Centre III on Roe Avenue south of Leawood Executive Centre I and II, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with the following conditions:

1. Owner to provide right-of-way and street improvements for Roe Avenue adjacent to property.
2. Front yard setback to be thirty feet for parking, a deviation of the required front yard setback; and

WHEREAS, the developer has agreed to these conditions; and

WHEREAS, the developer has made the changes on the preliminary plat as directed by staff; and

WHEREAS, the developer has agreed to work with the adjacent property owners in developing screening of either solid evergreen or wall with a uniform design theme; and

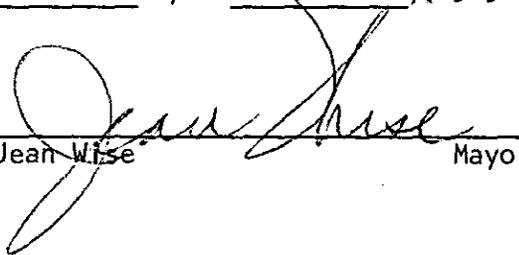
WHEREAS, the Leawood Plan Commission recommends approval of said plat and plan;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the preliminary plat and revised preliminary plan of Leawood Executive Centre III.

Adopted by the Governing Body this 19th day of August, 1985.

(SEAL)

Attest:


Jean Wise

Mayor


J. Oberlander

City Clerk

A RESOLUTION RELATING TO BENEFITS
OBTAINABLE BY CITIES UNDER THE PROGRAM
FOR FEDERAL AND STATE AID ON HIGHWAY CONSTRUCTION

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

That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of Leawood, Kansas, Agreement No. 67-85 between the City and the Kansas Department of Transportation, giving the Secretary of Transportation of the State of Kansas authority to act for the City, and in its place and stead, to obtain for the City such benefits as are obtainable under the program of the Federal and State Aid Plan of Highway Construction, and obtain the benefits of such legislation for the City on the terms and conditions set forth in such agreement as may be prepared and approved by the Secretary of Transportation for the improvement of beginning on Roe Avenue at a point 1,178 feet south of the centerline (project description) of 119th Street, thence northerly to a point 140 feet south of the centerline of 112th Street designated as a city connecting link on the State Highway System and known as Project No. 46 U-0939-01 (M-3025(002)).

Passed by the (Council) (Commission) this 19th day of August, 1985

(Approved) (Signed) Juan Hise, Mayor

(SEAL)
ATTEST: J. O. [Signature]
City Clerk

RESOLUTION APPROVING A COMMERCIAL APARTMENT FACILITY FOR LEAWOOD PARK ASSOCIATES, OR ITS ASSIGNS, AND DETERMINING THE INTENT OF THE CITY OF LEAWOOD, KANSAS, TO ISSUE ITS MULTIFAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$27,500,000 TO FINANCE THE COSTS OF SUCH PROJECT.

WHEREAS, The City of Leawood, Kansas (the "City"), is authorized and empowered under the provisions of the laws of the State of Kansas, including K.S.A. 12-1740 to 12-1749a, inclusive, as amended (the "Act"), to issue revenue bonds for commercial purposes; and

WHEREAS, the City has previously granted apartment zoning and approved preliminary development plans that embodies innovative site planning, high quality architectural building design and flexibility in addressing market conditions, and,

WHEREAS, Leawood Park Associates, or its assigns (the "Developer"), has requested the City (i) to approve a project for the Developer to be located in the City of Leawood, Kansas, consisting of a commercial apartment facility, including real estate, buildings, structures, improvements and fixtures (the "Project") at a cost in excess of \$27,500,000, (ii) to issue its multifamily housing revenue bonds in a principal amount not to exceed \$27,500,00 for the purpose of financing the Project, and (iii) lease (with the option to purchase) the Project to the Developer, all in accordance with and pursuant to the laws of the State of Kansas; and

WHEREAS, the City desires to approve of the financing, purchasing, constructing and improving the Project by the issuance of its multifamily housing revenue bonds in a principal amount not to exceed \$27,500,000, said bonds to be payable solely out of rentals, revenues and receipts derived from the lease of the Project from the City to the Developer; and under no circumstances shall the bonds herein issued constitute debt of the City of Leawood or the State of Kansas nor shall said bonds constitute a indebtedness within the meaning of any constitutional or statutory definition of debt limit or bonded debt limit.

WHEREAS, neither the purchase nor the construction of the Project has commenced as of the date of this Resolution, and the City and the Developer desire that the purchase, construction and improvement of the Project commence immediately;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, AS FOLLOWS:

Section 1. The Governing Body of the City hereby finds and determines (i) that the Project meets the criteria of the City for considering and issuing industrial revenue bonds; (ii) that the issuance by the City of its industrial revenue bonds to finance the cost of the Project will be in furtherance of the

public purposes set forth in the Act; (iii) that the Project will promote the welfare of the City and its inhabitants; (iv) that it is desirable for the City to issue the Bonds to pay the costs of acquiring and completing the Project, together with certain related costs and amounts; and (v) that the Project is hereby approved.

Section 2. Subject to the conditions of Section 3 hereof, the City will (i) issue the Bonds to pay for the cost of financing the acquisition of the Project (including repayment to the Developer of any advances made by the Developer in connection with the acquisition of the Project), with such maturities and interest rates, redemption terms, refunding provisions and other terms and provisions as may be determined by ordinance; (ii) acquire and complete the Project; and (iii) lease (with an option to purchase) the Project to the Developer. To effect the foregoing, the City will adopt such resolutions and ordinances and authorize the execution and delivery of such instruments and the taking of such action as may be necessary or advisable for the authorization and issuance of the Bonds by the City or take or cause to be taken such other action as may be required to implement the aforesaid, all as it may deem appropriate in pursuance thereof.

Section 3. The issuance of said bonds and the execution and delivery of any documents related to financing the Project are subject to (i) obtaining any necessary governmental approvals (including, but not limited to, the approvals required by Section 103(k) of the Internal Revenue Code of 1954, as amended); (ii) approval by the General Partners of the Developer; and (iii) agreement by the City, the Developer and the purchasers of the bonds upon (a) mutually acceptable terms for the bonds and for the sale and delivery thereof and (b) mutually acceptable terms and conditions of any documents related to the issuance of the bonds and the Project.

Section 4. The Developer is hereby authorized to proceed with the acquisition and construction of the Project, including the entering of contracts and purchase orders in connection therewith, and to advance such funds as may be necessary to accomplish such purposes and, to the extent permitted by law, the City shall reimburse the Developer for all expenditures paid or incurred therefore after the date of this Resolution, but solely out of the proceeds of the bonds, if issued, and under no circumstances shall the bonds herein issued constitute debt of the City of Leawood or the State of Kansas nor shall said bonds constitute an indebtedness within the meaning of any constitutional or statutory definition of debt limit or bonded debt limit.

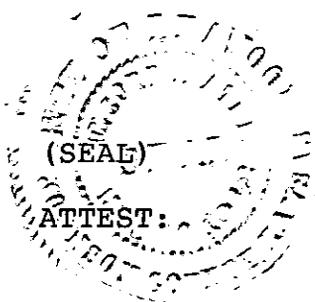
Section 5. Counsel to the City and Gaar & Bell, Bond Counsel for the City, together with the officers and employees of the City, are hereby authorized to work with the purchaser of the bonds, the Developer and their respective counsel, and others, to prepare, for submission to and final action by the City, all documents necessary to effect the authorization, issuance and

sale of the bonds and other actions contemplated hereunder in connection with the purchase, construction and improvement of the Project.

Section 6. This Resolution shall inure to the benefit of the City and the Developer.

Section 7. This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body of the City, for one year from and after the date hereof.

ADOPTED by the Governing Body of the City this 19th day of August, 1985.



Janet Rice

Mayor

J. P. [unclear]

City Clerk

ACCEPTANCE OF TERMS OF
RESOLUTION OF INTENT

The terms of the above and foregoing Resolution of the City of Leawood, Kansas, are hereby accepted as of the date of adoption of said Resolution.

LEAWOOD PARK ASSOCIATES

By: *D. J. W. Vols*

RESOLUTION NO. 725

The Leawood City Council has considered the preliminary and final plat of Kansas City P.M. at the southwest corner of 103rd and State Line Road, and hereby resolves the following:

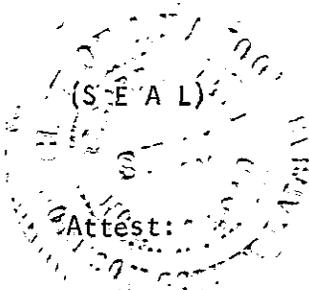
WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

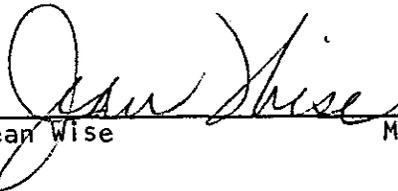
WHEREAS, the developer has made the changes on the preliminary and final plat as directed by staff; and

WHEREAS, the Leawood Plan Commission recommends approval of said preliminary and final plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the preliminary and final plat of Kansas City P.M.

Adopted by the Governing Body this 3rd day of September, 1985.




Jean Wise Mayor


J. Oberlander City Clerk

RESOLUTION 726

A RESOLUTION RELATING TO SPEED LIMITS ON CERTAIN STREETS WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood, Kansas, has determined upon the basis of an engineering and traffic investigation that the speed limit permitted under State law and Section 33 of the "Standard Traffic Ordinance for Kansas Cities", 1982 Edition, is greater or less than is reasonable under the conditions found to exist upon the City.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body hereby determines and declares that the reasonable and safe speed limit on said protion of said streets is as listed below; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby directed to cause to have erected appropriate signs giving notice of such speed limit along said streets maintained by the City.

<u>STREET</u>	<u>PORTION CONTROLLED</u>	<u>APPLICABLE SPEED LIMIT</u>
Lee Boulevard	81st Street to 103rd Street	35 mph
State Line Road	Within City Limits	35 mph
Mission Road	North City Limits to 93rd Street	35 mph
Mission Road	93rd Street to 95th Street	30 mph
Mission Road	95th Street to 103rd Street	35 mph
Mission Road	119th Street to 151st Street	35 mph
Roe Avenue	Within City Limits	35 mph
83rd Street	Within City Limits	30 mph
85th St. Terrace	Lee Blvd. to State Line Road	30 mph
89th Street	Lee Blvd. East to Road Termination	20 mph
89th Street	Mission Road to Lee Boulevard	30 mph
95th Street	Within City Limits	30 mph
103rd Street	Mission Road to Lee Boulevard	30 mph
103rd Street	Lee Blvd. to State Line Road	35 mph
College Blvd.	Between Roe Avenue and Nall	45 mph
College Blvd.	Roe to .1 mile West of Buena Vista	35 mph
I-435	Within City Limits	55 mph
119th Street	State Line Road to Mission	30 mph
119th Street	Mission Road to Roe Avenue	35 mph
123rd Street	State Line Road to Mission Road	30 mph
K-150	Westbound from State Line Road to a point .10 miles West of intersection of K-150 and State Line Road	45 mph
K-150	Westbound from .10 miles West of State Line Road to City Limits	55 mph

Page # 2
RESOLUTION NO. 726
re Speed Limits

<u>STREET</u>	<u>PORTION CONTROLLED</u>	<u>APPLICABLE SPEED LIMIT</u>
K-150	Eastbound from a point .30 miles West of State Line Road to State Line Road	45 mph
K-150	Eastbound from City Limits to a point .30 miles West of State Line Road	55 mph
143rd Street	Kenneth Road to Nall Avenue	30 mph
151st Street	Within City Limits	45 mph
Kenneth Road	Within City Limits	45 mph
Nall Avenue	Within City Limits	30 mph

Adopted by the Governing Body this 3rd day of September, 1985.



Jean Wise

Jean Wise Mayor

J. Oberlander

J. Oberlander City Clerk

RESOLUTION NO. 727

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF LEAWOOD, KANSAS, TO ISSUE TEMPORARY NOTES IN THE PRINCIPAL SUM OF TWO HUNDRED FORTY-TWO THOUSAND DOLLARS (\$242,000.00) TO PROVIDE TEMPORARY FINANCING FOR THE CONSTRUCTION OF SANITARY SEWERS IN THE SOMERSIDE SUBDIVISION, PRAIRIE VILLAGE, KANSAS.

WHEREAS, on July 31, 1985, the City of Leawood, Kansas, applied to the Kansas Department of Health and Environment for an E.P.A. grant for construction of sanitary sewers in the Somerside Subdivision, Prairie Village, Kansas, E.P.A. Project No. C20 1169 02; and

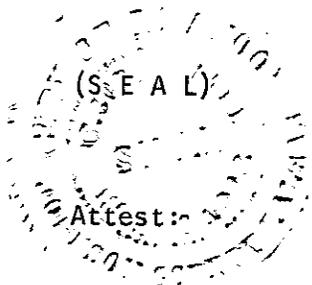
WHEREAS, the Environmental Protection Agency requires that grant applicants furnish assurance of the availability of local share of project funding; and

WHEREAS, the estimated local share of such sanitary sewer construction improvements has been determined to be Two Hundred Forty-Two Thousand Dollars (\$242,000.00); and

WHEREAS, all legal requirements pertaining to the authorization of said improvements have been complied with;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, will authorize issuance of Temporary Notes in the principal sum of Two Hundred Forty-Two Thousand Dollars (\$242,000.00) to provide temporary financing of said construction improvements, contingent on the City's receiving and accepting an E.P.A. grant for construction of sanitary sewers in the Somerside Subdivision, Prairie Village, Kansas, E.P.A. Project No. C20 1169 02.

Adopted by the Governing Body this 16th day of September, 1985.



Attest:

J. Oberlander
J. Oberlander City Clerk

Jean Wise
Jean Wise Mayor

RESOLUTION NO. 728

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF LEAWOOD, KANSAS, TO ISSUE TEMPORARY NOTES IN THE PRINCIPAL SUM OF ONE MILLION NINE HUNDRED THIRTY THOUSAND DOLLARS (\$1,930,000.00) TO PROVIDE TEMPORARY FINANCING FOR THE CONSTRUCTION OF SANITARY SEWERS IN THE VICINITY OF 83RD STREET AND LEE BOULEVARD, LEAWOOD, KANSAS.

WHEREAS, on July 31, 1985, the City of Leawood, Kansas, applied to the Kansas Department of Health and Environment for an E.P.A. grant for construction of sanitary sewers in the vicinity of 83rd Street and Lee Boulevard, Leawood, Kansas, E.P.A. Project No. C20 1169 01; and

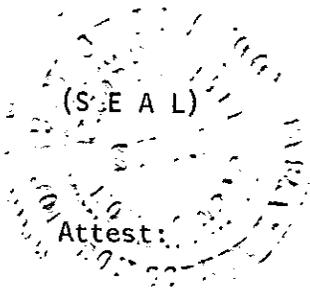
WHEREAS, the Environmental Protection Agency requires that grant applicants furnish assurance of the availability of local share of project funding; and

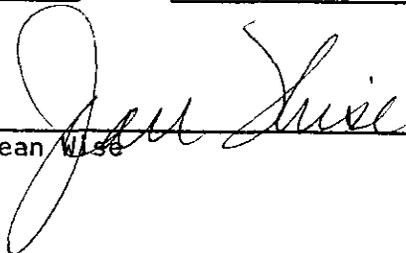
WHEREAS, the estimated local share of such sanitary sewer construction improvements has been determined to be One Million Nine Hundred Thirty Thousand Dollars (\$1,930,000.00); and

WHEREAS, all legal requirements pertaining to the authorization of said improvements have been complied with;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, will authorize issuance of Temporary Notes in the principal sum of One Million Nine Hundred Thirty Thousand Dollars (\$1,930,000.00) to provide temporary financing of said construction improvements, contingent on the City's receiving and accepting an E.P.A. grant for construction of sanitary sewers in the vicinity of 83rd Street and Lee Boulevard, Leawood, Kansas, E.P.A. Project No. C20 1169 01.

Adopted by the Governing Body this 16th day of September, 1985.




Jean Wise Mayor


J. Oberlander City Clerk

RESOLUTION NO. 729

The Leawood City Council has considered the final plat of Hunter's Ridge, 7th Plat, south of 123rd Street, east of Leawood South subdivision, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommends approval of the application; and

WHEREAS, the Plan Commission recommends no conditions; and

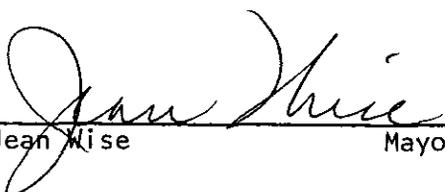
WHEREAS, the final plat is in substantial conformance with the approved preliminary plat; and

WHEREAS, the Plan Commission recommends approval of said Plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the 7th Plat of Hunter's Ridge.

Adopted by the Governing Body this 7th day of October, 1985.





Jean Wise Mayor



J. Oberlander City Clerk

RESOLUTION NO. 730

The Leawood City Council has considered the final plat of The Woodlands, 4th Plat, located between Roe and El Monte, south of The Woodlands 1st and 2nd Plats, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommends approval of the application; and

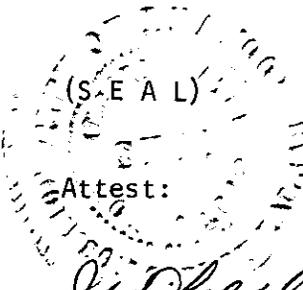
WHEREAS, the Plan Commission recommends no conditions; and

WHEREAS, the final plat is in substantial conformance with the approved preliminary plat; and

WHEREAS, the Plan Commission recommends approval of said Plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the 4th Plat of The Woodlands.

Adopted by the Governing Body this 7th day of October, 1985.



J. Oberlander
J. Oberlander City Clerk

Jean Wise
Jean Wise Mayor

RESOLUTION APPROVING A PROJECT FOR UNIQUE SUPER MARKETS OF KANSAS, INC., A KANSAS CORPORATION, AND DETERMINING THE INTENT OF THE CITY OF LEAWOOD, KANSAS, TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN THE AMOUNT OF APPROXIMATELY \$6,675,000 TO FINANCE THE COSTS OF SUCH PROJECT.

WHEREAS, the City of Leawood, Kansas (the "City"), desires to promote, stimulate and develop the general welfare and economic prosperity of the City and its inhabitants and thereby to further promote, stimulate and develop the general welfare and economic prosperity of the State of Kansas; and

WHEREAS, the City is authorized and empowered under the provisions of K.S.A. 12-1740 to 12-1749a, inclusive, as amended (the "Act"), to issue industrial revenue bonds to pay the cost of certain facilities (as defined in the Act) for the purposes set forth in the Act and to lease such facilities to private persons, firms or corporations; and

WHEREAS, Unique Super Markets of Kansas, Inc., a Kansas corporation (the "Company"), has requested the City to finance a project consisting of commercial facility, including real estate, buildings and improvements (the "Project"), at a cost of \$6,675,000, and to lease the Project to the Company in accordance with the Act; and

WHEREAS, a public hearing with respect to the Project will be held in accordance with the requirements of Section 103(k) of the Internal Revenue Code of 1954, as amended; and

WHEREAS, it is hereby found and determined to be advisable and in the interest and for the welfare of the City and its inhabitants that the City finance the costs of acquiring, construction and improving the Project by the issuance of industrial revenue bonds under the Act in a principal amount of approximately \$6,675,000, said bonds to be payable solely out of rentals, revenues and receipts derived from the lease of the Project by the City to the Company; and

WHEREAS, the Company desire that the acquisition, construction and improvement of the Project commence as soon as practicable;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, AS FOLLOWS:

Section 1. The governing body of the City hereby finds and determines that the Project will promote the general

welfare and economic prosperity of the City of Leawood, Kansas, and the issuance of the City's industrial revenue bonds to pay the costs of the Project will be in furtherance of the public purposes set forth in the Act.

Section 2. The governing body of the City hereby approves the Project and determines and declares the intent of the City to finance the costs of acquiring, constructing and improving the Project out of the proceeds of industrial revenue bonds of the City in a principal amount of approximately \$6,675,000 to be issued pursuant to the Act.

Section 3. Subject to the conditions of this Resolution, the City will (i) issue its revenue bonds to pay the costs of financing the Project, including repayment to the Company of advances made by it in connection with the acquisition, construction and improvement of the Project, with such maturities, interest rates, redemption terms and other provisions as may be determined by ordinance of the City; (ii) provide for the acquisition, construction and improvement of the Project and lease (with an option to purchase) the Project to the Company; and (iii) to effect the foregoing, adopt such resolutions and ordinances and authorize the execution and delivery of such instruments and the taking of such action as may be necessary or advisable for the authorization and issuance of said bonds by the City and take or cause to be taken such other action as may be required to implement the aforesaid.

Section 4. The issuance of said bonds and the execution and delivery of any documents related to financing the Project are subject to (i) obtaining any necessary governmental approvals; (ii) obtaining the necessary allocation from the Kansas Department of Economic Development; (iii) satisfactory negotiations relating to certain improvements to the Project to be paid by the Company; and (iv) agreement by the City, the Company and the purchaser of the bonds upon (a) mutually acceptable terms for the bonds and for the sale and delivery thereof and (b) mutually acceptable terms and conditions of any documents related to the issuance of the bonds and the Project.

Section 5. The sale of the bonds shall be the responsibility of the Company.

Section 6. The Company is hereby authorized to proceed with the acquisition, construction and improvement of the Project, including the entering into of contracts and purchase orders in connection therewith, and to advance such funds as may be necessary to accomplish such purposes and, to the extent permitted by law, the City shall reimburse the Company for all expenditures paid or incurred therefor out of the proceeds of the bonds. Notwithstanding such authorization, the Company proceeds at its own risk, and if for any reason said bonds are not issued, the City shall have no liability to the Company for any reason.

Section 7. Counsel to the City and Gaar & Bell, Bond Counsel, together with the officers and employees of the City, are hereby authorized to work with the purchaser of the bonds, the Company, their respective counsel and others, to prepare for submission to and final action by the City all documents necessary to effect the authorization, issuance and sale of the bonds and other actions contemplated hereunder in connection with the acquisition, construction and improvement of the Project and the lease thereof to the Company.

Section 8. This Resolution shall inure to the benefit of the City and the Company and their respective successors and assigns.

Section 9. This Resolution shall take effect and be in full force immediately after its adoption by the governing body of the City.

ADOPTED this 7th day of October, 1985.



CITY OF LEAWOOD, KANSAS

By *Jan Hise*
Mayor

J. Decker
City Clerk

RESOLUTION NO. 732

AUTHORITY TO AWARD CONTRACT
COMMITMENT OF COUNTY/CITY FUNDS

2 Copies to County/City

Date: October 1, 1985

Project Number 46 U-0610-01
(Formerly M-2824(002))
Johnson County; City of Leawood

WHEREAS, bids were received at Topeka, Kansas on September 19, 1985 for the performance of work covered by plans on the above numbered project, and

WHEREAS, the bidder and the low bid or bids on work covered by this project were:

CONTRACTOR	ADDRESS	TYPE OF WORK	AMOUNT
United Const. Co., Inc.	Lenexa, KS	Grading, Bituminous Surf.	\$1,076,363.57

WHEREAS, bids are considered satisfactory and have been recommended by the Secretary of Transportation of the State of Kansas, hereinafter referred to as the SECRETARY, for consideration and acceptance by the County/City, now therefore:

BE IT RESOLVED, that after due consideration by the Board of County Commissioners/City Commission/Mayor, this bid or these bids are acceptable and said SECRETARY is hereby authorized to award and execute the necessary contracts for completion of the work on this project as covered by such bid or bids.

An estimated 30% of Bid plus 15%
for engineering and contingencies \$371,345
Credits or Deficits \$ 0

BE IT FURTHER RESOLVED that County/City funds in the amount of \$371,345 which are required for the matching of Federal funds to complete this work are hereby pledged by the County/City to be remitted to the Controller of the Secretary of Transportation of the State of Kansas on or before ~~October~~ ^{Nov. 29} ~~1985~~ ¹⁹⁸⁵ for use by the SECRETARY in making payments for construction work and engineering on the above designated project. *(Credits or Deficits have accumulated due to underruns or overruns on previously completed projects, non-participating costs, or due to advance or delinquent remittances by the County/City.)

Adopted this 7th day of October 1985 at Leawood, Kansas

Recommended for Approval:

CITY OF LEAWOOD, KANSAS

Tom E. Bieszczat
Tom E. Bieszczat, Director of
Public Works

Jean Wise
Jean Wise
Mayor

ATTEST:

(SEAL)

J. Christopher
City Clerk

_____, Member
_____, Member

RESOLUTION NO. 733

WHEREAS, Will Gray was employed by the City of Leawood, Kansas in the Public Works Department on June 15, 1970, and has subsequently served in the capacity of Street Superintendent; and

WHEREAS, he has served faithfully and loyally; and

WHEREAS, he has announced his intention to retire on October 25, 1985;

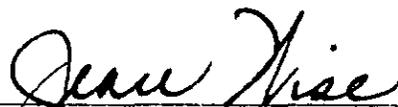
NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Leawood, Kansas commend and express its gratitude to Will Gray for his service and dedication; and

BE IT FURTHER RESOLVED, that the Governing Body extend to him its best wishes for his retirement years and award him a plaque and Key to the City.

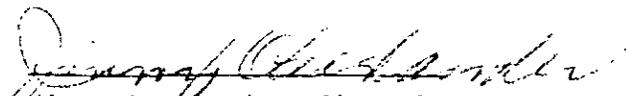
Adopted by the Governing Body of the City of Leawood, Kansas this 21 day of OCT., 1985.



Attest:



Jean Wise
Mayor



Jinny Oberlander, City Clerk

RESOLUTION NO. 734

The Leawood City Council has considered the request for rezoning from A (agricultural) to RP-2 (planned two family residential) and the request for approval of the preliminary and final plat of Leawood Country Manor, 6th Plat, at 5205 West 112th, and hereby resolves the following:

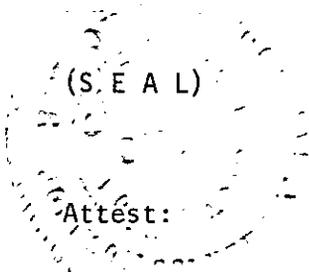
WHEREAS, the staff has reviewed and recommended approval of the application; and

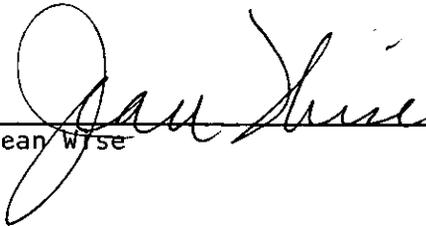
WHEREAS, the plat conforms to City subdivision regulations; and

WHEREAS, the Plan Commission recommends approval of the requested rezoning and the preliminary and final plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the requested rezoning from A to RP-2, and the preliminary and final plat of Leawood Country Manor, 6th Plat.

Adopted by the Governing Body this 21st day of October, 1985.




Jean Wise Mayor


J. Oberlander City Clerk

RESOLUTION NO. 735

RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS,
CONSENTING TO THE ENLARGEMENT OF AREA INTO CERTAIN SEWER DISTRICTS
GOVERNED BY JOHNSON COUNTY, KANSAS

On this 4th day of November, 1985, the
Governing Body of the City of Leawood, Kansas, met in regular ses-
sion with the Mayor and a majority of the Council being present.

There comes before the Council for consideration the matter
of the enlargement of Tomahawk Creek Sewer Sub-District No. 4, Tom-
ahawk Creek Main Sewer District No. 1 and Lateral Sewer District
No. 3 of Tomahawk Creek Sewer Sub-District No. 4. The tracts to be
enlarged into sewer districts governed by the county are described
on Exhibit A attached and made a part of this resolution. The pro-
visions of Charter Resolution 18-84, Johnson County, Kansas, pro-
vide that when any such sewer districts extend into the city limits
of any incorporated city, the Board of County Commissioners shall
not have the power to create or extend such sewer district within
the city limits without the consent of the governing body of the
city.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
CITY OF LEAWOOD, KANSAS, that the City does hereby consent that the
property shown and described on Exhibit A be included within sewer
districts as described and which are governed by Johnson County,
Kansas.



Jean Hise
Mayor

J. Oberlander
City Clerk



SHAFER, KLINE & WARREN, P.A.

CIVIL ENGINEERS — LAND SURVEYORS — LAND PLANNERS

11100 WEST 91ST STREET, OVERLAND PARK, KANSAS 66214

TEL. (913) 888-7800

LARRY D. GRAHAM
PHILIP K. KLINE
ROBERT R. MYERS
TEX L. NEW
ROGER H. SELLERS

October 8, 1985

LEGAL DESCRIPTION FOR
PROPOSED ADDITION TO
LATERAL SEWER DISTRICT NO. 3
TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

All that part of the SE $\frac{1}{4}$ of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of the SE $\frac{1}{4}$ of said Section 22; thence S 89° 57' 52" W, along the North line of the SE $\frac{1}{4}$ of said Section 22, a distance of 1929.44 feet, to the true point of beginning of subject tract; thence S 0° 02' 08" E, along a line perpendicular to the North line of the SE $\frac{1}{4}$ of said Section 22, a distance of 40 feet, to the Northeast corner of Lot 3, Block 10, HUNTER'S RIDGE, SEVENTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence S 5° 28' 38" E, along the Easterly line and its extension of said Lot 3, a distance of 189.20 feet, to a point on the Northerly line of Lot 5, Block 9 of said HUNTER'S RIDGE, SEVENTH PLAT; thence Easterly, along the Northerly line of said Lot 5, said lot being on a curve to the right, having a radius of 925 feet, a central angle of 1° 15' 11", and whose initial tangent bearing is N 84° 31' 22" E, a distance of 20.23 feet, to the Northeasterly corner thereof; thence S 4° 13' 27" E, along the Easterly line of said Lot 5, a distance of 131.51 feet, to the Southeast corner thereof; thence S 89° 24' W, along the Southerly line of said Lot 5, a distance of 94.61 feet, to the Southwest corner thereof; thence S 21° 30' W, along the Southeasterly line of Lots 6, 7 and 8 of said Block 9, a distance of 273.14 feet; thence S 63° 12' W, along the Southeasterly line of Lots 8 and 9 of said Block 9, a distance of 187.75 feet, to the Southwesterly corner of said Lot 9; thence N 24° 43' 15" W, along the Westerly line and its extension of said Lot 9, a distance of 150.62 feet, to a point on the centerline of 123rd Terrace, as now established; thence Northeasterly, along the centerline of said 123rd Terrace, said line being on a curve to the left, having a radius of 225 feet, a central angle of 12° 14' 09", and whose initial tangent bearing is N 65° 16' 45" E, a distance of 47.68 feet, to a point on the Southeasterly extension of the Southwesterly line of Lot 7 of said Block 10; thence N 36° 57' 24" W, along the Southwesterly line and its extension said Lot 7, a distance of 140 feet, to the Southeasterly corner of

Exhibit A

LEGAL DESCRIPTION FOR
PROPOSED ADDITION TO
LATERAL SEWER DISTRICT NO. 3
TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

Page 2
October 8, 1985

Lot 9 of said Block 10; thence S 83° 10' 05" W., along the Southerly line and its extension of said Lot 9, a distance of 154.47 feet, to a point on the centerline of Aberdeen, as now established; thence Southerly, along the centerline of said Aberdeen, said line being on a curve to the left, having a radius of 625 feet, a central angle of 1° 09' 29", and whose initial tangent bearing is S 6° 49' 55" E, a distance of 12.63 feet, to a point on the Easterly extension of the South line of Lot 15 of said Block 10; thence S 82° 00' 36" W, along the Southerly line and its extension of said Lot 15, a distance of 158.35 feet, to the Southwesterly corner thereof, said point also being on the West line of the SE $\frac{1}{4}$ of said Section 22; thence N 0° 23' 03" E, along the West line and its extension of Lots 15 through 12 inclusive of said Block 10 and along the West line of the SE $\frac{1}{4}$ of said Section 22, a distance of 479.82 feet, to the Northwest corner of the SE $\frac{1}{4}$ of said Section 22, said point also being on the centerline of 123rd Street, as now established; thence N 89° 57' 52" E, along the North line of the SE $\frac{1}{4}$ of said Section 22 and along the centerline of said 123rd Street, a distance of 717.64 feet, to the true point of beginning of subject tract.

Exhibit B

N LINE, SE 1/4,
SEC 22-13-25

N 89° 57' 52" E
717.64'

S 0° 02' 08" E
40'

N 0° 23' 03" E
479.82'

W LINE, SE 1/4,
SEC 22-13-25

I.T.B. = S 6° 49' 55" E
Δ = 1° 09' 29"
R = 625'
12.63'

I.T.B. = N 84° 31' 22" E
Δ = 1° 15' 11"
R = 925'
20.23'

S 83° 10' 05" W
154.47'

158.35'
S 82° 00' 36" W

I.T.B. = N 65° 16' 45" E
Δ = 12° 14' 09"
R = 225'
47.68'

N 36° 57' 24" W
140'

94.61'
S 89° 24' W

N 24° 43' 15" W
150.62'

187.75'
S 63° 12' W

273.14'
S 21° 30' W

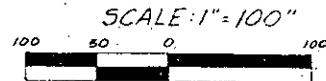
189.20'
S 5° 28' 38" E

131.51'
S 4° 13' 27" E

PROJECT NO. 42087 DATE 10-8-85 BY TLN

PLAT OF LEGAL DESCRIPTION FOR
PROPOSED ADDITION TO
LATERAL SEWER DISTRICT NO. 3
TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

SK SHAEFER KLINE & WARREN P.A.



RESOLUTION NO. 736

The Leawood City Council has considered the request for rezoning from RP-5 (Planned Apartment Housing District) to R-1 (Single Family Residential District) and the request for approval of the preliminary plat for the northeast corner of 124th Street and Roe, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommends approval of the application with conditions; and

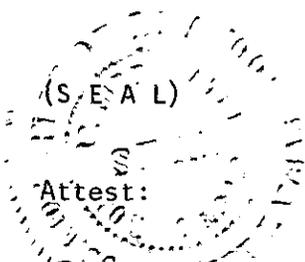
WHEREAS, the Plan Commission recommends approval with the following conditions:

1. Property owner to provide the City with a letter of credit for improvements for Roe Avenue in the amount of \$80.00 for each lineal foot adjacent to the property;
2. Property owner to dedicate approximately 25 feet on the north side of the plat for use as part of the Greenway, the exact width to be determined by the Director of Public Works prior to submission of the final plat;
3. Submission and approval of homes association declarations and deed restrictions;
4. Final plat to contain wording to restrict access from the rear of the lots onto Roe Avenue; and

WHEREAS, the developer is willing to meet the four conditions;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the rezoning and preliminary plat of Berkshire; 6th Plat, with the above conditions.

Adopted by the Governing Body this 18th day of November, 1985.



J. Oberlander
J. Oberlander City Clerk

Jean Wise
Jean Wise Mayor

RESOLUTION NO. 737

*Leawood Forest Estates
is a replat of Patricia
Woods, 5th Plat*

The Leawood City Council has considered the final plat of Leawood Forest Estates, located on the north side of 127th Street between Nall and Roe, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommends approval of the application; and

WHEREAS, the Plan Commission recommends approval with the following conditions:

1. Before wood frame construction commences, water supply must be constructed by Johnson County Rural Water District No. 1;
2. Approval of this plat initiates the second phase of the 127th Street Benefit District west to Nall, No. 84-1;
3. Submission of new set of public works elements reflecting the current name of the subdivision;
4. Layout and details of entryway graphics and gate, if applicable, submitted for staff approval;
5. Deed restrictions and activation of a home owners' association submitted for staff approval;
6. A 25' temporary construction easement on the west side of the property must be dedicated by separate instrument to facilitate the construction of the private street to the west; and

WHEREAS, the developer agrees to these conditions; and

WHEREAS, the final plat is in substantial conformance with the approved preliminary plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the final plat of Leawood Forest Estates with the above conditions.

Adopted by the Governing Body this 18th day of November, 1985.



Attest:

J. Oberlander
 J. Oberlander City Clerk

Jean Wise
 Jean Wise Mayor

RESOLUTION NO. 738

Resolution to provide new and/or adequate sanitary sewer collection systems, setting certain policies for connection to and use of the sanitary sewers, and authorizing and directing connection to the sanitary sewers within portions of the LEAWOOD subdivision, Leawood, Kansas, and SOMERSIDE subdivision, Prairie Village, Kansas, and rescinding Resolution No. 671.

WHEREAS; the Governing Body of the Leawood Sewer System has determined that certain sanitary sewer lines within the Leawood Sewer System, located within the area generally known and described as the LEAWOOD subdivision, Leawood, Kansas - Lots 1 through 51, 59 through 79, 79A, 80, 90 through 103, 103A, 103B, 105 through 124, 124A, 125, 125A through 181, 184 through 190, 192 through 209, and the SOMERSIDE subdivision, Prairie Village, Kansas - Lots 1 through 15 and Lots 17 through 24, are presently inadequate to provide acceptable sanitary sewer services to that area; and

WHEREAS, the Governing Body of the Leawood Sewer System recognizes and finds that use of private sewer systems or private septic tank systems within the above defined areas of the Leawood Sewer System poses a significant environmental and health hazard; and

WHEREAS, an application for federal grant funding assistance is pending from the Environmental Protection Agency for the construction and replacement of new and/or inadequate sanitary sewer collection lines within the above defined areas; and

WHEREAS, the State of Kansas, Division of Health and Environment, has recognized the health hazard posed by septic tank systems within the above defined areas within the Leawood Sewer System; and

WHEREAS, the City Council of the City of Leawood has authorized the preparation of final engineering plans for a project to construct new sanitary sewer lines within the above defined areas; and

WHEREAS, the City Council of the City of Leawood, as the Governing Body of the Leawood Sewer System, deems it necessary and advisable to proceed with construction of new collection lines and replacements of inadequate lines within the above defined areas;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Leawood Sewer System that:

I. SCOPE OF PROJECT

- A. The Leawood Sewer System proceed with grant application to the Environmental Protection Agency for federal funding assistance to construct and replace sanitary sewer collection lines for that portion of the Leawood Sewer System generally described as: LEAWOOD subdivision, Leawood, Kansas - Lots 1 through 51, 59 through 79, 79A, 80, 90 through 103, 103A, 103B, 105 through 124, 124A, 125, 125A through 181, 184 through 190, 192 through 209, and

SOMERSIDE subdivision, Prairie Village, Kansas - Lots 1 through 15 and Lots 17 through 24 (hereinafter referred to as the construction project area).

- B. If federal grant assistance is offered from the Environmental Protection Agency for project construction, that the grant be accepted and the project constructed as shown on final engineering plans.
- C. All inadequate utility lines and sanitary sewer lines now being used within the project area shall be replaced with new adequately sized and constructed parallel sanitary sewer lines.
- D. All connections presently made to the inadequate utility lines and sanitary sewer lines shall be severed and the replaced inadequate utility lines and sanitary sewer lines within the project area shall be abandoned and not used or available for use by anyone.

II. PROJECT FUNDING

- A. All project costs not funded by the Environmental Protection Agency grant funds shall be funded and paid by the Leawood Sewer System as a whole, which includes most of the City of Leawood north of Interstate Highway I-435 and portions of the City of Prairie Village, Kansas, and the City of Overland Park, Kansas.
- B. The project costs to be funded and paid by the Leawood Sewer System as a whole shall be funded through City bonds, which shall be retired through sewer service charges levied annually against all users of the Leawood Sewer System.

III. CONNECTIONS TO NEW LINES AND EXISTING ADEQUATE SANITARY SEWER LINES

- A. All structures and residences located within the project area shall connect to the new replacement sanitary sewer lines being constructed by this project or to existing adequate sanitary sewer lines.
- B. The connection of all existing house service lines and basement drain lines to the new sanitary sewer lines or existing adequate sanitary sewer lines will be accomplished as part of the construction project costs, from the current terminus of the existing house line to the new sanitary sewer line or existing adequate sanitary sewer line only.
- C. Any home within the project area which is currently connected to a septic tank system must connect to the new or adequate sanitary sewer lines within one year after final acceptance of the construction of the new sanitary sewer lines. The connection to the sanitary sewer line shall be a part of the project costs if the homeowner has in place a house service line running from the residence to the point of construction of the new sanitary

sewer line at the time that the sanitary sewer collection line is installed at that location. Otherwise, all costs for connection to the new sanitary sewer line will be the responsibility of the homeowner.

- D. The Project Engineer and the Contractor shall coordinate the construction and installation of the sanitary sewer lines and the connections of the individual house service lines to the extent practical and feasible.

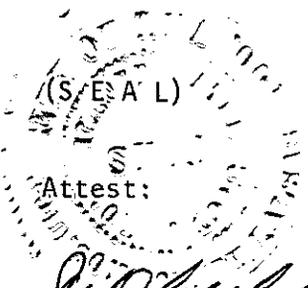
IV. HOUSE SERVICE LINES

- A. The cost and construction of house service lines shall be the responsibility of the homeowner or property owner.
- B. The replacement of any deteriorated, inadequate, or unusable existing house service lines shall be the responsibility of the homeowner or property owner.

V. CONNECTION FEES AND CHARGES

- A. The Leawood Sewer System's connection fee will be waived for any homeowner or property owner who connects their sanitary service for the first time to a new or adequate sanitary sewer line within the project area; provided that the connection is made at the time that the new sanitary sewer lines are installed at that location.
- B. There shall be no connection fee or charge to the homeowner or property owner for the connections made by the contractor or the City as a part of the project costs.
- C. Any person, homeowner or property owner who does not connect to the new sanitary sewer collection lines at the time that the lines are installed at the connection site shall pay the connection fee or charge being assessed at the time connection is made.
- D. Any person, homeowner or property owner, located within the project area, who has previously abandoned a septic tank system and connected to the sanitary sewer lines of the Leawood Sewer System and paid a connection fee, may be eligible for a maximum refund of \$800.00 for that connection fee. To be eligible for a refund, the homeowner or property owner must make application to the City of Leawood by January 1, 1987, and must demonstrate that he or she is the current resident of the residence, that he or she resided in the residence when connection was made, that he or she paid a connection fee to the Leawood Sewer System, and verification of the amount of the fee paid. All applications for refund shall be considered on an individual basis by the Public Works Committee of the City of Leawood.

Adopted by the Governing Body of the Leawood Sewer System this 18th
day of November, 1985.



Attest:

J. Oberlander
J. Oberlander City Clerk

Jean Wise
Jean Wise Mayor

RESOLUTION NO. 739

The Leawood City Council has considered the final plat of Pembroke Court, Replat of Tract B of Oxford Park, 123rd and State Line Road, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application; and

WHEREAS, the developer has made the changes on the final plat as directed by staff and the Plan Commission; and

WHEREAS, approving the final plat will not release the property owner from any of the conditions stipulated in the Settlement Agreement; and

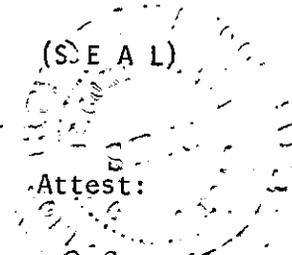
WHEREAS, the Leawood Plan Commission recommends approval of the plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby approve the final plat of Pembroke Court, Replat of Tract B of Oxford Park.

Adopted by the Governing Body this 2nd day of December, 1985.

(S E A L)

Attest:


J. Oberlander
J. Oberlander City Clerk

Jean Wise
Jean Wise Mayor

RESOLUTION NO. 740

The Leawood City Council has considered the final plat of Berkshire, 6th Plat, located at the northeast corner of 124th and Roe Avenue, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommends approval of the application; and

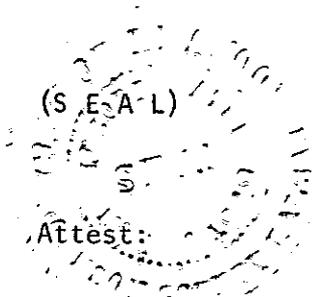
WHEREAS, the Plan Commission recommends one condition - that the developer be required to pay \$80.00 a lineal foot for improvements to Roe Avenue; and

WHEREAS, the final plat is in substantial conformance with the approved preliminary plat; and

WHEREAS, the Plan Commission recommends approval of said Plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the final plat of Berkshire 6th Plat with the recommended condition.

Adopted by the Governing Body this 2nd day of December, 1985.



Jean Wise
Jean Wise Mayor

J. Oberlander
J. Oberlander City Clerk

RESOLUTION NO. 741

WHEREAS, on October 27, 1985, the Kansas City Royals Baseball Team became World Champions of Professional Baseball; and

WHEREAS, the Kansas City Royals resoundingly defeated the St. Louis Cardinals in the seventh game of the World Series to become World Champions; and

WHEREAS, numerous members of the Kansas City Royals organization reside in the City of Leawood; and

WHEREAS, the Kansas City Royals, in coming from behind to win the Western Division of the American League, the American League Championship and the World Series, have set an impressive example of the power of positive thinking and perseverance in the face of adversity;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Leawood, Kansas is proud to extend its congratulations and admiration to those members of the Kansas City Royals organization that reside in the City of Leawood, Kansas; and

BE IT FURTHER RESOLVED, that the Governing Body extends to the Kansas City Royals organization its best wishes and regards for future success and World Championships.

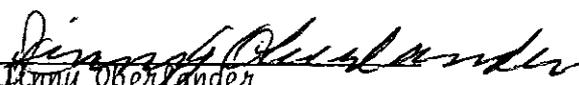
Adopted by the Governing Body of the City of Leawood, Kansas, this 16th day of December, 1985.





Jean Wise
Mayor

Attest:


Jimmy Oberlander
City Clerk

RESOLUTION NO. 742

The Leawood City Council has considered the request for rezoning from R-1, Single Family Residential, to CP-0, Planned Office Building District, and the request for approval of the preliminary site development plan at 9828 State Line Road, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommends approval of the application with conditions; and

WHEREAS, the Leawood Plan Commission recommends approval of the rezoning and preliminary site development plan with the following conditions:

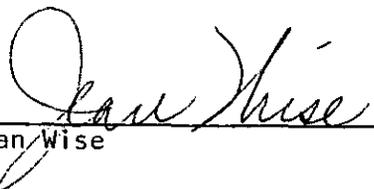
1. Landscaping to be installed in conjunction with the development of the building. Landscaping is to meet the screening requirements of the zoning ordinance.
2. The proposed structure is required to have a wood shake roof.
3. Applicant is to make any and all street improvements and storm drainage improvements caused by this development.
4. The applicant is to file deed restrictions limiting this property to office use prior to approval of the final site development plan.
5. Front yard setback on State Line Road to be reduced to 30 feet for the parking area; and

WHEREAS, the developer is willing to meet the five conditions;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the requested rezoning from R-1 to CP-0, and the preliminary site development plan for the Ullom property with the above conditions.

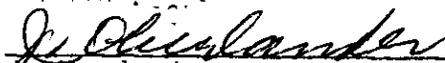
Adopted by the Governing Body this 16th day of December, 1985.

(S. E. A. L.)



Jean Wise Mayor

Attest:



J. Oberlander City Clerk

RESOLUTION NO. 743

The Leawood City Council has considered the request for rezoning from A, Agricultural, to RP-1, Planned Single Family Residential District, and RP-4, Planned Cluster Residential District, and the request for approval of the preliminary plat and preliminary site development plan between Roe Avenue and Nall Avenue, 129th Street-131st Street, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

WHEREAS, the Leawood Plan Commission recommends approval of the rezoning, preliminary plat, and preliminary site development plan with the following conditions:

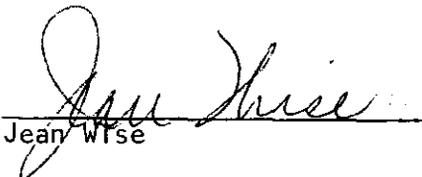
1. The developer will be required to participate financially in the improvement districts for both Roe Avenue and Nall Avenue, or a letter of credit issued. The amount for Roe Avenue is not to exceed \$65.00 a lineal foot.
2. The initiation of Phase II development will require two points of ingress/egress as permanent streets.
3. The open space on the eastern portion of the site will be platted as part of the first phase.
4. Where necessary, stabilize creek where it will affect private homeowners; and

WHEREAS, the developer is willing to meet the four conditions;

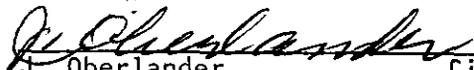
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the rezoning from A to RP-1 and RP-4, and the preliminary plat and preliminary site development plan of Carriage Crossing with the above conditions.

Adopted by the Governing Body this 16th day of December, 1985.

(SEAL)


Jean Wise Mayor

Attest:


J. Oberlander City Clerk

RESOLUTION NO. 744

The Leawood City Council has considered the request for rezoning from A, Agricultural, to R-1, Single Family Residential, and the request for approval of the preliminary and final plat for the replat of Lots 15 through 18, Block 5, Leawood Country Manor, 2nd Plat, at 11210 Rosewood, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application; and

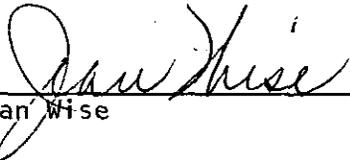
WHEREAS, the plat conforms to the subdivision regulations; and

WHEREAS, the Leawood Plan Commission recommends approval of the requested rezoning and the preliminary and final plat;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the requested rezoning from A to R-1, and the preliminary and final plat for the replat of Lots 15 through 18, Block 5, Leawood Country Manor, 2nd Plat.

Adopted by the Governing Body this 16th day of December, 1985.

(S E A L)



Jean Wise Mayor

Attest:



G. Oberlander City Clerk

RESOLUTION NO. 745

The Leawood City Council has considered the request by Leawood Baptist Church to add two wings to the existing structure at 8200 State Line Road, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application; and

WHEREAS, the proposal meets the requirements of the zoning ordinance; and

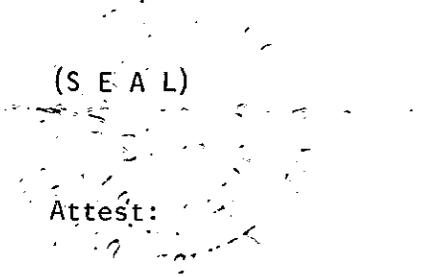
WHEREAS, the Leawood Plan Commission recommends approval of the request;

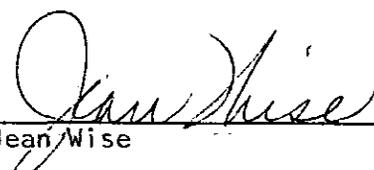
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the request by Leawood Baptist Church to add two wings to the existing structure.

Adopted by the Governing Body this 16th day of December, 1985.

(S E A L)

Attest:


J. Oberlander
J. Oberlander City Clerk


Jean Wise Mayor

RESOLUTION NO. 746

A RESOLUTION ORDERING THE CREATION OF IMPROVEMENT DISTRICT 85-3 FOR THE IMPROVEMENTS TO KENNETH ROAD FROM THE CENTERLINE OF HIGHWAY K-150 (135TH STREET), THE NORTHEAST CORNER OF FRACTIONAL SECTION 35, TOWNSHIP 13, RANGE 25 SOUTHWESTERLY TO A POINT APPROXIMATELY 1,805 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 13, RANGE 25, A DISTANCE OF 2257 FEET MORE OR LESS, THE IMPROVEMENTS TO GENERALLY CONSIST OF A 4-LANE DIVIDED ROADWAY WITH TURNING LANES, CONCRETE CURB AND GUTTER, STORM DRAINAGE FACILITIES, SIDEWALKS, STREET LIGHTING AND OTHER APPURTENANCES.

WHEREAS, a petition has been filed with the City Clerk of the City of Leawood by the owners of a majority of the area sought to be included in the Improvement District described herein, proposing the following improvements:

The construction of Kenneth Road from the Centerline of Highway K-150 (135th Street) Northeast Corner Fractional Section 35, Township 13, Range 25 to a point approximately 1,805' South of the Northeast corner of Section 34, Township 13, Range 25, a distance of 2257', more or less; said improvements to be a 4-lane divided roadway with turning lanes, concrete curb and gutter, storm drainage facilities, sidewalks, streetlights and other appurtenances;

WHEREAS, the Governing Body of the City of Leawood, Kansas, finds and determines the improvements to be advisable and the petition to be in compliance with the applicable statutes;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, that the following improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body of the City of Leawood, Kansas:

The construction of Kenneth Road in the City of Leawood, Kansas, from Highway K-150 (135th Street) Northeast Corner Fractional Section 35, Township 13, Range 25 to a point approximately 1,805' South of the Northeast Corner of Section 34, Township 13, Range 25, a distance of 2,257', more or less; said improvements to be a 4-lane divided and undivided roadway with turning lanes, concrete curb and gutter, storm drainage facilities, sidewalks, streetlights and other appurtenances;

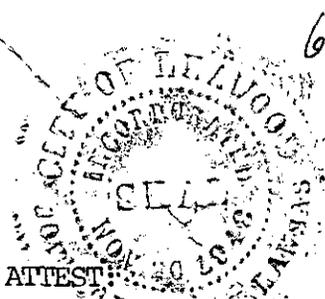
The boundaries of the Improvement District to be assessed are as shown on the attached plan which is marked as Exhibit A and made a part hereof as if fully set forth at length herein. The district as shown will be assessed per front foot of abutting property.

The estimated and probable cost of such improvement is \$831,000, or approximately \$200 per abutting front foot on each side of said roadway. 100% of the cost is to be apportioned to the Improvement District.

The Governing Body shall hereby proceed with selection of a Consulting Engineer to proceed with the plans and specifications for such roadway improvements and the advertisement of bids thereon.

The Governing Body is authorized to issue such temporary notes for the purpose of providing interim financing of such improvement projects as is deemed necessary after separate action providing for the issuance of such notes.

ADOPTED BY THE GOVERNING BODY this 16th day of December, 1985, to be effective December 16th, 1985.



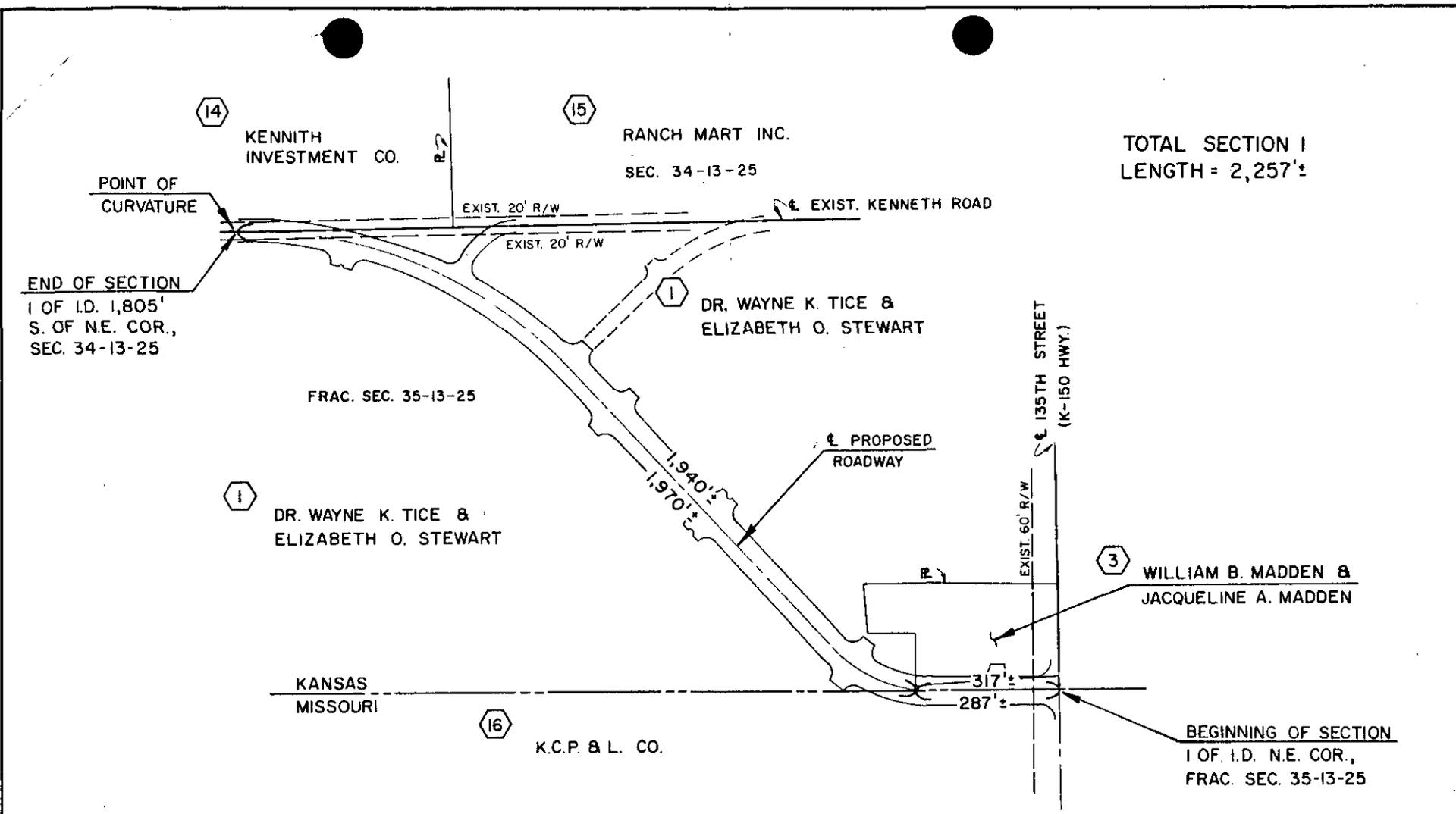
600 STATE OF KANSAS
COUNTY OF JOHNSON,) ss
FILED FOR RECORD

1985 DEC 30 A 8:53

RUBIE M. SCOTT Jean Wise, Mayor of the
REGISTER OF DEEDS City of Leawood, Kansas

ATTEST: BY _____ DEP

J. Oberlander, City Clerk



TOTAL SECTION 1
LENGTH = 2,257'

END OF SECTION
1 OF I.D. 1,805'
S. OF N.E. COR.,
SEC. 34-13-25

FRAC. SEC. 35-13-25

DR. WAYNE K. TICE &
ELIZABETH O. STEWART

WILLIAM B. MADDEN &
JACQUELINE A. MADDEN

KANSAS
MISSOURI

K.C.P. & L. CO.

BEGINNING OF SECTION
1 OF I.D. N.E. COR.,
FRAC. SEC. 35-13-25



SCALE: 1" = 200'

REVISED 11-27-85 D.A.L.
PROJECT NO. 42886 | DATE 11-85 | BY D.A.L.

IMPROVEMENT DISTRICT #85-3
IMPROVEMENT DISTRICT MAP
KENNETH ROAD

 SHAFER, KLINE & WARREN, P.A.
ENGINEERS-SURVEYORS
OVERLAND PARK, KANSAS

EXHIBIT A

A RESOLUTION ORDERING THE CREATION OF IMPROVEMENT DISTRICT 85-4 FOR THE IMPROVEMENTS TO KENNETH ROAD FROM A POINT APPROXIMATELY 1,805' SOUTH OF THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 13, RANGE 25 SOUTH TO A POINT APPROXIMATELY 860' SOUTH OF THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 14, RANGE 25, A DISTANCE OF 4,373' MORE OR LESS, THE IMPROVEMENTS TO GENERALLY CONSIST OF A 2-LANE (36' WIDE) UNDIVIDED ROADWAY WITH TURNING LANES, CONCRETE CURB AND GUTTER, STORM DRAINAGE FACILITIES, SIDEWALKS, STREET LIGHTING AND OTHER APPURTENANCES.

WHEREAS, a petition has been filed with the City Clerk of the City of Leawood by the owners of a majority of the area sought to be included in the Improvement District described herein, proposing the following improvements:

The construction of Kenneth Road from a point approximately 1,805' S. of the N.E. Cor. Sec. 34 T. 13 R. 25 S. to a point approximately 860' S. of N.E. Cor. Sec. 3 T. 14 R. 25, a distance of 4,373' more or less; said improvements to generally consist of a 2-lane (36' wide) undivided roadway with turning lanes, concrete curb and gutter, storm drainage facilities, sidewalks, street lighting and other appurtenances;

WHEREAS, the Governing Body of the City of Leawood, Kansas, finds and determines the improvements to be advisable and the petition to be in compliance with the applicable statutes;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, that the following improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body of the City of Leawood, Kansas:

The construction of Kenneth Road from a point approximately 1,805' S. of the N.E. Cor. Sec. 34 T. 13 R. 25 S. to a point approximately 860' S. of N.E. Cor. Sec. 3 T. 14 R. 25, a distance of 4,373' more or less; said improvements to generally consist of a 2-lane (36' wide) undivided roadway with turning lanes, concrete curb and gutter, storm drainage facilities, sidewalks, street lighting and other appurtenances.

The boundaries of the improvement district to be assessed are as shown on the attached plan which is marked as Exhibit A and made a part hereof as if fully set forth at length herein. The district as shown will be assessed per front foot of abutting property.

The estimated and probably cost of such improvement is \$1,240,000, or approximately \$143 per abutting front foot on each side of said roadway. Not less than 97% of the cost is to be apportioned to the Improvement District, and not more than 3% of the cost is to be apportioned to the City of Leawood.

All assessable property within the Improvement District which is not excluded and which abuts proposed Improvement District will be assessed on an abutting foot basis with the exception that the amount assessed to single-family residential property as defined by Leawood City Resolution No. 694 shall be reduced to an amount equal to the cost of construction of a residential street. The calculations and determinations of the cost of construction of a residential street shall be determined by the City, and the City's determination shall be final. In the event that any single-family residential tract which has been granted a reduced assessment under the terms of this Resolution is sold for development within five years of the date of the Resolution, then, in such event, the City may in accordance with K.S.A. 6a 01 et seq. convene a subsequent assessment hearing and adjust the assessment on the property previously assessed as single family residential and upgrade said assessment to development property.

The Governing Body shall hereby proceed with selection of a Consulting Engineer to proceed with the plans and specifications for such roadway improvements and the advertisement of bids thereon.

The Governing Body is authorized to issue such temporary notes for the purpose of providing interim financing of such improvement projects as is deemed necessary after separate action providing for the issuance of such notes.

ADOPTED BY THE GOVERNING BODY this 16th day of December, 1985, to be effective December 16th, 1985.



Jean Wise

Jean Wise, Mayor of the
City of Leawood, Kansas

ATTEST

J. Oberlander
J. Oberlander, City Clerk

STATE OF KANSAS
COUNTY OF JOHNSON } ss
FILED FOR RECORD

1985 DEC 30 A 8:53 6

RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP

July 17 1888

RESOLUTION NO. 748

The Leawood City Council has considered the request for rezoning from RP-2, Planned Two Family Residential District, and RP-3, Planned Garden Apartment District, to CP-0, Planned Office Building District, and the request for approval of the preliminary plat and preliminary site development plan for the east side of Nall Avenue, 112th to 115th Streets, and hereby resolves the following:

WHEREAS, the staff has reviewed and recommended approval of the application with conditions; and

WHEREAS, the Leawood Plan Commission recommends approval of the rezoning, preliminary plat and preliminary site development plan with the following conditions:

1. The developer will be required to submit a letter of credit at the time that the first final development plan is approved in an amount sufficient to cover the improvements necessary to preclude west-east traffic movement on 112th Street. These improvements will be installed in the event that the amount of traffic along 112th is determined to be beyond the normal capacity of the street that is resulting from this development. This traffic impact shall be determined by a traffic engineer to be engaged by the property owner when the City deems it necessary up to six months after Nall and 115th Street are completed.
2. The developer is to be responsible for payment for the improvement of Nall in the amount proportionate to Leawood's share for each foot that abuts this property and/or further agrees not to oppose an improvement district.
3. 115th Street from the east property line to Nall Avenue is to be built or participation in an improvement district initiated prior to the issuance of a building permit in Phases 6 and 7.
4. The owner/developer is required to place into escrow an amount equal to the sum to pay one-fourth of the cost of signalization of 115th Street and Nall Avenue up to \$15,000. A letter of credit may also be issued with a 3-year maximum on the letter of credit.
5. Storm water retention system to be designed for a twenty-five year storm frequency.
6. Berming and landscaping to be installed on the north property line, not fencing; and

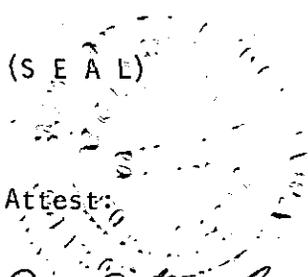
WHEREAS, the developer is willing to meet the six conditions;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve the requested rezoning from RP-2 and RP-3 to CP-0, and the preliminary plat and preliminary site development plan of University Park with the above conditions.

Adopted by the Governing Body this 6th day of January, 1986.

(S E A L)

Attest:


J. Oberlander
J. Oberlander City Clerk

Jean Wise
Jean Wise Mayor

RESOLUTION NO. 749

A RESOLUTION AMENDING THE "PERSONNEL RULES AND REGULATIONS" OF THE CITY OF LEAWOOD, KANSAS, DATED JANUARY 3, 1984; DESIGNATION OF HOLIDAYS FOR THE YEAR 1986.

WHEREAS, Section 11.2(a) of the "Personnel Rules and Regulations", dated January 3, 1984, designates holidays for all regular employees of the City of Leawood; and

WHEREAS, after review of holiday dates in 1986, staff recommends that the following new schedule be adopted; and

WHEREAS, changes to said "Personnel Rules and Regulations" shall be ratified by resolution of the Governing Body in accordance with Section 1-504 of the "Code of the City of Leawood, Kansas, 1984";

NOW, THEREFORE, BE IT RESOLVED, that the City Hall of Leawood, Kansas, shall be closed on the following holiday dates in 1986:

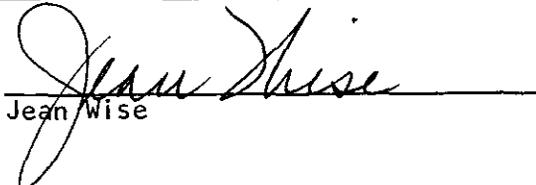
New Year's Day	January 1
Presidents' Day (3rd Mon.-Feb.)	February 17
Memorial Day (last Mon.-May)	May 26
Independence Day	July 4
Labor Day (1st Mon.-Sept.)	September 1
Thanksgiving (4th Thurs. & Fri.-Nov.)	November 27 & 28
Christmas	December 25
Day After Christmas	December 26

Adopted by the Governing Body this 6th day of January, 1986.

(S. E. A L)

Attest:


J. Oberlander City Clerk


Jean Wise

RESOLUTION NO. 750

A RESOLUTION RELATING TO THE CONSENT OF THE CITY OF LEAWOOD, KANSAS TO THE INCLUSION OF PROPERTY WITHIN THE BOUNDARIES OF TOMAHAWK CREEK MAIN SEWER DISTRICT NO. 1 AND TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 5, JOHNSON COUNTY, KANSAS

WHEREAS, there has previously been created within the City of Leawood, Kansas, Tomahawk Creek Main Sewer District No. 1, Tomahawk Creek Sewer Sub-District No. 5, and

WHEREAS, it has been requested that the above-named districts be enlarged to include the property as described and shown in Exhibit "A" attached hereto; and

WHEREAS, the governing body of the City of Leawood, Kansas finds that by the provisions of the Article 27(a) of Chapter 19 of Kansas Statutes Annotated, the consent of the City is necessary before the property described in Exhibit "A" can be included within the previously created sewer districts above named.

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

Section 1. That the City of Leawood, Kansas, does hereby consent to the inclusion of the property described in Exhibit "A" within the boundaries of Tomahawk Creek Main Sewer District No. 1, Tomahawk Creek Sewer Sub-District No. 5, Johnson County, Kansas.

PASSED by the governing body this 6th day of January, 1986.

APPROVED by the Mayor this 6th day of January, 1986.




Mayor

ATTEST:



City Clerk

