RESOLUTION AUTHORIZING A LEVY, NOT TO EXCEED 2 MILLS. ANNUALLY, AND FOR A PERIOD NOT TO EXCEED TEN (10) YEARS FOR THE PURPOSE OF ESTABLISHING A BUILDING FUND IN ACCORDANCE WITH K.S.A. 12-1737.

WHEREAS, the City of Leawood (the "City") is a city of the second class as defined by K.S.A. 14-101; and

WHEREAS, the present assessed valuation of the City is Seventy-Two Million Seventy Thousand Five Hundred Six Dollars ($72,070,506), and the present population of the City is approximately Seventeen Thousand Five Hundred (17,500) people, and is expected to increase continuously within the foreseeable future; and

WHEREAS, there is a present and future need for the City to provide new, improved and/or expanded services for the governmental needs and general welfare of the present and expected future population of the City; and

WHEREAS, K.S.A. 12-1737 provides that the City may make an annual tax levy not to exceed two (2) mills for a period not to exceed ten (10) years upon all taxable tangible property in the City for the purpose of creating a building fund to be used for the purpose of acquiring sites, erecting, constructing, remodeling, expanding, and furnishing City public buildings and for improving City public buildings; and

WHEREAS, it is the opinion of the Governing Body of the City of Leawood, that it is of public utility and necessity that a resolution be adopted as authorized by law and that the building fund levy be authorized in the amount not exceeding two (2) mills for the next ten (10) years.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Leawood, Kansas, as follows:

Section 1. The City is hereby authorized, effective upon publication, to levy on all taxable tangible property in the City for the years 1989 through 1998, inclusive, an amount not to exceed two (2) mills, unless the City should choose to later sell bonds
after the second levy in an amount not to exceed the remaining
authority of up to twenty (20) mills, utilizing the procedure as set
out in K.S.A. 12-1737, for the purpose of creating a building fund
to be used for any and all purposes set out in K.S.A 12-1736 et
seq., including but not limited to:

(a) The acquisition of a site for, construction of, and
furnishing of a proposed city hall building;

(b) Improving existing buildings;

(c) The acquisition of other buildings for a public
building;

(d) The acquisition of a site for, construction of, and
furnishing of any building for public safety purposes;

(e) The acquisition of a site for, construction of, and
furnishing of any building for public works function;

(f) The acquisition of a site for, construction of, and
furnishing of any building for recreation purposes; and

(g) The acquisition of a site for, construction of, and
furnishing of any proposed City building.

The total amount of such building fund shall not exceed the
authority granted by K.S.A. 12-1737 and, in any event, shall not
exceed Three Million Dollars ($3,000,000.00).

Section 2. This resolution shall be published once each week
for two consecutive weeks in the official city newspaper. Such
levies may be made unless a petition requesting an election upon the
question, signed by electors equal in number to not less than 10% of
the electors who voted at the last preceding regular city election
as shown by the poll books, is filed with the city clerk of such
city within 60 days following the last publication of the resolu-
tion. If a valid petition is filed, the governing body shall submit
the question to the voters at an election called for that purpose or
at the next regular city election and no such levies shall be made
unless such proposition shall receive the approval of a majority of
the votes cast thereon.

Adopted by the Governing Body this 7th day of March, 198
Mayor
ATTESTED BY:

Mabel Heizer
City Clerk
RESOLUTION NO. 902

A RESOLUTION ESTABLISHING A RECREATION EMPLOYEE BENEFIT/LIABILITY FUND.

WHEREAS, the Governing Body of the City of Leawood established the Recreation Fund authorized by K.S.A. 12-1902 et seq., as amended; and

WHEREAS K.S.A. 12-1902 et seq., as amended, further authorizes the establishment of an Employee Benefit/Liability Fund for the purpose of paying the City's share of recreation employee benefits/liability to include the following:

(a) Social Security (FICA);
(b) Retirement Benefits;
(c) Worker's Compensation Benefits;
(d) Employment Security, Unemployment Compensation Benefits;
(e) Liability Insurance, Building & Premises Insurance, Equipment Floater;
(f) Health Insurance, Medical Insurance, Hospitalization Insurance, Life Insurance; and

WHEREAS, the Governing Body has determined it is in the best interest of the City to establish the Employee Benefit/Liability Fund;

NOW THEREFORE, Be It Resolved that the City of Leawood does hereby establish the Employee Benefit/Liability Fund for the purpose of paying the City's share of recreation employee benefits/liability to include the following:

(a) Social Security (FICA):
(b) Retirement Benefits;
(c) Worker's Compensation Benefits;
(d) Employment Security, Unemployment Compensation Benefits;
(e) Liability Insurance, Building & Premises Insurance, Equipment Floater;
(f) Health Insurance, Medical Insurance, Hospitalization Insurance, Life Insurance.

Adopted by the Governing Body of the City of Leawood this 7th day of March, 1988.

Marcia Rinehart, Mayor

Attest:

Martha Heizer, City Clerk
A RESOLUTION AUTHORIZING THE FILING OF A PETITION TO THE BOARD OF
COUNTY COMMISSIONERS OF JOHNSON COUNTY PURSUANT TO THE PROVISIONS
LEAWOOD OF CERTAIN TRACTS OF GROUND.

WHEREAS the City of Leawood has for many years considered an-
nexation of additional tracts of ground south of the existing
boundaries of the City of Leawood.

WHEREAS the City Council and Plan Commission of the City of
Leawood have included certain tracts of ground south of the exist-
ing boundaries of the City within the City's approved master de-
velopment plans since 1975.

WHEREAS the Council has for a number of months studied the
area south of its existing boundaries to determine what areas can
be served fully by the City of Leawood.

WHEREAS the staff of the City of Leawood has carefully stud-
ied and developed plans for the extension of services to the area
south of the existing boundaries of the City of Leawood.

WHEREAS the Governing Body has determined that the area south
of the existing boundaries of the City of Leawood, north of the
Blue River, west of the Kansas state line and east of Nall Avenue
should properly be included within the City of Leawood.

WHEREAS the City of Overland Park, Kansas, has attempted to
annex certain tracts of ground south of the current boundaries of
the City of Leawood.

WHEREAS the City of Leawood has exercised every reasonable
effort to attempt to accommodate the valid concerns and interests
of residents of the area under consideration and the valid con-
cerns and interests of the City of Overland Park.

WHEREAS the City of Overland Park has by its action rejected
all efforts of the City of Leawood to resolve any existing dis-
pute.

WHEREAS the annexation attempted by the City of Overland Park
in the areas under consideration by the City of Leawood will
hinder and prevent the proper growth and development of the City
of Leawood.

WHEREAS the annexation attempted by the City of Overland Park
is invalid and not entitled to recognition by the City of Leawood.

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

Section 1. The Governing Body of the City of Leawood does hereby
decide it advisable, pursuant to the provisions of K.S.A. 12-521(1987 Supp.) to annex to its boundaries the land generally
located south of the current boundaries of the City of Leawood,
north of the Blue River, west of the Kansas State line and east of
Nall Avenue, except as hereinafter provided.

Section 2. Be it further resolved that the petition attached hereto and incorporated herein by reference as Exhibit A, be pre-
sented to the Board of County Commissioners of the County of
Johnson, State of Kansas, in the name of the City of Leawood.

Adopted by the Governing Body this 9th day of March, 1988, at the
hour of 3:17 P.M.

By ____________________________
Marcia Rinehart
Mayor

Martha Heizer
City Clerk

RUBIE M. SCOTT
REGISTER OF DEEDS

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PETITION FOR ANNEXATION

To the Board of County Commissioners, Johnson County, Kansas:

The City of Leawood hereby respectfully asks the Board of County Commissioners of Johnson County to find that annexation of the land legally described in the attached Exhibit 1, which description is incorporated herein, should be allowed and an order entered granting the annexation of said land in the manner and according to the procedures established by K.S.A. 12-521 (1987 Supp.).

The Board of County Commissioners is further respectfully requested to fix a time for a public hearing to be held on the advisability of such annexation, said public hearing to be held not less than sixty (60) nor more than seventy (70) days following the date of presentation of this petition.

Plans for the extension of services to the land proposed to be annexed are also filed this date with the Board of County Commissioners at the time of presentation of this petition.

This petition is presented to the Board of County Commissioners, Johnson County, Kansas this _ day of March, 1988.

The City of Leawood, Kansas

by Marcia Rinehart, Mayor

Attest:

Martina Heizer, City Clerk
Beginning at a point on the Kansas and Missouri state line, said point being 863 feet south of the northeast corner of section 2 township 13 range 25; then south along the state line to a point 1731.6 feet south of the northeast corner of fractional section 11 township 14 range 25, said point being the center line of the Blue River; thence southwesterly following the meanderings of the center line of the Blue River for approximately 2 and 1/2 miles and crossing Mission Road at a point 825 feet south of the northeast corner of the southeast quarter of section 16 township 14 range 25; thence continuing along the center line of said Blue River a distance of 1.7 miles to a point on the west line of section 21 township 14 range 25; thence north along the west line of section 21 township 14 range 25 and section 16 township 14 range 25 to the northwest corner of the southwest quarter; thence east along the north line of said southwest quarter to the northeast corner of said southwest quarter; thence northerly along the east line of the northwest quarter of section 16 township 14 range 25 to the north line of said section; thence east along the north line of section 16 township 14 range 25 to the northeast corner of said section; thence north along the east line of section 9 township 14 range 25 to the northeast corner of the southeast quarter; thence west along the north line of the southeast quarter of section 9 township 14 range 25 to the west line of the east 55 acres of the northeast quarter of section 9 township 14 range 25 said point also being the
corporate limits of the City of Leawood, Kansas; thence
north along said west line to the center line of the aban-
doned Kansas City and Southern Railroad right-of-way;
thence northeasterly along the center line of the abandoned
right-of-way to the east line of section 9 township 14
range 25, also being the corporate limits of the City of
Leawood, Kansas; thence south along the east line of sec-
tion 9 township 14 range 25 to the northwest corner of the
south 110 acres of the northwest quarter of section 10
township 14 range 25; thence easterly along the north line
of the south 110 acres of section 10 township 14 range 25
to a point on the east line of said northwest quarter, also
being the corporate limits of the City of Leawood, Kansas;
thence north to the northwest corner of the southwest quar-
ter of the southeast quarter of section 3 township 14 range
25; thence east along the north line of the south half of
the southeast quarter to the west line of section 3 town-
ship 14 range 25, also being the corporate limits of the
City of Leawood, Kansas; which is also the center line of
Kenneth Road; thence north along the east line of section 3
township 14 range 25 to a point 862.81 feet south of the
northeast corner of section 3 township 14 range 25, also
being the corporate limits of the City of Leawood, Kansas;
thence east along the south line of the north 20 acres to
the point of beginning said point being the intersection of
the corporate limits of the City of Leawood, Kansas and the
Kansas and Missouri state line; and: the west 1/2 of the
northeast 1/4 except the east 15.27 acres of section 9
township 14 range 25; and: a subdivision in section 9
township 14 range 25, consisting of 30.706 acres platted as Guilford Downs. All now included in and forming a part of Johnson County, Kansas.

The area to be annexed as described hereinbefore includes but is not limited to the parcels described and identified in the attached Exhibit 1A.
Parcel 83. Section 16, Township 14, Range 25, Missouri Pacific Railroad Co. 400 Missouri Pacific Building, St. Louis, Missouri 63103 Tract 1 part of the southeast quarter, .92 acres adjacent to existing railroad right-of-way on east containing .92 acres more or less.

Parcel 84. Section 16, Township 14, Range 25, Missouri Pacific Railroad Co. 400 Missouri Pacific Building, St. Louis, Missouri 63103 Tract 2 part of the southeast one-quarter adjacent to existing railroad right-of-way on west containing .92 acres more or less.

Parcel 85. Section 16, Township 14, Range 25, Irene L. and William R. Beard, 3970 W. 163rd Terrace, Stilwell, Kansas 66085 Beginning 209 feet westerly of the northeast corner of the southeast quarter southerly 154 feet by westerly 62 feet containing .25 acres more or less.

Parcel 86. Section 16, Township 14, Range 25, Clay C. and Kay L. Blair, 5750 W. 95th St., Apt. 308, Overland Park, Kansas 66207 Part of the west half of the southeast quarter lying north of the center line of the Blue River containing 34 acres more or less.

Parcel 87. Section 21, Township 14, Range 25, G.K. Baum, et al., 1004 Baltimore Avenue, Kansas City, Missouri 64105 All that part of the northwest quarter lying north and west of the center line of the Blue River containing an unknown acreage.

Parcel 1. Section 2, Township 14, Range 25, Effertz Bros. Inc., RR 1, Box 10, Belton, Mo. 64012 130.05 acres in the west half of the fractional section except the north 20 acres west of the Missouri Pacific Railroad right-of-way containing 110.05 acres more or less.

Parcel 2. Section 3, Township 14, Range 25, Natalie W. Gray, c/o Suzanne Allen, 1202 North Jefferson St., Carrolton, Mo. 64633 The southeast quarter of the southeast quarter west of the Missouri Pacific Railroad right-of-way 26 acres more or less.

Parcel 3. Section 3, Township 14, Range 25, Harold L. Clark, 1204 W. 76th St., Kansas City, Mo. 64114 North 169 feet, south 332 feet, east 268 feet and east 200 feet south 163 feet except south 145 feet west 95 feet of the southeast quarter of the southeast quarter containing 1.456 acres more or less.

Parcel 4. Section 3, Township 14, Range 25, Buddy R. Martley, 15050 South Kenneth Road, Shawnee Mission, Kansas 66224 South 145 feet, west 95 feet, east 200 feet of the southeast quarter containing .32 acres more or less.

Parcel 5. Section 3, Township 14, Range 25, Warren and
Marilyn Magee, 3044 W. 151st Street, Shawnee Mission, Kansas 66224  Beginning southwest corner, southwest quarter, southeast quarter, east 490.5 feet, north 290.4 feet, east 150 feet south 290.4 feet, east to point 629 feet west southeast corner north to north line of section 634.25 feet west to northeast corner west to northwest corner of the quarter quarter south to beginning except part in highway except two tracts of .955 acres except 1.84 acres except 1.837 acres except 1.299 acres and except .187 acres containing 12.967 acres more or less.

Parcel 6. Section 3, Township 14, Range 25, Michael E. Coughlin, 2760 W. 151st Street, Shawnee Mission, Kansas 66224  Beginning southwest corner of the southwest quarter of the southeast quarter west 497 feet, north 290.4 feet, west 150 feet, north 1,030.35 feet, east 634.25 feet, south 1,323.65 feet to beginning containing 18.12 acres more or less.

Parcel 7. Section 3, Township 14, Range 25, MEC Development Company, Inc., c/o Michael Coughlin, 5828 Reeds Road, Mission, Kansas 66202  Beginning 690 feet east of the southwest corner of the southwest quarter of the southeast quarter north 290.4 feet by east 150 feet except part in road containing .92 acres more or less.

Parcel 8. Section 3, Township 14, Range 25, Irmal and Jerry Brown, 2910 W. 151st Street, Shawnee Mission, Kansas 66224  Beginning 490 feet east of the southwest corner of the southwest quarter of the southeast quarter north 290.4 feet east 150 feet south 290.4 feet west 150 feet to beginning except part in road containing .92 acres more or less.

Parcel 9. Section 3, Township 14, Range 25, Kenneth E. Anderson, et al, 2396 W. 151st Street, Shawnee Mission, Kansas 66224  Beginning 300 feet west of the southeast corner of the southeast quarter, north 163 feet, west 100 feet, south 163 feet east, east 100 feet to beginning containing .35 acres more or less.

Parcel 10. Section 3, Township 14, Range 25, William J. Keller, 2390 W. 151st Street, Shawnee Mission, Kansas 66224  Beginning 200 feet west of the southeast corner of the southeast quarter, north 163 feet, west 100 feet, south 163 feet, east 100 feet to beginning containing .35 acres more or less.

Parcel 11. Section 3, Township 14, Range 25, Mary A. and Carl L. Jursch, 16003 Lawrence, Belton, Mo. 64012  Beginning 400 feet west of the southeast corner of the southeast quarter, north 163 feet, west to railroad, south to public road, east to beginning except the east 63 feet containing .34 acres more or less.

Parcel 12. Section 3, Township 14, Range 25, Van Cooper, et al, c/o UMB Myron Wheeler, P.O. Box 226, Kansas City, Mo. 64141  Part of the southeast quarter of the southeast quarter lying easterly of the east line of the Missouri Pacific Rail-
road except for the south 163 feet and except for the 169 feet south 232 feet east 268 feet containing 8.994 acres more or less.

Parcel 13, Section 3, Township 14, Range 25 Robert and Donna Ford, 2906 W. 151st St., Stanley, Kansas 66223 The southwest quarter of the southeast quarter commencing at the southwest corner east along south line 640 feet, north 538 feet to the point of beginning, north 204 feet by west 204 feet containing .955 acres more or less.

Parcel 14, Section 3, Township 14, Range 25 Dennis and Donna Magee, 3050 W. 151st Street, Shawnee Mission, Kansas 66224 Beginning 488 feet north and 40 feet east of the southwest corner of the southwest quarter of the southeast quarter east 204 feet by north 204 feet containing .955 acres more or less.

Parcel 15, Section 3, Township 14, Range 25 Warren and Marilyn Magee, 3044 West 151st St., Shawnee Mission, Kansas 66224 Beginning 690 feet east and 1,091.29 feet north of the southwest corner of the southwest quarter of the southeast quarter north to .232 feet by west 345 feet containing 1.84 acres more or less.

Parcel 16, Section 3, Township 14, Range 25 Ronald O. Magee, 3060 W. 151st Street, Shawnee Mission, Kansas 66224 Beginning 924.02 feet north of the southwest corner of the southwest quarter of the southeast quarter north 400 feet by east 200 feet containing 1.837 acres more or less.

Parcel 17, Section 3, Township 14, Range 25 Kenneth E. Anderson, et al, 2396 W. 151st St., Shawnee Mission, Kansas 66224 Beginning 400 feet of the southeast corner of the southeast quarter north 163 feet by west 63 feet containing .23 acres more or less.

Parcel 18, Section 3, Township 14, Range 25 Ronald O. Magee, 3060 W. 151st St., Shawnee Mission, Kansas 66224 Beginning at the southwest corner of the southwest quarter of the southeast quarter north 692 feet to beginning east 244 feet, north 231.76 feet, west 244 feet, south 232.02 feet to beginning containing 1.299 acres more or less.

Parcel 19, Section 3, Township 14, Range 25 Robert W. Magee and Rae R. Magee, 2906 W. 151st St., Shawnee Mission, Kansas 66224 Beginning 640 east and 792 feet north of the southwest corner of the southwest quarter of the southeast quarter, north 40 feet by west 204 feet containing 1.87 acres more or less.

Parcel 20, Section 9, Township 14, Range 25 Kelly L. and Ronda S. Williams, RR 3, Shawnee Mission, Kansas 66224 Beginning at the southwest corner of the south half of the northwest quarter east 230 feet, north 189 feet, west 230 feet, south 189 feet to beginning containing 1 acre more or
Parcel 21, Section 9, Township 14, Range 25 Anthony and Anna M. Antonucci, 8974 Cedar Drive, Prairie Village, Kansas 66207 The west half of the northeast quarter except the east 15.27 acres and except 30.706 acres platted as Gilford Downs containing 34.024 acres more or less.

Parcel 22, Section 9, Township 14, Range 25 Merle and Ruby Chaney, 15600 Mission Road, Shawnee Mission, Kansas 66224 The south 40 acres of the east 55 acres of the northeast quarter and the south 50 feet of the railroad right-of-way containing 41.1 acres more or less.

Parcel 23, Section 10, Township 14, Range 25 The Ruth Corporation, c/o Dorothy Wheat, RR3 Box 201, Springhill, Kansas 66083 South 110 acres of the northwest quarter except 73.02 acres containing 36.98 acres more or less.

Parcel 24, Section 10, Township 14, Range 25 Paula J. and Bernard W. O'Donnell, 12625 South Blackfoot Drive, Olathe, Kansas 66062 Beginning 829.6 feet south of the northwest corner of the northeast quarter east 2,409.6 feet south 1,320 feet west 1,465.8 feet north 600 feet west 943.8 feet, north 720 feet to the point of beginning containing 60.02 acres more or less.

Parcel 25, Section 10, Township 14, Range 25 Larry L. and Linda L. Palmquist, 15401 Mission Road, Stanley, Kansas 66224 Beginning 1,320 feet south of the northwest corner of the northeast quarter east 943.8 feet by north 600 feet containing 13 acres more or less.

Parcel 26, Section 10, Township 14, Range 25 Ruth Corporation, c/o Dorothy Wheat, RR3, Box 201, Springhill, Kansas 66083 The northwest quarter of the southwest quarter containing 40 acres more or less.

Parcel 27, Section 10, Township 14, Range 25 Sinclair Pipeline Company, Stilwell, Kansas 66085 The northeast quarter of the southwest quarter containing 40 acres more or less.

Parcel 28, Section 10, Township 14, Range 25 Phyllis J. Breckenridge, c/o W.G. Hopkins, 16201 W. 145th Terrace, Olathe, Kansas 66062 Southwest quarter of the southwest quarter except .74 acres and except the south 416 feet west 209.42 feet and except 15.1 acres containing 22.16 acres more or less.

Parcel 29, Section 10, Township 14, Range 25 Sinclair Pipeline, Stilwell, Kansas 66085 The southeast quarter of the southwest quarter except Missouri Pacific Railroad right-of-way 38 acres more or less and except 1.62 acres to railroad containing 36.38 acres more or less.

Parcel 30, Section 10, Township 14, Range 25 Missouri Pa-
Pacific Railroad Company. Real Estate and Tax Commission, 400 Missouri Pacific Building, St. Louis, Mo. 63155 Part of the southeast quarter of the southeast quarter of the southwest quarter south easterly of the south easterly line railroad said line 50 feet south easterly of parallel to a curved line said extending southwesterly from point in north south center line section 429 feet north of the southeast corner of the southwest quarter to point in south line 598 feet west of the southeast corner except that part in road containing 1.62 acres more or less.

Parcel 31, Section 10, Township 14, Range 25 Robert L. and Doris M. White, 15835 Mission Road, Stanley, Kansas 66224 North 170 feet, south 586 feet, west 190 feet of the southwest quarter of the southwest quarter containing .74 acres more or less.

Parcel 32, Section 10, Township 14, Range 25 Lawrence Jr. and Effie M. England, 15855 Mission Road, Shawnee Mission, Kansas 66224 The south 416 feet of the west 209.42 feet of the southwest quarter, except part in road containing 2 acres more or less.

Parcel 33, Section 10, Township 14, Range 25 Lawrence Jr. and Effie M. England, 15855 Mission Road, Stanley, Kansas 66224 Beginning south line southwest quarter 209.42 feet east of the southwest corner east 1,113.05 feet to the south-east corner of the southwest quarter of the southwest quarter north 586 feet, west 1,132.2 feet to a point being 190 feet east of the west line south 170 feet, east 19.42 feet, south 416 feet to the point of beginning except for the part in roads containing 15.1 acres more or less.

Parcel 34, Section 10, Township 14, Range 25 Effertz Bros., RR 1, Box 10, Belton, Missouri 64012 Part of the southeast quarter of the northeast quarter formerly lots 58 thru 64 of Mastin Gardens now vacated and part of the northeast quarter of the southeast quarter formerly lots 88 thru 91 Mastin Gardens now vacated containing 58.4 acres more or less.

Parcel 35, Section 10, Township 14, Range 25 Lacy and Co., c/o James T. Lacy, 4901 Main Street, Suite 416, Kansas City, Missouri 64112 Part of the northeast quarter of the northeast quarter being all of block 1 Mastin Gardens now vacated containing 2.1 acres more or less.

Parcel 36, Section 10, Township 14, Range 25 Blue River Main Sewer District No.1, 6000 Lamar, Shawnee Mission, Kansas 66201 The north half of the northeast quarter lying south of abandoned railroad right-of-way except the Missouri Pacific right-of-way and all of the south half of the northeast quarter west of the railroad right-of-way except 21.385 acres in the north half lying east of the Missouri Pacific right-of-way containing 88.415 acres more or less.

Parcel 37, Section 10, Township 14, Range 25 Alice J. Gaede
and Susan L. Stone, 3045 W. 151st Street, Stanley, Kansas 66224 The westerly 156.3 feet of lot 31 and vacated right-of-way adjacent on south of Mastin Gardens now vacated a part of the northeast quarter containing .807 acres more or less.

Parcel 38, Section 10, Township 14, Range 25 Lawrence G. Wise, 15315 Kenneth Road, Shawnee Mission, Kansas 66224 The east 636.09 feet of lot 30 Mastin Gardens now vacated in the northeast quarter and north 50 feet of the railroad right-of-way adjacent on south containing 2.92 acres more or less.

Parcel 39, Section 10, Township 14, Range 25 Steven C. Gaede and Susan L. Stone, 3045 W. 151st Street, Stanley, Kansas 66223 Beginning 156.3 feet east of the northwest corner of lot 31 Mastin Gardens now vacated east 90 feet, south 204.91 feet, west 90.61 feet, north 215.34 feet a part of the northeast quarter and vacated railroad right-of-way to the south containing .43 acres more or less.

Parcel 40, Section 10, Township 14, Range 25 Joyce Mason, 3005 W. 151st Street, Stanley, Kansas 66224 Beginning 246.3 feet east of the northwest corner of vacated lot 31 Mastin Gardens east 201.56 feet, south 181.55 feet to center line of vacated railroad right-of-way, southwesterly 202.92 feet, north 204.91 feet to beginning point of the northeast quarter containing 1 acre more or less.

Parcel 41, Section 10, Township 14, Range 25 Otis J. and Jessie Ray, 2915 W. 151st Street, Overland Park, Kansas 66224 Part of Lots 30 and 31 Mastin Gardens now vacated part of the northeast quarter beginning 447.86 feet east of the northwest corner lot 31 east 235.45 feet south 156.69 feet to point in the center line of the vacated railroad right-of-way southwest on curve 237.66 feet north 181.55 feet to beginning 1 acre more or less.

Parcel 42, Section 10, Township 14, Range 25 Blue River Main Sewer District No. 1, 6000 Lamar, Shawnee Mission, Kansas 66201 Part of the northeast quarter of the northeast quarter formerly lots 3, 4, and 5 of Mastin Gardens now vacated Block 2 containing 1/2 acre more or less.

Parcel 43, Section 10, Township 14, Range 25 Blue River Main Sewer District, 6000 Lamar, Shawnee Mission, Kansas 66201 A tract in the northwest corner of the northeast quarter of the northeast quarter formerly known as Lot 29 Mastin Gardens now vacated containing .573 acres more or less.

Parcel 44, Section 10, Township 14, Range 25 Blue River Main Sewer District, 6000 Lamar, Shawnee Mission, Kansas 66201 Beginning 242.73 feet south of the northeast corner of the northeast quarter south 1,083.45 feet west 1,034.6 feet to a point on the east line on the Missouri Pacific
right-of-way northeast along said right-of-way to 1,175.02 feet to the center line of the abandoned railroad right-of-way east 658.45 feet to the point of beginning containing 21.385 acres more or less.

Parcel 45, Section 10, Township 14, Range 25 Anderson Ridge Farms Inc., RR3, Box 201, Springhill, Kansas 66083 The north half of the southeast quarter except 20.2 acres and except part lying west of railroad right-of-way containing 36.11 acres more or less.

Parcel 46, Section 10, Township 14, Range 25 Anderson Ridge Farms Inc., RR1, Denton, Kansas 66017 The southeast quarter of southeast quarter except 16.4 acres south and east of the Blue River and except for 3.64 acres conditional for road right-of-way containing 19.96 acres more or less.

Parcel 47, Section 10, Township 14, Range 25 Melvin L. and Susan K. Briggs, 3401 W. 159th Street, Stanley, Kansas 66224 The southwest quarter of the southeast quarter except 2.54 acres in railroad right-of-way and except 4.44 acres to railroad containing 33.02 acres more or less contested.

Parcel 48, Section 10, Township 14, Range 25 Missouri Pacific Railroad Co., Real Estate and Tax Commission, 400 Missouri Pacific Building, St. Louis, Mo. 63155 Beginning southwest corner of the southeast quarter easterly 68 feet northeasterly 518 feet northeasterly on a curve 975 feet to point 593 feet west of the northeast corner southwest quarter of the southeast quarter westerly 27 feet southwesterly on right-of-way to point on west line of the southeast quarter southerly 360.1 feet to the point of beginning containing 4.08 acres more or less.

Parcel 49, Section 10, Township 14, Range 25 Missouri Pacific Railroad Co., Real Estate and Tax Commission, 400 Missouri Pacific Building, St. Louis, Mo. 63103 Beginning 25 feet north and 350 feet east of the southwest corner of the southeast quarter southerly 25 feet to the south line of the section westerly 282 feet to a point on the southeasterly line of above tract northeasterly 104 feet, southeasterly 233 feet to beginning containing .36 acres more or less for roadway.

Parcel 50, Section 10, Township 14, Range 25 St. Peters Church of Kansas City, c/o of German Evangelical, 700 E. 110th Street, Kansas City, Missouri 64131 Part of the southeast quarter of the southeast quarter north and east of Blue River 17.4 acres formerly described as Lots 94 and 113 Mastin Gardens now vacated containing 4.59 acres more or less.

Parcel 51, Section 10, Township 14, Range 25 Board of County Commissioners, Courthouse, Olathe, Kansas 66061 Beginning 1,687.05 feet north and 20 feet west of the southeast corner of the southeast quarter southwest 279.93 feet, 246.65 feet,
South 397.51 feet, southwest 180.45 feet, 423.61 feet and 534.45 feet, northwest 30 feet, northeast 221.52 feet, northeast on curve 534.38 feet, northeast 656.05 feet and 525.09 feet to beginning containing 3.64 acres more or less for road right-of-way.

Parcel 52, Section 10, Township 14, Range 25 Blue River Sewer District No. 1, c/o of Johnson County Unified Sewer District, P.O. Box 39, Shawnee Mission, Kansas 66201 All of the north half of the southeast quarter lying west of the railroad right-of-way containing 23.69 acres more or less.

Parcel 53, Section 11, Township 14, Range 25 Beulah V. York, et al, 15105 South Kenneth Road, Shawnee Mission, Kansas 66224 Beginning at the northwest corner of the northwest quarter east 625 feet south 200 feet westerly along right-of-way to west line north 173 and 1/2 feet to beginning and northerly 1/2 railroad right-of-way adjacent to south line containing 3.2 acres Hallissey Subdivision.

Parcel 54, Section 11, Township 14, Range 25 Diana F. Miskell, c/o Anita F. Roberts, RR3, Box 251, Stanley, Kansas 66223 496.8 feet by 577.4 feet beginning, 293.2 feet south of the northeast corner of Lot 1 and a 50 foot strip on the north containing 6.41 acres in Hallissey Subdivision.

Parcel 55, Section 11, Township 14, Range 25 James D. and Connie L. Dunleavy, 6750 W. 194th Street, Stilwell, Kansas 66085 Beginning 739.4 feet south of the northwest corner, south 376.9 feet, east 577.4 feet, north 376.9 feet, west 577.8 feet to the point of beginning, Lot 2 Hallissey Subdivision except 1 acre containing 4 acres more or less.

Parcel 56, Section 11, Township 14, Range 25 Betty J. and Lawrence G. Wise, 15315 South Kenneth Road, Shawnee Mission, Kansas 66224 Beginning 1,116.3 feet south of the northwest corner of section south 376 feet, east 537.5 feet, east 40 feet, north 362 feet, west 577.4 feet known as Lot 3, Hallissey Subdivision containing 4.99 acres more or less.

Parcel 57, Section 11, Township 14, Range 25 Effertz Bros. Inc., RR1 Box 10, Belton, Missouri 64012 Beginning 1,493.2 feet south of northwest corner south 1,310 feet, east 175 feet, north along river, west 537.5 feet known as Lot 4, Hallissey Subdivision containing 5 acres more or less.

Parcel 58, Section 11, Township 14, Range 25 Howard J. and Pauline J. Chapman, 15535 South Kenneth Road, Shawnee Mission, Kansas 66224 Beginning 2,803.3 feet south of the northwest corner, south 950 feet east and north along river, west 175 feet to beginning, Lot 5 Hallissey Subdivision containing 5 acres more or less.

Parcel 59, Section 11, Township 14, Range 25 Effertz Bros. Inc., RR1 Box 10, Belton, Mo. 64012 18.08 acres in a
northwest quarter of the fractional section east of Hallissey
Subdivision and north of the Blue River except beginning 875
feet east of the northwest corner south 100 feet by east 100
feet containing 17.85 acres more or less.

Parcel 60. Section 11, Township 14, Range 25 Rural Water
District No. 2, Box 276, Shawnee Mission, Kansas 66223
Beginning 875 feet east of the northwest corner of the north-
west quarter of the fractional section south 100 feet by east
100 feet containing .23 acres more or less.

Parcel 61. Section 11, Township 14, Range 25 Carl Jr. and
Katherine Mars, 15209 S. Kenneth Road, Shawnee Mission, Kan-
sas 66224 Beginning 739.4 feet south of the northwest cor-
er of the northwest quarter, east 453.74 feet, south 96
feet, west 453.74 feet, north 96 feet to the beginning con-
taining 1 acre more or less.

Parcel 62. Section 15, Township 14, Range 25 Nell S.
Brekenridge, c/o C.E. Engelman, 2000 W. 68th Street, Shawnee
Mission, Kansas 66208 Church tract beginning 943 feet west
of the northeast corner of the northeast quarter, south 110
feet to railroad right-of-way, southwest along right-of-way
150 feet, north 180 feet, east to beginning containing .5
acres more or less.

Parcel 63. Section 15, Township 14, Range 25 Paul Schmidt
Trustee, 4420 Madison, Kansas City, Missouri 64111 Tract A
beginning northwest corner of the northwest quarter south
1,502.88 feet to the north line of railroad right-of-way
northeast along right-of-way 1,530.52 feet and 966.64 feet to
the north line, west 1,940.63 feet to the point of beginning
except .5 acres in church tract containing 26.299 acres more
or less.

Parcel 64. Section 15, Township 14, Range 25 Melvin L.
Briggs, 3401 W. 159th Street, Stanley, Kansas 66223
All that part of the north half of the northwest quarter ly-
ing north of the Blue River and lying southeast of the Mis-
souri Pacific right-of-way and lying south of 159th Street
except 4.9 acres containing an unknown acreage.

Parcel 65. Section 15, Township 14, Range 25 Melvin L.
Briggs, 3401 W. 159th Street, Stanley, Kansas 66223
Part of the north half of the northwest quarter beginning on
the south right-of-way line of the railroad right-of-way
1,025 feet southwest of the north line, southeast 150 feet,
southwest 400 feet, southeast 150 feet, to the center line of
the Blue River, southwest along the center line of the Blue
River 250 feet and west 350 feet, southwest 100 feet and 200
feet to the south line, west 40.52 feet to the southeast
right-of-way line of the Missouri Pacific Railroad
right-of-way northeast along right-of-way 1,328 feet to the
point of beginning containing 4.9 acres more or less.

Parcel 66. Section 15, Township 14, Range 25 Melvin L. and
Susan K. Briggs, 3401 W. 159th Street, Stanley, Kansas 66224  
Beginning 395 feet north of the southwest corner of the northwest quarter, east 266.11 feet, northwest 126.62 feet, northeast 12.34 feet, west 237.99 feet, south 135 feet to the point of beginning containing .8247 acres more or less.

Parcel 67, Section 15, Township 14, Range 25 Melvin L. and Susan K. Briggs, 3401 W. 159th Street, Stanley, Kansas 66224  
Beginning 530 feet north of the southwest corner of the northeast quarter, east 237.99 feet, northeast 135.99 feet, north 665.4 feet, west 40.52 feet, to easterly right-of-way of railroad, southerly 449.48 feet, south 418.67 feet to the point of beginning containing 2.9614 acres more or less.

Parcel 68, Section 15, Township 14, Range 25 Melvin L. and Susan K. Briggs, 3401 W. 159th Street, Stanley, Kansas 66224  
Beginning at the northwest corner of the southwest quarter south 825 feet to the center line of the Blue River, east 289.81 feet, and 120.13 feet, northeast 123.95 feet, and 173.85 feet, and 221.47 feet, and 101.2 feet northwest 102.34 feet, westerly 312.48 feet, northwest 203.19 feet, and 50.73 feet, west 266.11 feet, south 395 feet to the point of beginning containing 16.2139 acres more or less.

Parcel 69, Section 16, Township 14, Range 25 Johnson County Stanley Venture, 5750 West 95th Street, Apt.308, Overland Park, Kansas 66207  
The southwest quarter being 2,649.69 feet on the west, 2,652.54 feet on the north, 2,652.6 feet on the east, and 2,659.22 feet on the south except beginning in the northwest corner south 932.55 feet by east 782 feet and except all that part lying south and east of the Blue River containing 139.63 acres more or less.

Parcel 70, Section 16, Township 14, Range 25 David E. and Gloria A. Swanholm, P.O.Box 12911, Overland Park, Kansas 66212  
Beginning 759 feet south of the northwest corner of the southwest quarter, east 502 feet by south 173.55 feet subject to street containing 2 acres more or less.

Parcel 71, Section 16, Township 14, Range 25 Fantasia Farms, 5750 W. 95th Street, Apartment 308, Overland Park, Kansas 66207  
Beginning at the northwest corner of the southwest quarter south 759 feet, east 502 feet, south 173.55 feet, east 280 feet, north 932.55 feet, west 782 feet to beginning subject to street containing 14.74 acres more or less.

Parcel 72, Section 16, Township 14, Range 25 Nell S. Breckenridge, c/o Shirley B. Rice, 3628 Blue Ridge, Dallas, Texas 75233  
The east half of the northeast quarter, except 4.42 acres more or less and except 15 acres containing 57.86 acres more or less.

Parcel 73, Section 16, Township 14, Range 25 Clay C. and Kay L. Blair, 5750 W. 95th Street, Apartment 308, Overland Park, Kansas 66207  
Beginning 1,632.84 feet south of the
northwest corner of the northeast quarter, east 1,333.7 feet, south 1,019.02 feet, west 1,333.44 feet, north 1,019.21 feet to the beginning 31.2 acres more or less.

Parcel 74, Section 16, Township 14, Range 25 Lirel and Sharon Holt, 16200 Mission Road, Stilwell, Kansas 66085
Beginning at the southeast corner of the northeast quarter, north along the east line 948.67 feet to point where Missouri Pacific right-of-way intersects with section line, southwest along easterly boundary line of right-of-way to point where the same intersects with the south boundary line of the quarter section, east 389.46 feet to the beginning containing 4.42 acres more or less.

Parcel 75, Section 16, Township 14, Range 25 South Leawood Investors, 3916 W. 142nd Drive, Leawood, Kansas 66224
Beginning in the northwest corner of the east half of the northeast quarter, east 660 feet by south 990 feet containing 15 acres more or less.

Parcel 76, Section 16, Township 14, Range 25 Clay C. and Kay L. Blair, 5750 W. 95th Street, Apartment 308, Overland Park, Kansas 66207
The south 10 acres of the north 1,632.8 feet of the west half of the northeast quarter, containing 10 acres more or less.

Parcel 77, Section 16, Township 14, Range 25 Donald L. Breihan, et al., 2377 King Arthur Court, LaJolla, California, 92037
The north 40 acres of the north 1,632.8 feet of the west half of the northeast quarter containing 40 acres more or less.

Parcel 78, Section 16, Township 14, Range 25 J.A. Kobularcik, RR2, Box 156E, Mountain Home, Arizona, 86440
Beginning 271 feet west of the northeast corner of the southeast quarter, south 154 feet by west 61 feet, containing .25 acres more or less.

Parcel 79, Section 16, Township 14, Range 25 Rickey V. Ray, 16310 Mission Road, Stilwell, Kansas 66085
The north 154 feet, east 112 feet of the southeast quarter, containing .4 acres more or less.

Parcel 80, Section 16, Township 14, Range 25 Patrick D. and Karla G. McClarey, 3950 W. 163rd Street, Stilwell, Kansas 66085
Beginning 112 feet west of the northeast corner of the southeast quarter, south 154 feet, west 97 feet, north 154 feet, east 97 feet to beginning containing .34 acres more or less.

Parcel 81, Section 16, Township 14, Range 25 Kuhlman Die Casting Co., P.O.Box 23218, Stanley, Kansas 66223
38.81 acres of the southeast quarter except .25 acres, except .298 acres, except two tracts to railroad containing 36.422 acres more or less.
Parcel 82, Section 16, Township 14, Range 25
Sidney M. O'Keefe, c/o Ronald D. Fish, 4016 W. 163rd Street, Stilwell, Kansas 66085
Beginning 332 feet westerly in the northeast corner of the southeast quarter, southerly 154 feet, westerly 112.8 feet, northeasterly 166.2 feet, easterly 54.8 feet to beginning containing .298 acres more or less.

Parcel 88, Section 9, Township 14, Range 25
That subdivision consisting of 30.706 acres more or less platted known as Gilford Downs.
RECEIVED FROM Officer Mitchell Leawood Police Dept
Envelope Addressed To The Board of County Commissioners DOLLARS

Account Total $  
Amount Paid  
Balance Due $  

'The Efficiency® Line An Ampad Product - 23-121

Total $ 10864
03/04/88 2330 Hours 1988

Signature
Chief Cox,

The City's package was delivered to the JOCOSO Watch Commander, Larry Jones at 2330 hours, 03-09-88.

The receipt for the package is attached.

Respectfully,

S. Mitchell #116
Sergeant
MEMO
BOARD OF COUNTY COMMISSIONERS

DATE March 10, 1988

The attached Leawood Resolution No. 903 along with attachments was received in the Board of County Commissioners Office at 7:50 a.m. by Charolette L. Barnette, Administrative Secretary.

By Charolette L. Barnette.
RESOLUTION NO. 903

A RESOLUTION AUTHORIZING THE FILING OF A PETITION TO THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY PURSUANT TO THE PROVISIONS OF K.S.A. 12-521 (1987 Supp.) FOR ANNEXATION BY THE CITY OF LEAWOOD OF CERTAIN TRACTS OF GROUND.

WHEREAS the City of Leawood has for many years considered annexation of additional tracts of ground south of the existing boundaries of the City of Leawood.

WHEREAS the City Council and Plan Commission of the City of Leawood have included certain tracts of ground south of the existing boundaries of the City within the City's approved master development plans since 1975.

WHEREAS the Council has for a number of months studied the area south of its existing boundaries to determine what areas can be served fully by the City of Leawood.

WHEREAS the staff of the City of Leawood has carefully studied and developed plans for the extension of services to the area south of the existing boundaries of the City of Leawood.

WHEREAS the Governing Body has determined that the area south of the existing boundaries of the City of Leawood, north of the Blue River, west of the Kansas state line and east of Nall Avenue should properly be included within the City of Leawood.

WHEREAS the City of Overland Park, Kansas, has attempted to annex certain tracts of ground south of the current boundaries of the City of Leawood.

WHEREAS the City of Leawood has exercised every reasonable effort to attempt to accommodate the valid concerns and interests of residents of the area under consideration and the valid concerns and interests of the City of Overland Park.

WHEREAS the City of Overland Park has by its action rejected all efforts of the City of Leawood to resolve any existing dispute.

WHEREAS the annexation attempted by the City of Overland Park in the areas under consideration by the City of Leawood will hinder and prevent the proper growth and development of the City of Leawood.

WHEREAS the annexation attempted by the City of Overland Park is invalid and not entitled to recognition by the City of Leawood.

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

Section 1. The Governing Body of the City of Leawood does hereby deem it advisable, pursuant to the provisions of K.S.A. 12-521 (1987 Supp.) to annex to its boundaries the land generally located south of the current boundaries of the City of Leawood, north of the Blue River, west of the Kansas State line and east of Nall Avenue, except as hereinafter provided.

Section 2. Be it further resolved that the petition attached hereto and incorporated herein by reference as Exhibit A, be presented to the Board of County Commissioners of the County of Johnson, State of Kansas, in the name of the City of Leawood.

Adopted by the Governing Body this 9th day of March, 1988, at the hour of 10:17 a.m.

Marcia Rinehart
Mayor

Attest:

Martha Helzer
City Clerk
PETITION FOR ANNEXATION

To the Board of County Commissioners, Johnson County, Kansas:

The City of Leawood hereby respectfully asks the Board of County Commissioners of Johnson County to find that annexation of the land legally described in the attached Exhibit 1, which description is incorporated herein, should be allowed and an order entered granting the annexation of said land in the manner and according to the procedures established by K.S.A. 12-521 (1987 Supp.).

The Board of County Commissioners is further respectfully requested to fix a time for a public hearing to be held on the advisability of such annexation, said public hearing to be held not less than sixty (60) nor more than seventy (70) days following the date of presentation of this petition.

Plans for the extension of services to the land proposed to be annexed are also filed this date with the Board of County Commissioners at the time of presentation of this petition.

This petition is presented to the Board of County Commissioners, Johnson County, Kansas this day of March, 1988.

The City of Leawood, Kansas

by Marcia Rinehart, Mayor

Attest: Martha Heizer, City Clerk
RESOLUTION NO. 904

RESOLUTION OF INTENT TO DEVELOP A SITE ALONG THE TOMAHAWK CREEK PARKWAY FOR A POSSIBLE FUTURE CITY HALL AND OTHER MUNICIPAL FACILITIES.

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

That the City Staff is hereby authorized to proceed with preliminary planning to develop a site along the Tomahawk Creek Parkway as a site for a possible future City Hall and other municipal facilities.

Adopted by the Governing Body this 14th day of March, 1988.

Marcia Rinehart  Mayor

Attest:

Martha Heizer  City Clerk
RESOLUTION NO. 905
A RESOLUTION AUTHORIZING THE FILING OF A PETITION TO THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY PURSUANT TO THE PROVISIONS OF K.S.A. 12-521 (1987 Supp.) FOR ANNEXATION BY THE CITY OF LEAWOOD OF CERTAIN TRACTS OF GROUND.

WHEREAS the City of Leawood has for many years considered annexation of additional tracts of ground south of the existing boundaries of the City of Leawood.

WHEREAS the City Council and Plan Commission of the City of Leawood have included certain tracts of ground south of the existing boundaries of the City within the City's approved master development plans since 1975.

WHEREAS the Council has for a number of months studied the area south of its existing boundaries to determine what areas can be served fully by the City of Leawood.

WHEREAS the staff of the City of Leawood has carefully studied and developed plans for the extension of services to the area south of the existing boundaries of the City of Leawood.

WHEREAS the Governing Body has determined that the area south of the existing boundaries of the City of Leawood, north of the Blue River, west of the Kansas state line and east of Nall Avenue should properly be included within the City of Leawood.

WHEREAS the City of Overland Park, Kansas, has attempted to annex certain tracts of ground south of the current boundaries of the City of Leawood.

WHEREAS the City of Leawood has exercised every reasonable effort to attempt to accommodate the valid concerns and interests of residents of the area under consideration and the valid concerns and interests of the City of Overland Park.

WHEREAS the City of Overland Park has by its action rejected all efforts of the City of Leawood to resolve any existing dispute.

WHEREAS the annexation attempted by the City of Overland Park in the areas under consideration by the City of Leawood will hinder and prevent the proper growth and development of the City of Leawood.

WHEREAS the annexation attempted by the City of Overland Park is invalid and not entitled to recognition by the City of Leawood.

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

Section 1. The Governing Body of the City of Leawood does hereby deem it advisable, pursuant to the provisions of K.S.A. 12-521 (1987 Supp.) to annex to its boundaries the following described tracts of ground:

Tract 1: Southeast quarter of Section 9, Township 14, Range 25 containing 160 acres more or less.

Tract 2: Northwest quarter of Section 16, Township 14, Range 25 containing 160 acres more or less.

Section 2. Be it further resolved that the petition attached hereto and incorporated herein by reference as Exhibit A, be presented to the Board of County Commissioners of the County of Johnson, State of Kansas, in the name of the City of Leawood.

Adopted by the Governing Body this 17th day of March, 1988.

[Signature]
Mayor

[Signature]
City Clerk

1.777762/V

RESOLUTION NO. 905
EXHIBIT A

PETITION FOR ANNEXATION

To the Board of County Commissioners, Johnson County, Kansas:

The City of Leawood hereby respectfully asks the Board of County Commissioners of Johnson County to find that annexation of the land legally described in the attached Exhibit 1, which description is incorporated herein, should be allowed and an order entered granting the annexation of said land in the manner and according to the procedures established by K.S.A. 12-521 (1987 Supp.).

The Board of County Commissioners is further respectfully requested to fix a time for a public hearing to be held on the advisability of such annexation, said public hearing to be held not less than sixty (60) nor more than seventy (70) days following the date of presentation of this petition.

Plans for the extension of services to the land proposed to be annexed are also filed this date with the Board of County Commissioners at the time of presentation of this petition.

This petition is presented to the Board of County Commissioners, Johnson County, Kansas, this 17th day of March, 1988.

The City of Leawood, Kansas

by ____________________________
   Martia Ringlehart, Mayor

Attest:

______________________________
Martha Heizer, City Clerk

STATE OF KANSAS
COUNTY OF JOHNSON

FILED FOR RECORD

1988 MAR 21 A 9 20 3
RUDY M. SCOTT
REGISTER OF DEEDS

RY DEF

VOL 2759 PAGE 162
EXHIBIT 1

TRACT 1: Southeast quarter of Section 9, Township 14, Range 25 containing 160 acres more or less.

TRACT 2: Northwest quarter of Section 16, Township 14, Range 25 containing 160 acres more or less.
MEMO
BOARD OF COUNTY COMMISSIONERS

DATE March 17, 1988

The attached Leawood Resolution No. 905, plus attachments, was received in the Board of County Commissioners Office at 9:10 a.m. by Charolette L. Barnette, Administrative Secretary.

BY Charolette L. Barnette
RESOLUTION NO. 905

A RESOLUTION AUTHORIZING THE FILING OF A PETITION TO THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY PURSUANT TO THE PROVISIONS OF K.S.A. 12-521 (1987 Supp.) FOR ANNEXATION BY THE CITY OF LEAWOOD OF CERTAIN TRACTS OF GROUND.

WHEREAS the City of Leawood has for many years considered annexation of additional tracts of ground south of the existing boundaries of the City of Leawood.

WHEREAS the City Council and Plan Commission of the City of Leawood have included certain tracts of ground south of the existing boundaries of the City within the City's approved master development plans since 1975.

WHEREAS the Council has for a number of months studied the area south of its existing boundaries to determine what areas can be served fully by the City of Leawood.

WHEREAS the staff of the City of Leawood has carefully studied and developed plans for the extension of services to the area south of the existing boundaries of the City of Leawood.

WHEREAS the Governing Body has determined that the area south of the existing boundaries of the City of Leawood, north of the Blue River, west of the Kansas state line and east of Nall Avenue should properly be included within the City of Leawood.

WHEREAS the City of Overland Park, Kansas, has attempted to annex certain tracts of ground south of the current boundaries of the City of Leawood.

WHEREAS the City of Leawood has exercised every reasonable effort to attempt to accommodate the valid concerns and interests of residents of the area under consideration and the valid concerns and interests of the City of Overland Park.

WHEREAS the City of Overland Park has by its action rejected all efforts of the City of Leawood to resolve any existing dispute.

WHEREAS the annexation attempted by the City of Overland Park in the areas under consideration by the City of Leawood will hinder and prevent the proper growth and development of the City of Leawood.

WHEREAS the annexation attempted by the City of Overland Park is invalid and not entitled to recognition by the City of Leawood.

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

Section 1. The Governing Body of the City of Leawood does hereby deem it advisable, pursuant to the provisions of K.S.A. 12-521 (1987 Supp.) to annex to its boundaries the following described tracts of ground:

Tract 1: Southeast quarter of Section 9, Township 14, Range 25 containing 160 acres more or less.

Tract 2: Northwest quarter of Section 16, Township 14, Range 25 containing 160 acres more or less.

Section 2. Be it further resolved that the petition attached hereto and incorporated herein by reference as Exhibit A, be presented to the Board of County Commissioners of the County of Johnson, State of Kansas, in the name of the City of Leawood.

Adopted by the Governing Body this 17th day of March, 1988.

Attest:

Marcia Rinehart
Mayor

Martha Heizer
City Clerk
EXHIBIT A

PETITION FOR ANNEXATION

To the Board of County Commissioners, Johnson County, Kansas:

The City of Leawood hereby respectfully asks the Board of County Commissioners of Johnson County to find that annexation of the land legally described in the attached Exhibit 1, which description is incorporated herein, should be allowed and an order entered granting the annexation of said land in the manner and according to the procedures established by K.S.A. 12-521 (1987 Supp.).

The Board of County Commissioners is further respectfully requested to fix a time for a public hearing to be held on the advisability of such annexation, said public hearing to be held not less than sixty (60) nor more than seventy (70) days following the date of presentation of this petition.

Plans for the extension of services to the land proposed to be annexed are also filed this date with the Board of County Commissioners at the time of presentation of this petition.

This petition is presented to the Board of County Commissioners, Johnson County, Kansas, this 17th day of March, 1988.

The City of Leawood, Kansas

by Marcin Rinehart, Mayor

Attest:

Martha Heizer, City Clerk
RESOLUTION NO. 906

BE IT RESOLVED that amendments, attached hereto, to PERSONNEL RULES AND REGULATIONS, as adopted by the "Code of the City of Leawood, 1984", and as from time to time amended, are hereby approved by the Governing Body of the City of Leawood, Kansas, and made a part of the official document as of this date.

Adopted by the Governing Body this 28th day of March, 1988.

(S.E.A.L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
March 24, 1988

MEMO

TO: Mayor, City Council

FROM: Julie Baer, Assistant City Administrator

SUBJECT: Personnel Rules and Regulations

Periodically the City Personnel Rules and Regulations are reviewed to be sure that rules are in compliance with federal and state laws, to make sure that our practices are consistent with affirmative action and EEOC laws and to make general changes that may be appropriate. The City of Leawood Personnel Rules and Regulations are a part of the code of the City and therefore all changes must be adopted by a Council resolution.

The proposed changes to the Personnel Rules and Regulations are listed below. Changes are either highlighted or explained individually.

1. The definition of "Immediate Family" will have the word "OR" inserted and will read as follows:

   Any spouse, children, mother, father, sister, brother, mother-in-law, father-in-law, blood OR a blood relative who reside on the premises of the employee.

2. The following definitions will be added and will read as follows:

   WORK PERIOD

   The number of days/hours which must be worked prior to any consideration for payment of overtime or compensatory time. Work periods will be defined by department and position and will be 37 1/2, 40, or 48 hours worked in seven days or 212 hours worked in 28 days.

   COMPENSATION

   The total remuneration authorized for each employee based on the City pay plan, length of service and performance. Rates of compensation are STRAIGHT TIME (1 times the hourly rate an employee receives for all hours works within his/her assigned work period),
OVERTIME (1 & 1/2 times the hourly rate an employee receives for all hours worked in excess of his/her regular work period, and COMPENSATORY TIME (1 & 1/2 hours off from work for each hour worked in excess of an employee's regular work period).

3. The following section of the rules and regulations will be moved from its present position under section 5.7 BEGINNING SALARY and added to section 9.1 VACANCIES:

A full reference check must be made by the requisitioning department with the aid of the Personnel Department and be fully documented. All documents are to be submitted to the Director of Personnel.

4. The following statement will be added to section 5.8 (d), DEMOTION-VOLUNTARY:

In no case will the employee's pay be reduced below the amount he/she would have been making had the promotion not taken effect. This will be determined by the employee's past performance evaluation.

5. The following example will be added to section 5.10 TEMPORARY DESIGNATION TO AN ACTING POSITION:

Employees whose job description establish the fact that their position will act in a supervisory capacity on short-term assignments (ie: sick leave, vacation) are not entitled to Out of Class Pay. Examples of this type of position are Corporals acting for Sergeants in the Police Department and Engineer/EMT's acting for Captains in the Fire Department.

6. The following changes will be made under section 5.11 OVERTIME/COMPENSATORY TIME:

Section (A)

Employees shall be paid for time worked in excess of his/her regular work period (as defined by position) at the rate of 1 & 1/2 times their normal hourly rate of pay. Employees will be compensated for all hours worked at straight time or their normal rate of pay however, overtime at the rate of 1 & 1/2 an employee's normal hourly rate will be awarded ONLY in the case where hours actually worked exceed the number of hours in an assigned worked period.
Section (C)

Compensatory time will be paid in full to any employee in the event he/she is promoted or is placed in an "EXEMPT" position. This payment will be at the rate the employee was paid prior to his/her promotion. Compensatory time may also be paid in full at the request of the employee with the approval of the Department Head.

7. Section 5.13 TRAVEL ALLOWANCES will be revised by replacing the existing policy with the City's new Travel and Meeting Reimbursement Policy. (See attached copy)

8. Section 11.2 will change. Actual holidays will no longer be named but referred to by Council Resolution. This change will take place to better reflect the policy the Governing Body sets each year. The Governing Body currently establishes the official City holidays by resolution annually at the first meeting in December.

9. Section 11.3 PERSONAL LEAVE DAY will be changed as follows:

Employees who are with the City prior to January 1 of each year will receive all Personal Leave Days (as approved by City Council) in full. Individuals who are newly employed with the City will accumulate their Personal Leave Days on a prorata basis and accumulated quarterly based on their employment date. Once accumulated, the personal leave day may be taken at any time with departmental approval.

10. From this point on, an employee's anniversary date for merit evaluation purposes will change when that person is promoted. The new anniversary date will be the effective date of the promotion. When an employee is promoted, he/she will be evaluated on their performance in their position prior to the promotion and the amount awarded will be prorated based on the number of months that have elapsed since the employee's last performance evaluation. At the same time, the employee will receive a 7% increase for promotional purposes or an increase which will place him/her at the minimum of their new salary range, whichever is greater.
These proposed changes will "clean up" if you will some issues which we need to address for clarification and to stay current. Should you have any questions, please call.
CITY OF LEAWOOD

CITY TRAVEL & MEETING/MEAL EXPENSE REIMBURSEMENT POLICY

Purpose of Policy

This policy governs reimbursement for authorized travel and meeting/meal expenses for all elected officials, appointed officials and City employees who travel or attend functions on official City business, professional meetings, conferences or training sessions which promote the overall job knowledge and comprehension of the individual. It is appropriate that this type of expenditure of public funds be carefully guided in order to permit a clear understanding by all concerned.

Policy Statement

The City of Leawood will reimburse transportation, lodging, food and other related expenses that pertain to authorized City-related business for all elected officials, appointed board or commission members, and City employees.

1. The City Administrator, after Department Head approval will review and approve all requests for reimbursable travel for City employees to attend out of town conferences, seminars, or schools that pertain to City business. The City Administrator will review and approve all Department Head travel, and the mayor will authorize reimbursable expenses for elected officials or appointed board or commission members. If the City employee is authorized to attend a meeting, seminar, school or meeting, expenses such as lodging, meals, parking fees, tolls, commercial transportation, local telephone and telegraph charges, tips and other justifiable expenses will be reimbursed at actual cost as follows:

A. Airline/train fare - best coach fare or less

B. Car expenses -

1. When using one's personal vehicle, the City reimburses mileage as per Section 5.13(d) of the City's "Personnel Rules and Regulations";
2. When a person uses a City vehicle he/she will be reimbursed for all gas receipts.
3. When a person who is on a car allowance is using his/her own vehicle, the City will reimburse at the rate of 15 cents per mile from
the point of origin when traveling outside of the metropolitan area. The metropolitan area is defined as the eight county area which makes up the Mid-America Regional Council.

4. Reimbursement is calculated on approved mileage to and from the conference, school or meeting site.

5. Commercial travel to and from airports and around the city where the school or meeting is being held should be at the lowest most reasonable cost.

C. Lodging - lowest single rate available at an approved hotel or motel. Double rate will be paid if spouse travels.

D. Meals and all miscellaneous expenses, with the exception of expenses for liquor or alcoholic beverages - reimbursement authorized up to a maximum of $65.00 per day. Authorization for per diem is given at the time the trip is authorized. Expenses incurred by family members of an elected official, appointed board of commission member, or city employee or expenditures not involving city business will not be reimbursed nor will expenses for in-room movies or other personal expenses. Reimbursement will be for expenses incurred by and on behalf of the elected official, appointed board or commission member or city employee only with the following exception:

1. Local meal expenses incurred on behalf of an elected official or department head's spouse when that spouse is accompanying the individual to an official city function.

E. Conference registration - 100% paid.

It is the responsibility of each individual to keep and provide sufficient records in order to complete a detailed and accurate report of all authorized expenses. This means that when at all practical, actual receipts will be obtained and attached to the expense report. All expenses in excess of $10.00 will require a receipt. The failure to obtain receipts could result in nonpayment of claimed expenses.
In order to authorize any reimbursement, there should be adequate appropriation for the purpose of the trip, meeting or meal. All persons traveling on City business must complete the proper forms authorizing the expense in advance and any requests for monetary advances must be submitted to the Purchasing division no later than two (2) weeks prior to the date the advance is needed.

All travel and miscellaneous expense reports, including receipts, must be filed within 30 days of completion of the event or within 30 days of the payment of the advance of the requested funds. This expense report is to be reviewed and approved by the department head for all employees. Department head expense reports will be reviewed and approved by the City administrator and the City Administrator's will be reviewed and approved by the Mayor. All miscellaneous meeting/meal expenses over ten (10) dollars must be approved by the Department Head or his/her designee.

This policy is not intended to deter or encourage travel. Further, it is not intended that any trip cost the traveler any money from his/her own resources in the conduct of city business. Neither is it intended that the traveler be reimbursed for more than actual cost or that city dollars support expenses above those considered reasonable and prudent. This policy will take effect immediately and may be changed from time to time as appropriate.

REVISED 03/28/88
RESOLUTION NO. 907

The Leawood City Council has considered the request for revised preliminary plat and revised preliminary site plan for University Park located approximately 112th and Nall, and hereby finds the following:

WHEREAS, the staff has reviewed and recommended approval of the application with the following stipulations:

1. The development is limited to 90,654 square feet.

2. The buildings are to be constructed of brick.

3. Stormwater system is to be designed for a 25 year storm frequency.

4. The owner/developer is required to place into escrow an amount equal to the sum to pay one-eighth of the cost of signalizing 115th and Nall up to $15,000. A letter of credit may also be issued with a 3 year maximum time limit.

5. Landscaping is to be developed on the property lines which abut residential property.

6. A park impact fee in the amount of 10 cents per square foot is required at the time of issuance of a building permit.

7. The developer agrees to construct berms with landscaping on the east and northeast boundaries.

8. The traffic problem on 112th Street will be reviewed and alternatives for handling the traffic on 112th Street will be considered after Roe Avenue is open. The developer agrees to participate in the cost up to 50% and not to exceed $10,000 of any modification to 112th Street.

9. Stormwater detention will comply with City regulations, and

WHEREAS, the developer agrees to these stipulations, and

WHEREAS, the proposed use is of less density than the previously approved plan, and

WHEREAS, the zoning was previously approved as CP-O, and the proposed use is in accordance with the zoning, and

WHEREAS, the staff is recommending that the buildings be high in quality and low in maintenance, and

WHEREAS, the proposed use is in accordance with the Master Plan, and
WHEREAS, the proposed site plan is in accordance with the Zoning Ordinance, and

WHEREAS, the proposed preliminary plat is in accordance with the Subdivision Regulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat and revised preliminary site plan of University Park with stipulations.

Approved by the Governing Body this 4th day of April, 1988.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 908

The Leawood City Council has considered the request for final plat approval of University Park, located approximately 112th and Nall, and hereby finds the following:

WHEREAS, the staff has reviewed and recommended approval of the application with the stipulation that a "Mud Bond" in the amount of $5000 be submitted to the City prior to recording the plat, and

WHEREAS, the developer agrees to this stipulation, and

WHEREAS, the plat is in accordance with the Subdivision Regulations, and

WHEREAS, the zoning of the property is CP-O,

NOW, THEREFORE, BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of University Park with one stipulation.

Approved by the Governing Body this 4th day of April, 1988.

(SEAL)

Margia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 909


WHEREAS, the City of Leawood, Kansas (the "City"), is a municipal corporation duly organized and existing under the Constitution and laws of the State of Kansas; and

WHEREAS, the governing body of the City has adopted Ordinance No. 1045 authorizing, among other things, the execution and delivery of a certain Equipment Lease/Purchase Agreement (the "Equipment Lease") between the City and George K. Baum & Company ("Baum"), pursuant to which the City intends to lease certain street maintenance equipment from Baum upon the terms and conditions stated therein; and

WHEREAS, since January 1, 1988, the City has not undertaken or issued any obligations other than the Equipment Lease, and the City does not reasonably anticipate issuing qualified tax-exempt obligations during the calendar year 1988 in an aggregate amount in excess of ten million and no/100 dollars ($10,000,000.00); and

WHEREAS, no portion of the proceeds of the lease transaction will be loaned to or will such proceeds or the street maintenance equipment be used in the trade or business of any person, firm or corporation other than a governmental entity.

NOW, THEREFORE, BE IT RESOLVED, that the City hereby designates the Equipment Lease and its obligations thereunder to be and constitute a "qualified tax-exempt obligation" as such term is defined in Section 265(b)(3)(B) of the Internal Revenue Code of 1986.

PASSED by the Governing Body of the City of Leawood, Kansas on this 18th day of April, 1988.

[SEAL]

Marcia Rinehart, Mayor

ATTEST:

By: Martha Heizer, City Clerk

Marcia Rinehart, Mayor
WHEREAS, Betty Blackmon has been a leader in the field of substance abuse treatment in Johnson County for nearly a decade; and

WHEREAS, under Ms. Blackmon's direction Substance Abuse Services of Johnson County has overcome significant obstacles to become a model program in both its service and its administration; and

WHEREAS, Ms. Blackmon has truly been a pioneer in making affordable treatment available to County residents; and

WHEREAS, Ms. Blackmon has become a community figure of great stature and respect; and

WHEREAS, Ms. Blackmon has announced that she is leaving Substance Abuse Services of Johnson County to pursue other interests;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Leawood, on behalf of all its citizens, does commend and express its gratitude to Betty Blackmon for the vital services she has rendered to the community; and

BE IT FURTHER RESOLVED that the Governing Body acknowledges the void created by her departure, and extends to her its best wishes for success in her future endeavors.

Adopted by the Governing Body this 2nd day of May, 1988.

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk
RESOLUTION NO. 910

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", 1987 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 by the City.

<table>
<thead>
<tr>
<th>STREET</th>
<th>PORTION CONTROLLED</th>
<th>APPLICABLE SPEED LIMIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lee Blvd.</td>
<td>81st Street to 103rd St.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>-State-Line Rd.-</td>
<td>Within City limits</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>North City limits to 330 ft. South of I-435</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>330 ft. South of I-435 to El Monte</td>
<td>15 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>119th Street to 151st St.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>College to 129th St.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>129th Street to K-150</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>K-150 to End of Roadway</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>83rd Street</td>
<td>Within City Limits</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>85th Terrace</td>
<td>Lee Blvd. to State Line Rd.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>89th Street</td>
<td>Lee Blvd. to Road Termination</td>
<td>20 m.p.h.</td>
</tr>
<tr>
<td>89th Street</td>
<td>Mission Road to Lee Blvd.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>95th Street</td>
<td>Within City Limits</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>103rd Street</td>
<td>Within City Limits</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>College Blvd.</td>
<td>Between Roe Av. &amp; Nall Av.</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>STREET</td>
<td>PORTION CONTROLLED</td>
<td>APPLICABLE SPEED LIMIT</td>
</tr>
<tr>
<td>--------</td>
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<td>------------------------</td>
</tr>
<tr>
<td>College Blvd.</td>
<td>Roe to .1 Mi. West of Buena Vista</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>I-435</td>
<td>Within City Limits</td>
<td>55 m.p.h.</td>
</tr>
<tr>
<td>119th Street</td>
<td>State Line Road to Roe Av.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>119th Street</td>
<td>Roe Av. to Nall Av.</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>123rd Street</td>
<td>State Line Rd. to Mission Road</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>127th Street</td>
<td>Mission Road to Nall Av.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>K-150</td>
<td>Westbound from State Line Rd. to a point .10 miles West of intersection of K-150 and State Line Road</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>K-150</td>
<td>Westbound from .10 miles West of State Line Road to City limits</td>
<td>55 m.p.h.</td>
</tr>
<tr>
<td>K-150</td>
<td>Eastbound from a point .30 miles West of State Line Road to State Line Road</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>K-150</td>
<td>Eastbound from City Limits to a point .30 miles West of State Line Road</td>
<td>55 m.p.h.</td>
</tr>
<tr>
<td>143rd Street</td>
<td>Kenneth Road to Nall Av.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>151st Street</td>
<td>Within City limits</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Kenneth Road</td>
<td>Within City limits</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Nall Avenue</td>
<td>College Blvd. to 119th Street</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Nall Avenue</td>
<td>Tomahawk Creek to 13000 block</td>
<td>35 m.p.h.</td>
</tr>
</tbody>
</table>
Adopted by the Governing Body this 2nd day of May, 1988.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 911

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 meets all statutory requirements; and

WHEREAS, it has also been determined that THE OLATHE DAILY NEWS meets all statutory requirements;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby designate THE JOHNSON COUNTY SUN as the official City newspaper for all documents requiring legal publication; and

BE IT FURTHER RESOLVED that, in the event THE JOHNSON COUNTY SUN should for any reason be unable to publish according to the requirements of the City, then THE OLATHE DAILY NEWS is hereby designated to serve as the official City newspaper.

Adopted by the Governing Body this 2nd day of May, 1988.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 912

The Leawood City Council has considered the request for revised preliminary plat and final plat for approximately 16.5 acres in order to replat 9 lots into 5 lots, to be known as Welcreek Estates, located approximately 139th and Canterbury, and hereby finds the following:

WHEREAS, the staff has reviewed and recommends approval of the application with the following stipulations:
1. Septic tanks will be allowed if approved by the Johnson County Health Department.
2. Park impact fee is to be paid prior to recording the final plat.
3. A mud bond in the amount of $5000 is required prior to recording the final plat.
4. A deviation on the installation of sidewalks and street lights is granted due to the size of the lots and because the rest of Charlemagne does not have street lights and sidewalks. A bond sufficient to cover the cost of street lights is required. Such bond is to expire 2 years after construction of the last house in the subdivision.
5. An engineering report regarding the stability of the lake must be submitted prior to submitting the plat for recording. Any deficiencies must be corrected.
6. The right of way for 141st Street is to be dedicated but not constructed at this time. Until we know what the property to the east will be developed as we do not want a street with no outlet to sit unused for an unlimited time span, and

WHEREAS, the developer agrees to these stipulations, and

WHEREAS, the proposed use is of less intensity than the previously approved plat, and

WHEREAS, the property is zoned R-1, and

WHEREAS, the proposed use is in accordance with the R-1 zoning, and

WHEREAS, the lots range in size from 2.8 to 4.3 acres, and
WHEREAS, the developer is proposing entry monuments on the south end of the subdivision with a 6 foot wrought iron fence along the south property line and a 6 foot fence of either chain link or wood along the west property line,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat and final plat for Welcreek Estates with stipulations.

Approved by the Governing Body this 16th day of May, 1988.

(SEAL)

Martha Heizer  City Clerk
RESOLUTION NO. 913

A RESOLUTION RELATING TO THE CONSENT OF THE CITY OF LEAWOOD, KANSAS, TO THE INCLUSION OF PROPERTY WITHIN THE BOUNDARIES OF BLUE RIVER SEWER SUB-DISTRICT NO. 9 AND LATERAL SEWER DISTRICT NO. 1

WHEREAS, it has been requested that there be created Blue River Sewer Subdistrict No. 9 and lateral Sewer District No. 1 within said Blue River Sewer Subdistrict No. 9 to include property as described in Exhibit A attached hereto and the boundary lines of which are shown on said Exhibit; and

WHEREAS, the Governing Body of the City of Leawood, Kansas, finds that by provisions of K.S.A. 1983 Supp. 19-27a05, the consent of the City is necessary before inclusion of the property described in Exhibit A within the above-described newly created sewer districts.

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

That the City of Leawood, Kansas does hereby consent to the inclusion of the property described in Exhibit A, within the boundaries of Blue River Sewer Sub-District No. 9 and Lateral Sewer District No. 1 which are to be created.

ADOPTED by the Governing Body this 6th day of June, 1988.

(MARCIA RINEHART)
Mayor

Attest:

(MARTHA HEIZER)
City Clerk
FRAC. SECTION 30; THENCE S0°-08'-09"E, ALONG THE EAST LINE OF
SAID FRAC. SECTION 35, ALONG THE KANSAS-MISSOURI STATE LINE,
ALONG THE WEST LINE OF THE N 1/2 OF SAID FRAC. SECTION 30, AND
ALONG THE EAST LINE OF SAID BI-STATE BUSINESS PARK, 210.00 FEET
TO THE SOUTHEAST CORNER OF SAID FRAC. SECTION 35, SAID POINT ALSO
BEING THE NORTHEAST CORNER OF SAID FRAC. SECTION 2; THENCE
CONTINUING S0°-08'-09"E, ALONG THE EAST LINE OF SAID FRAC.
SECTION 2, ALONG THE KANSAS-MISSOURI STATE LINE, ALONG THE WEST
LINE OF THE N 1/2 OF SAID FRAC. SECTION 30 AND ALONG THE
SOUTHWEST CORNER OF THE N 1/2 OF SAID FRAC. SECTION 30;
THENCE S0°-07'-38"E, ALONG THE EAST LINE OF SAID FRAC. SECTION 2,
ALONG THE KANSAS-MISSOURI STATE LINE, ALONG THE WEST LINE OF THE
S 1/2 OF SAID FRAC. SECTION 30, AND ALONG THE EAST LINE OF SAID
BI-STATE BUSINESS PARK, A DISTANCE OF 307.38 FEET MEASURED
(307.39 FEET DEEDED), TO A POINT ON THE NORTHWESTERLY RIGHT-OF-
WAY LINE OF THE MISSOURI PACIFIC RAILROAD COMPANY, AS NOW
ESTABLISHED; THENCE SOUTHWESTERLY, ALONG THE NORTHWESTERLY RIGHT-
OF-WAY LINE OF SAID MISSOURI PACIFIC RAILROAD COMPANY, AND ALONG
THE SOUTHEASTERLY LINE OF SAID BI-STATE BUSINESS PARK, SAID LINE
BEING ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2914.83 FEET, A
CENTRAL ANGLE OF 11°-17'-52", AND WHOSE INITIAL TANGENT BEARING
IS S36°-02'-51"W, A DISTANCE OF 574.76 FEET; THENCE
S89°-59'-18"W, ALONG THE SOUTH LINE OF SAID BI-STATE BUSINESS
PARK, A DISTANCE OF 820.08 FEET, TO A POINT ON THE WEST LINE OF
SAID FRAC. SECTION 2; THENCE N0°-06'-21"W, ALONG THE WEST LINE OF
SAID FRAC. SECTION 2, AND ALONG THE WEST LINE OF SAID BI-STATE
BUSINESS PARK, A DISTANCE OF 862.81 FEET, TO THE POINT OF
BEGINNING. CONTAINING 63.690 ACRES.
RESOLUTION NO. 914

A RESOLUTION DIRECTING THE CITY CLERK TO PUBLISH NOTICES OF PROPOSED ASSESSMENTS.

WHEREAS, the Governing Body of the City of Leawood, Kansas, has previously ordered the following improvements within the City of Leawood:

State Line Road between 81st Street and 85th Street
Nall Avenue between 119th Street and College Boulevard
119th Street between Roe Avenue and Mission Road
Kenneth Road (north and south portions); and

WHEREAS, said improvements have now been completed and final costs of the projects determined; and

WHEREAS, said costs are to be paid by assessments to property within previously formed improvement districts; and

WHEREAS, assessments to individual properties have been determined;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that the City Clerk is hereby directed to publish a notice that the Governing body will meet at 7:00 o'clock P.M. on the 20th day of June, 1988, at Leawood City Hall, 9615 Lee Boulevard, to consider proposed assessments for the cost of each of the aforementioned improvements.

Each notice shall be published once not less than ten (10) days prior to such meeting of the Governing Body and shall state the date, time and place of such meeting, the general nature of the improvement, the cost, extent of the improvement district proposed to be assessed, and that written or oral objections will be considered at such hearing.

The City Clerk is further directed to mail to the owners of property liable to pay the assessments, at their last known post office address, a notice of the hearing and a statement of the cost proposed to be assessed against the land so owned and assessed.

Adopted by the Governing Body this 6th day of June, 1988.

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

Attest:                                      Marcia Rinehart

Martha Heizer                                   Mayor
RESOLUTION NO. 915

The Leawood City Council has considered the request for final plat approval of Leawood Park Plaza Apartments, First Plat, located at approximately 137th and Kenneth Road, and hereby finds the following:

WHEREAS, the staff has reviewed and recommends approval of the application with no stipulations, and

WHEREAS, the final plat is in accordance with the approved preliminary plat, and

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approved the final plat of Leawood Park Plaza Apartments, First Plat.

Approved by the Governing Body this 5th day of July, 1988.

(S E A L)                       Marcia Rinehart    Mayor

Attest:                          

Martha Heizer    City Clerk
RESOLUTION NO. 916

The Leawood City Council has considered the request for final plat approval of Carriage Crossing, Fourth Plat, located at approximately 130th Terrace and Nall, and hereby recommends the following:

WHEREAS, the staff has reviewed and recommends approval of the application with the following stipulations:
1) All technical deficiencies be changed prior to submission for recording.
2) Developer is to participate in the construction of Nall as per the Subdivision Regulations at the rate of $110 per foot, and

WHEREAS, the developer agrees to these stipulations, and

WHEREAS, the final plat is in accordance with the approved preliminary plat, and

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approved the final plat of Carriage Crossing, Fourth Plat.

Approved by the Governing Body this 5th day of July, 1988.

(S É A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 917

WHEREAS, Ewing and Muriel Kauffman were responsible for returning major league baseball to Kansas City at a time when the community's previous franchise had been relocated; and

WHEREAS, Mr. and Mrs. Kauffman have devoted substantial resources and energy to provide the citizens of the Kansas City area with an exciting and successful baseball organization; and

WHEREAS, the successful Kansas City Royals baseball franchise owned by Mr. and Mrs. Kauffman won the American League championship in 1980 and 1985, and won the World Series in 1985; and

WHEREAS, it is the desire of the Jackson County Sports Complex Authority to recognize and memorialize the contributions of Mr. and Mrs. Kauffman to this community; and

WHEREAS, the Jackson County Sports Complex Authority has resolved to name the baseball stadium at Harry S. Truman Sports Complex "KAUFFMAN STADIUM";

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby join the Jackson County Sports Complex Authority and other organizations, officials, and governmental units in recognizing and honoring Ewing and Muriel Kauffman for their outstanding achievements and service to the Kansas City area.

Adopted by the Governing Body this 18th day of July, 1988.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 918

The Leawood City Council has considered the request by Blue Valley Unified School District #229 for approval of rezoning from A to R-1, preliminary site plan, preliminary plat, final site plan and final plat to allow construction of an elementary school on 10.6 acres at approximately 132nd and Mission and hereby finds the following:

WHEREAS, the staff has reviewed and recommended approval of the application with the following stipulations:
A. The building is to be situated as shown on the site plan.
B. The facade of the building is to be brick.
C. Sign for the building is to be mounted on the building as shown on the site plan.
D. The soccer field is to non-illuminated.

WHEREAS, the School District agrees to these stipulations, and

WHEREAS, an elementary school is an allowed use in the R-1 district with the approval of the preliminary and final site plan, and

WHEREAS, the Plan Commission supports the placement of elementary schools in residential areas as long as they meet the requirements of the Zoning Ordinance, and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas does hereby approve the request by Blue Valley Unified School District #229 for approval of rezoning from A to R-1, preliminary site plan, and preliminary plat, final site plan and final plat to allow construction of an elementary school on 10.6 acres at approximately 132nd and Mission.

Adapted by the Governing Body this 18th day of July, 1988.

Marcia Rinehart
Mayor

Martha Heizer
City Clerk
RESOLUTION NO. 919

A RESOLUTION AUTHORIZING THE SALE OF $3,090,000 GENERAL OBLIGATION BONDS OF THE CITY OF LEAWOOD, KANSAS, TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS WITHIN SAID CITY AND TO REFUND CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF SAID CITY; APPROVING THE FORM OF NOTICE OF BOND SALE AND PRELIMINARY OFFICIAL STATEMENT TO BE USED IN CONNECTION THERETHROUGH; AND AUTHORIZING AND DIRECTING THE CITY FINANCE DIRECTOR TO ADVERTISE SUCH SALE IN THE MANNER PRESCRIBED BY LAW.

WHEREAS, the City of Leawood, Kansas (the "City"), has heretofore issued its Combined Projects Improvement General Obligation Bonds, Series 1987, in the aggregate principal amount of $4,585,000 (the "Series 1987 Bonds") for the purpose of providing funds to finance the cost of construction of various improvements including construction of a new and/or adequate sanitary sewer system by construction or replacement of collection lines within the Leawood sewer system as authorized by Resolution No. 671 (the "Sanitary Sewer Improvement"); and

WHEREAS, the Sanitary Sewer Improvement has been completed and paid for and there remains on deposit in the construction fund for said project the sum of $500,000 which the City desires to use to reduce the indebtedness associated with the Sanitary Sewer Improvement by prepaying certain Series 1987 Bonds; and

WHEREAS, to achieve certain economic efficiencies and interest cost savings and to provide an orderly plan of financing for the City, it is hereby found and determined to be desirable and in the best interest of the City and its inhabitants to issue general obligation bonds of the City in the amount of $190,000 pursuant to K.S.A. 10-427 and 10-427a, as amended, to provide funds which together with the remaining funds referred to in the previous paragraph will be used to refund in advance of their respective maturities Series 1987 Bonds bearing stated maturities on September 1 in the years 1998 through and including 2002 (the "Refunded 1987 Bonds"); and

WHEREAS, pursuant to K.S.A. 12-6a01, et seq., as amended, and other provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the governing body of the City has heretofore authorized the following improvements within the City (the "Improvements"):

(a) Construction of that portion of 119th Street extending from Roe Avenue to Mission Road including necessary appurtenances, as authorized by Resolution No. 822;
(b) Construction of certain improvements to Nail Avenue extending from College Boulevard to 119th Street including necessary appurtenances, as authorized by Resolution No. 848;

(c) Construction of improvements to State Line Road extending from 81st Street to 84th Street including necessary appurtenances, as authorized by Resolution No. 683; and

(d) Construction of improvements to Kenneth Road extending from 135th Street to a point approximately 1,805 feet south of the Northeast Corner of Section 34, Township 13, Range 25, within the City, including necessary appurtenances, as authorized by Resolution No. 746;

and

WHEREAS, all legal requirements pertaining to the Improvements have been complied with, and the governing body of the City now finds and determines that the total cost of the Improvements including construction financing and related expenses is $2,900,000 with $2,680,988.92 of the cost to be paid by the owners of the property within the City benefited by the respective Improvements and $219,011.08 of the cost to be paid by the City at large, and that none of said property owners have paid their respective assessments on account of the construction of the Improvements and there are no funds available in the City Treasury to pay the remainder of the cost of the Improvements leaving $2,900,000 to be paid by the issuance and sale of the City's general obligation bonds; and

WHEREAS, it is necessary and desirable at this time that the City retire temporary notes previously issued and outstanding and provide permanent financing for said Improvements and to refund the Refunded 1987 Bonds by the issuance of general obligation bonds of the City;

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

Section One: That the Director of Finance on behalf of Leawood, Johnson County, Kansas, is hereby authorized and directed to advertise for public sale in the manner required by law, the general obligation bonds of the City in the aggregate principal amount of $3,090,000, for the purpose of financing the costs of the above-described Improvements and refunding the outstanding Refunded 1987 Bonds of the City pursuant to the statutes hereinbefore enumerated and amendments thereto, and further pursuant to the general obligation bond authority provided by the laws of the State of Kansas.

Section Two: That the notice of sale shall be substantially in the following form:
NOTICE OF BOND SALE
$3,090,000
GENERAL OBLIGATION IMPROVEMENT
AND REFUNDING BONDS
SERIES 1988
LEAWOOD, JOHNSON COUNTY, KANSAS

Sealed bids will be received by the undersigned City Finance Director of Leawood, Johnson County, Kansas, at City Hall, 9617 Lee Boulevard, Leawood, Johnson County, Kansas, until 2:00 p.m. C.D.T. on Monday, August 15, 1988, at which time such bids will be publicly opened, for the sale of the above-captioned general obligation bonds (the "Bonds") of the City of Leawood, Johnson County, Kansas, to finance the cost of construction of certain improvement projects within said City and to refund certain outstanding general obligation bonds of the City. Such bids will be considered by the Governing Body of the City at a meeting to be held at 7:30 p.m. C.D.T. on such date.

The Bonds will be issued in two separate series designated General Obligation Improvement Bonds, Series 1988-A, in the aggregate principal amount of $2,900,000 (the "Series 1988-A Bonds") and General Obligation Refunding Bonds, Series 1988-B, in the aggregate principal amount of $190,000 (the "Series 1988-B Bonds"). The Bonds will consist of fully registered bonds without coupons in the denominations of $5,000 and any integral multiple thereof aggregating the principal amount of $3,090,000. All of said Bonds will be dated September 1, 1988, and will mature serially on September 1 of each year, as follows:

<table>
<thead>
<tr>
<th>Series 1988-A Bonds</th>
<th>Maturity</th>
<th>Amount</th>
<th>Maturity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1989</td>
<td></td>
<td>$290,000</td>
<td>1994</td>
<td>$290,000</td>
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<td>1990</td>
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<td>1996</td>
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<td>1992</td>
<td></td>
<td>$290,000</td>
<td>1997</td>
<td>$290,000</td>
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<tr>
<td>1993</td>
<td></td>
<td>$290,000</td>
<td>1998</td>
<td>$290,000</td>
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</table>

<table>
<thead>
<tr>
<th>Series 1988-B Bonds</th>
<th>Maturity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td></td>
<td>$190,000</td>
</tr>
</tbody>
</table>

Interest on said Bonds from the date thereof at the rates determined when the Bonds are sold as herein provided will be payable semi-annually on March 1 and September 1 in each year through maturity, commencing on March 1, 1989.

The principal of and interest on the Bonds will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the paying agent and bond registrar), to the registered owners thereof whose names appear on the registration books maintained by the
bond registrar as of the 15th day of the month preceding each interest payment date. The bonds will be registered pursuant to a plan of registration approved by the City and the Attorney General of the State of Kansas. The bonds may be registered as fully registered certificated or uncertificated (book entry) bonds at the option of each registered owner.

The City will pay the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondholders.

The type and denominations of the Bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the City and bond registrar at least two weeks prior to the closing date. In the absence of such information, the City will deliver Bonds in the denomination of each maturity registered in the name of the successful bidder.

At the option of the City, Bonds maturing on September 1, 1996, and thereafter will be subject to redemption and payment prior to maturity, on September 1, 1995, and on any interest payment date thereafter in whole or in part (in integral multiples of $5,000) in inverse order of maturity (and by lot within a single maturity) at the redemption price of 100 percent of the principal amount thereof, plus accrued interest to the date fixed for redemption.

If the City shall elect to call any of the Bonds for redemption and payment prior to the maturity thereof, the City shall give written notice of its intention to redeem and pay said Bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States registered or certified mail addressed to the State Treasurer of Kansas, said notice to be mailed at least 60 days prior to the redemption date, to the registered owners of said Bonds, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. If any Bond be called for redemption and payment as aforesaid, all interest on such Bond shall cease.

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 in part from special assessments levied upon property benefitted by the construction of certain improvements and, if not so paid, 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, with the balance payable from ad valorem taxes which may be levied without limitation as to rate or amount upon
all such taxable tangible property, real and personal, within the territorial limits of said City.

The Bonds will be designated "qualified tax exempt obligations" by the City for the purposes of Section 265(b)(3)(B) of the Internal Revenue Code of 1986. 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 $1/8$ of $1\%$ or $1/20$th of $1\%$. No rate shall exceed the most recent 20 bond index, as published in Credit Markets, New York, New York, 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 $1\%$.

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 deducting 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 initial reoffering price to the public shall be furnished to the City by the successful bidder at least one week prior to the closing date. A certificate setting forth such initial reoffering price to the public shall be furnished by the successful bidder at closing.

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 Langworthy Kohn & Van Dyke, P.C., Kansas City, Missouri, Bond Counsel, whose services will be paid for by the City. The opinion of Bond Counsel will state that under existing laws and regulations and, assuming continued compliance with the covenants contained in the bond ordinance, the interest on the Bonds is exempt from federal income taxation, except with respect to certain taxpayers as more specifically described in the Official Statement of the City.

The Bonds will be delivered to the purchaser on or about September 8, 1988, at any such bank or trust company in the State of Kansas, Kansas City, Missouri, Chicago, Illinois, or New York,
New York, 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, including the CUSIP Service Bureau's charge for assignment of said numbers, will be paid for by the City.

The population of the City is approximately 17,611. The 1987 assessed valuation of all taxable tangible property within Leawood, Kansas is $97,094,945, including motor vehicle valuation of $24,559,506. The total general obligation bonded indebtedness of Leawood, Kansas, at the date hereof, including the issue of bonds herein offered for sale, is $11,685,000, of which $660,000 will be advance refunded with the proceeds of the Series 1988-B Bonds and available cash to be contributed by the City. In addition, the City of Leawood has temporary notes outstanding in the total amount of $4,534,000, of which $2,579,000 will be redeemed and cancelled from the proceeds of the Bonds herein offered for sale and prepayments of tax assessments.

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.

Additional copies of this Notice of Bond Sale, copies of the City's Official Statement relating to the Bonds and further information may be obtained from the undersigned City Finance Director or George K. Baum & Company, 1004 Baltimore Avenue, Kansas City, Missouri 64105, (816) 474-1100, the City's financial advisor.

Mailed bids should be addressed to Harry Malnicof, City Finance Director, City of Leawood, Kansas, 9617 Lee Boulevard, Leawood, Kansas 66206, and marked "Bid for purchase of $3,090,000 General Obligation Improvement and Refunding Bonds, Series 1988, Leawood, Johnson County, Kansas." Bids may also be delivered to the said officer at City Hall, Leawood, Kansas, at or immediately prior to 2:00 o'clock p.m.

DATED at Leawood, Kansas, this ____ day of ________, 1988.

HARRY MALNICOF, City Finance Director
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 preliminary official statement in substantially the form attached hereto as Exhibit B is hereby approved, and the Director of Finance 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: That the Governing Body hereby finds and determines as follows:

(a) None of the gross proceeds of the bonds will be used (on a basis different from use by the general public of the improvements to be financed with the bonds), directly or indirectly, in any trade or business carried on by any person (including exempt persons) other than the City, any political subdivision of the State of Kansas or any governmental unit of the State of Kansas, or to make loans to any such person;

(b) The amount of tax-exempt obligations (other than private activity bonds) which the City reasonably anticipates will be issued during the calendar year 1988 does not exceed $10,000,000 and the City shall not issue more than $10,000,000 of any such obligations.

The Governing Body hereby designates the bonds as "qualified tax exempt obligations" for purposes of Section 265(b)(3)(B) of the Internal Revenue Code of 1986.

Section Six: 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 August, 1988

SIGNED by the Mayor this 2nd day of August, 1988.

Marcia Rinehart, Mayor

ATTEST:

Martha Heider, City Clerk
PROPOSAL FOR THE PURCHASE OF BONDS
OF
THE CITY OF LEAWOOD, KANSAS

TO THE CITY OF LEAWOOD, KANSAS:

For $____________ principal amount of General Obligation Improvement and Refunding Bonds, Series 1988, of the City of Leawood, Kansas, described in your Notice of Bond Sale, dated September 1, 1988, said bonds to bear interest as follows:

**SERIES 1988-A BONDS**

<table>
<thead>
<tr>
<th>Maturity</th>
<th>Amount</th>
<th>Rate</th>
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</thead>
<tbody>
<tr>
<td>1989</td>
<td>$290,000</td>
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<td>1990</td>
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<td></td>
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<td>1991</td>
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<td>1997</td>
<td>$290,000</td>
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<tr>
<td>1998</td>
<td>$290,000</td>
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</tr>
</tbody>
</table>

**SERIES 1988-B BONDS**

<table>
<thead>
<tr>
<th>Maturity</th>
<th>Amount</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>$190,000</td>
<td></td>
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</tbody>
</table>

The undersigned will pay 100% of the principal amount of said Bonds plus accrued interest to date of delivery, plus a total premium of $____________.

Total interest cost to the City on entire bond issue calculated to maturity on the rates specified above......................... $_______

Total premium on entire bond issue on basis of this bid.......................... $_______

Net interest cost to the City on entire bond issue on basis of this bid............. $_______

Average annual net interest rate to the City on basis of this bid.................... $_______
This proposal is subject to all of the terms and conditions contained in said Notice of Bond Sale, and if the undersigned is the successful bidder, the undersigned will comply with all of said provisions.

A cashier's or certified check, in the amount of $61,800 payable to the order 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 is accepted but said City 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 is accepted, then the check delivered to the City on account of such bid, or the proceeds thereof, shall be held by the City until the undersigned shall have complied with all of the terms of said notice and such bid, at which time the amount of said check shall be paid to or upon the order of the undersigned. If the bid herein contained is accepted and if the undersigned shall default in the performance of any of the terms and conditions of such bid, the amount of such check shall be retained by the City as and for liquidated damages.

Submitted by: ____________________________
(Name of Firm)

By: ____________________________
(Name) (Office)

Account Members:

______________________________
______________________________
______________________________
______________________________
Pursuant to action duly taken by the Governing Body of the City of Leawood, Kansas, the above proposal is hereby accepted this ___ day of __________, 1988

THE CITY OF LEAWOOD, KANSAS

__________________________
Mayor

ATTEST:

__________________________
City Clerk

(Note: No additions or alterations in the above proposal shall be made and any erasures may cause a rejection of any bid. Bids must be filed with the City Finance Director of the City of Leawood, Kansas, at the City Hall, 9617 Lee Boulevard, in said City, sealed at or prior to 2:00 P.M. C.D.T., on Monday, August 15, 1988, or delivered to said officer at City Hall in Leawood, Kansas at or immediately prior to that time on said date.)
PRELIMINARY OFFICIAL STATEMENT DATED AUGUST 2, 1988

$3,090,000
THE CITY OF LEAWOOD, KANSAS
GENERAL OBLIGATION IMPROVEMENT AND REFUNDING BONDS

$2,900,000
Series 1988-A
General Obligation Bonds

$190,000
Series 1988-B
Refunding Bonds

Dated: September 1, 1988
Due: As Shown Below

The Series 1988-A Bonds and the Series 1988-B Bonds (the "Bonds") are issued initially as fully registered certificated bonds each in the denomination of $5,000 or any integral multiple thereof, not exceeding the principal amount of bonds of each maturity. Interest on the Bonds is payable March 1, 1989, and semiannually thereafter on March 1 and September 1 in each year. The principal on the Series 1988-A Bonds becomes due on September 1, 1989 and annually thereafter on September 1 of each year in accordance with the maturity schedule set forth below. The principal on the Series 1988-B Bonds becomes due on September 1, 1999.

MATURITY SCHEDULES

<table>
<thead>
<tr>
<th>Amount</th>
<th>Rate</th>
<th>Maturity</th>
<th>Yield</th>
</tr>
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<tbody>
<tr>
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<td>$290,000</td>
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<tr>
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<tbody>
<tr>
<td>$190,000</td>
<td></td>
<td>9-1-99</td>
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</table>

The City reserves the right, at its option, to redeem the Bonds maturing on or after September 1, 1996 in whole or in part in principal amounts of $5,000 or any integral multiple thereof, on September 1, 1995, or on any interest payment date thereafter, as more fully set out herein. See "THE BONDS - Optional Redemption."

The Bonds are general obligations of the City and are payable as to both principal and interest in part from special assessments levied upon property benefited by certain improvements, and if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property within the territorial limits of the City, with the balance payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property within the territorial limits of the City.
In the opinion of Linde Thomson Langworthy Kohn & Van Dyke, P.C., Kansas City, Missouri, Bond Counsel, under existing laws and regulations and, assuming continued compliance with the covenants contained in the bond ordinance, the interest on the bonds is exempt from federal income taxation, except with respect to certain taxpayers as more specifically described herein. See "TAX EXEMPTION."

The Bonds are offered when, as and if issued by the City and received by the successful bidder, subject to the approval of Bond Counsel. It is expected that the Bonds will be available for delivery on or about September 8, 1988 at any bank in the State of Kansas; Kansas City, Missouri; Chicago, Illinois, or New York, New York.

SEALED BIDS WILL BE RECEIVED BY
Harry Malnicof, Finance Director
Leawood City Hall
9617 Lee Boulevard
Leawood, Kansas 66206
Until 2:00 p.m. Central Daylight Savings Time
Monday, August 15, 1988
RESOLUTION NO. 920

The Leawood City Council has considered the request for rezoning from A to R-I and preliminary plat approval of Waterford, Fourth Plat, located at approximately 131st Street between Mission and Roe, and hereby finds the following:

WHEREAS, the staff has reviewed and recommends approval of the application with the following stipulations:

1. Park Impact fee in the amount of $300 per dwelling unit is required at the time of recording the final plat.
2. The cost of improvements for Roe Avenue will be set at the time of final plat approval and collected at the time the plat is recorded, and

WHEREAS, the developer agrees to these stipulations, and

WHEREAS, the final plat is in accordance with the approved preliminary plat, and

WHEREAS, the proposed rezoning is in accordance with the Master Plan, and

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the rezoning from A to R-I and preliminary plat approval of Waterford, Fourth Plat.

Approved by the Governing Body this 15th day of August, 1988.

Marcia Rinehart
Mayor

Martha Heizer
City Clerk
RESOLUTION NO. 921

The Leawood City Council has considered the request for rezoning from A to R-1 for part of Waterford, 3rd Plat, located approximately 131st and Glenfield, and hereby finds the following:

WHEREAS, the rezoning could be considered a "clean up" type of application, and

WHEREAS, the staff has reviewed and recommends approval of the application with no stipulations, and

WHEREAS, the proposed zoning is the same as the existing zoning in the balance of the subdivision, and

WHEREAS, the property involved contains 2.73 acres,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the rezoning from A to R-1 for part of Waterford, 3rd Plat.

Approved by the Governing Body this 15th day of August, 1988.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 922

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

WHEREAS, it has been requested that Tomahawk Creek Main Sewer District No. 1 and Tomahawk Creek Sewer Sub-District No. 5 be enlarged to include property as described in Exhibit A attached hereto and the boundary lines of which are shown on said Exhibit; and

WHEREAS, the Governing Body of the City of Leawood, Kansas, finds that by provisions of K.S.A. 1983 Supp. 19-27a05, the consent of the City is necessary before inclusion of the property described in Exhibit A within the above-described newly created sewer districts.

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

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 and Tomahawk Creek Sewer Sub-District No. 5.

Adopted by the Governing Body this 15th day of August, 1988.

[Seal]

Marcia Rinehart
Mayor

Attest:

Martina Helser
City Clerk
LEGAL DESCRIPTION:

All that part of the S1 of the SE1 of Section 28, 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 SE1 of said Section 28; thence S 2° 00' 19" E, along the East line of the SE1 of said Section 28, a distance of 1323.59 feet, to the Northeast corner of the S1 of the SE1 of said Section 28, said point also being the true point of beginning of subject tract; thence continuing S 2° 00' 19" E, along the East line of the SE1 of said Section 28, a distance of 391.29 feet; thence S 87° 49' 15" W, along a line parallel to the North line of the S1 of the SE1 of said Section 28, a distance of 710 feet; thence N 2° 00' 19" W, along a line parallel to the East line of the S1 of the SE1 of said Section 28, a distance of 391.29 feet, to a point on the North line thereof; thence N 87° 49' 15" E, along the North line of the S1 of the SE1 of said Section 28, a distance of 710 feet, to the true point of beginning of subject tract.
LEGAL DESCRIPTION:

All that part of the S₁ of the SE₁ of Section 28, 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 SE₁ of said Section 28; thence S 2° 00' 19" E, along the East line of the SE₁ of said Section 28, a distance of 1323.59 feet, to the Northeast corner of the S₁ of the SE₁ of said Section 28, said point also being the true point of beginning of subject tract; thence continuing S 2° 00' 19" E, along the East line of the SE₁ of said Section 28, a distance of 391.29 feet; thence S 87° 49' 15" W, along a line parallel to the North line of the S₁ of the SE₁ of said Section 28, a distance of 710 feet, to a point on the North line thereof; thence N 87° 49' 15" E, along the North line of the S₁ of the SE₁ of said Section 28, a distance of 710 feet, to the true point of beginning of subject tract.

POINT OF COMMENCING  
N.E. COR. S.E. 1/4,  
SEC. 28-13-25

TRUE POINT OF BEGINNING OF SUBJECT TRACT

K-150 HIGHWAY (135TH STREET)
RESOLUTION NO. 923

A RESOLUTION DIRECTING THE CITY CLERK TO PUBLISH NOTICES OF PROPOSED REASSESSMENTS.

WHEREAS, the Governing Body of the City of Leawood, Kansas, has previously ordered the following improvement within the City of Leawood:

Kenneth Road (south portion, Improvement District 85-4, project no. 102).

WHEREAS, said improvements have now been completed and final costs of the projects determined; and

WHEREAS, said costs are to be paid by assessments to property within previously formed improvement districts; and

WHEREAS, assessments to individual properties were previously determined; and

WHEREAS, the Governing Body of the City of Leawood, Kansas did by Ordinance No. 1057 levy assessments on certain lots, pieces and parcels of ground in the City of Leawood, Kansas for the purpose of paying for the cost of construction of said south portion of Kenneth Road (Improvement District No. 85-4, project no. 102); and

WHEREAS, the City has been requested by the owners of certain property to reconsider its prior assessments and has determined that the City should consider reassessment of said property pursuant to the provisions of K.S.A. 12-6a12; and

WHEREAS, proposed reassessments to individual properties have been determined.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Leawood, Kansas, that the City Clerk is hereby directed to
publish a notice that the Governing Body will meet at 7:00 o'clock, p.m., on the 6th day of September, 1988, at Leawood City Hall, 9617 Lee Blvd., to consider proposed reassessments for the cost of the aforementioned improvements.

Said notice shall be published once not less than ten (10) days prior to such meeting of the Governing Body and shall state the date, time and place of such meeting, the general nature of the improvement, the cost, extent of the improvement district proposed to be assessed, and that written or oral objections will be considered at such hearing.

The City Clerk is further directed to mail to the owners of property liable to pay the assessments, at their last known post office address, a notice of the hearing, and a statement of the cost proposed to be assessed against the land so owned and assessed.


Marcia Rinehart Mayor

Martha Heizer City Clerk

APPROVED FOR FORM: ____________________________ , City Attorney.

R.S. Wetzler
RESOLUTION NO. 924

The Leawood City Council has considered the request for final plat approval for Hallbrook Farms Clubhouse, located at approximately 112th and Overbrook, and hereby finds the following:

WHEREAS, the property involved contains 15 acres and is proposed to be developed as a clubhouse for the Hallbrook Farms Golf Course, and

WHEREAS, the final plat meets the requirements of the Subdivision Regulations, and

WHEREAS, the final site plan has been approved by the Plan Commission, and

WHEREAS, the staff has reviewed and recommends approval of the application for final plat with no stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Hallbrook Farms' Clubhouse with no stipulations.

Approved by the Governing Body this 6th day of September, 1988.

(Marcia Rinehart)
Mayor

Attest:

(Martha Heizer)
City Clerk
The Leawood City Council has considered the request for revised preliminary plat and plan approval and final plat approval for Hallbrook Farms, Second Plat, located at approximately 114th and Brookwood, and hereby finds the following:

WHEREAS, the property involved contains 60 acres and is proposed to be subdivided into 64 single family lots, and

WHEREAS, the revision is necessary in order to design more cul-de-sac lots, and

WHEREAS, the staff has reviewed and recommends approval of the application with the following stipulations, and

1. The staff is willing to consider other options than requiring that College Boulevard be constructed before any further residential construction can commence. We recognize that this developer does not control College Boulevard to the west where it would connect to the existing street. Another form of access, other than a full street may be possible.

2. Medians are to be irrigated and maintained by the Homes Association.

3. Street lighting is to be approved by the Director of Public Works and maintained by the Homes Association.

4. Street signs are to be maintained by the Homes Association.

5. Deed Restrictions must be submitted and recorded prior to issuance of any building permits.

6. Development Standards must be submitted to the staff for approval prior to issuance of any building permits.

7. Landscaping in the medians and along the streets is to be comparable to that in the first phase.

8. For public safety considerations a temporary road will be required at Canterbury Circle so that it is a loop. This will be built to standards set by the Public Works Department.

9. Side yards are to be calculated that same as R-1 sideyards, and

WHEREAS, the property owner agrees to these stipulations, and
WHEREAS, no change in zoning is necessary for this revision, and,

WHEREAS, the preliminary and final plats meet the requirements of the Subdivision Regulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for revised preliminary plat and plan approval and final plat approval for Hallbrook Farms, Second Plat, with stipulations.

Approved by the Governing Body this ___ day of September, 1988.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
WHEREAS, a nuclear war would result in human suffering, disease, and death, and environmental destruction; and

WHEREAS, nuclear testing will promote new, more sophisticated and dangerous weapons, encouraging nuclear war rather than preventing it; and

WHEREAS, continued testing results in hazards to human health and environmental integrity; and

WHEREAS, spending for the arms race is contributing to record budget deficits while programs providing essential assistance to communities are being cut back;

NOW, THEREFORE, BE IT RESOLVED by the City of Leawood, Kansas, that the Governing Body of the City of Leawood call upon the President of the United States to seek a mutual and verifiable Comprehensive Test Ban Treaty with the Soviet Union; and

BE IT FURTHER RESOLVED that the Governing Body also call upon our members of Congress to support legislation that would enact a moratorium on nuclear testing; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the President of the United States and to the Senators and Representatives from our Congressional Delegation.

Adopted by the Governing Body this 6th day of September, 1988.

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 927

The Leawood City Council has considered the request for revised final site plan for additional signs for Hy-Vee Food Store, located at 123rd and State Line Road, and hereby finds the following:

WHEREAS, the applicant is proposing additional signs for the Hy-Vee Food Store to state, "The Southgate Bank" "Floral" "Bakery" "Videos" "Deli" "Pharmacy" "Travel Center" "Restaurant", and

WHEREAS, the applicant proposed that these signs are to be individual letters mounted to the building, backlit with neon, white face in daytime and red face at night. The applicant proposes that these letters are to be 18" uppercase and 13" lower case, and

WHEREAS, the Plan Commission considered these signs and recommended approval of an alternate type of signs, same type and size as the balance of the shopping center, that is, routed aluminum with white plexiglas faces, and

WHEREAS, the proposed signs are in accordance with the Sign Ordinance,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for revised final site plan for additional signs for HY-Vee Food Stores at 123rd and State Line Road.

Approved by the Governing Body this 3rd day of October, 1988.

(S E A L)  
Marcia Rinehart Mayor

Attest:

(S E A L)  
Martha Heizer City Clerk
RESOLUTION NO. 928

The Leawood City Council has considered the request for re-
 zoning from A and AR-2 to R-1, RP-4, and CP-2 and preliminary
plat approval for Nichols Estates, located on the east side
of Nall from 147th to 151st, and hereby finds the following:

WHEREAS, the staff has reviewed and recommended approval of
the entire application with stipulations, and

WHEREAS, the Plan Commission considered the entire applica-
tion, and

WHEREAS, the Plan Commission recommends approval of the R-1
zoning and preliminary plat for a portion of the site, ap-
proximately 135 acres, with the following stipulations:

1. The developer will continue to work with the city in res-
solving the necessary street improvements for Nall and 151st
Street.

2. The developer will be responsible for Park Impact fees
in the amount of $300 per dwelling unit and 10 cents per
square foot for commercial. The impact fee for all residen-
tial units is to be paid at the time of application for final
plat.

3. The developer will be responsible for a Street Impact
Fee in the amount of $468.75 per acre ($625 X .75). The plat
contains approximately 160 acres for an approximate total of
$75,000. This fee is to be paid at the time of approval of
the final plat or other approved arrangements shall be made
for the actual construction in accordance with City standards
and approved by the Director of Public Works.

4. The developer is responsible for street improvements for
Nall and 151st Street as per the subdivision regulations.
Both streets are designed as Arterial streets. The City re-
quires 60 feet of right-of-way for both Nall and 151st
Street.

5. Septic tanks will be allowed in the northern end of the
property, approximately located on Block 1, contingent upon approval by the Johnson County Health Department.

6. The Plan Commission waives the requirement for sidewalk in the R-1 district due to the size of the lots, and

WHEREAS, the developer agrees to these stipulations, and

WHEREAS, the proposed use is in accordance with the 1988 Master Plan,

NOW, THEREFORE BE IT RESOLVED that the City Council does hereby approve the rezoning from A and AR-2 to R-1 and preliminary plat approval for a portion of J.C. Nichols Estates with stipulations.

Approved by the Governing Body this 3rd day of October, 1988.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer  City Clerk
RESOLUTION NO. 929

BE IT RESOLVED that amendments, attached hereto, to PERSONNEL RULES AND REGULATIONS, as adopted by the "Code of the City of Leawood, Kansas, 1984", and as from time to time amended, are hereby approved by the Governing Body of the City of Leawood, Kansas, and made a part of the official document as of this date.

Adopted by the Governing Body this 3rd day of October, 1988.

(SEAL)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk
MEMO

TO: Mayor, City Council

FROM: Julie Baer, Assistant City Administrator

SUBJECT: Personnel Rules and Regulations

Periodically the City Personnel Rules and Regulations are reviewed to be sure that rules are in compliance with federal and state laws, to make sure that our practices are consistent with affirmative action and EEOC laws and to make general changes that may be appropriate. The City of Leawood Personnel Rules and Regulations are a part of the code of the City and therefore all changes must be adopted by a council resolution.

There are several proposed revisions in which a word or two has been changed for purposes of clarification only, the intent of the statement was not changed. Those rules where a change in policy is proposed are explained below.

1. The adopted City Travel and Meeting/Meal Expense Reimbursement Policy has been added as an addendum.

2. A sentence has been added to our Policy Statement Against Harassment. The addition reads "To the extent possible, all complaints of prohibited harassment will be kept confidential and only the persons necessary for the investigation and resolution of the complaint and for any resulting disciplinary proceedings will be given information about the complaint."

3. The definition of "Work Period" has been changed to spell out the four different work periods that exist within the City and to comply with the Fair Labor Standards Act (FLSA).

4. In the definition of the Classification and Pay Plan, the statement "and approved by ordinance..." has been taken out as the Personnel Rules and Regulations have now become a part of the Code of the City.

5. The method of awarding a salary increase for a promotion has been changed. When an employee is promoted, (s)he will be evaluated on his/her performance in the position (s)he currently holds. An increase based on that evaluation will be given, prorated on the number of days that have elapsed since the last performance evaluation. At that time, the employee will receive an additional 7% for the promotion or an increase which will place him/her at the minimum of the new
salary range, and his/her new date for performance evaluation will become the date of the promotion. Prior to this change, an employee would receive 7% for the first grade and 3.5% for each grade after that or an amount to reach the minimum of the new range. The evaluation date would not change.

6. The method of "Pay Rate Adjustment" in the case of a voluntary demotion has been changed. As this demotion is not due to any disciplinary action, the person who is being demoted will have his/her salary reduced to an amount that (s)he would have been earning had (s)he not been promoted. This amount will include all increases due to performance evaluations. Prior to this change, a person taking an involuntary demotion would have a salary reduction of 7% for the first grade and 3.5% for each grade after that depending on the number of grades involved in the demotion. At times, this would bring an employee below what (s)he would have been making had (s)he not taken the promotion.

7. The method of giving new employees Personal Leave Days has changed. No longer does an employee have to be here six months in order to take a Personal Leave Day. This is because this Personal Leave Day was given to replace a holiday that the employee would have been given. If an employee is here during the first six months of the year (s)he is given two Personal Leave Days; if employment begins during the last six months of the year, the employee will receive only one Personal Leave Day.

8. Vacation Leave has been broken down into hours rather than days in order to comply with the City's established work periods and FLSA regulations.

9. The limitations placed on "Sick Leave for Family Purposes" have been removed.

10. The rules regarding "Injury Leave" have been more clearly defined to state that an employee will be reevaluated every 30 days to determine condition and ability to come back to work. Another change reflects the policy that it will be determined whether the employee can do any light duty work until (s)he is able to return to his/her regular job and whether any such (light duty) work exists in the City.

11. The section on Health and Life Insurance has been changed to clearly define the rate that the City will be paying monthly for each employee. This is in accordance with the motion the City Council passed in June of 1988. We have also added all of the pertinent information regarding the "COBRA ACT." This is the law passed by Congress regarding health care for terminated and retired employees and their families.

Should you have any questions or want additional information regarding any of these changes please let me know.
RESOLUTION NO. 930

The Leawood City Council has considered the request for rezoning from A to RP-4 and CP-2, revised preliminary plat and plan approval for Nichols Estates, located at the northeast corner of 151st and Nall and hereby finds the following:

WHEREAS, the staff has reviewed and recommends approval of the application with stipulations, and

WHEREAS, the Plan Commission considered the application at two Public Hearings, and

WHEREAS, the proposed shopping center contains 91,300 square feet on 11.2 acres, and

WHEREAS, the proposed RP-4 development contains 34 dwelling units on 15.4 acres, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of CP-1 zoning, not CP-2 as applied for, and

WHEREAS, the Plan Commission recommends the following stipulations of approval:

1. Since Class A roofs are required in the RP-4 district and CP-1 district, the staff recommends low density concrete roofing be used on both the RP-4 and CP-1 structures.

2. The developer is responsible for street improvements for Nall and 151st Street as per the subdivision regulations. The developer will continue to work with the city in resolving the necessary street improvements for Nall and 151st Street.

3. The developer will be responsible for Park Impact fees in the amount of $300 per dwelling unit and 10 cents per square foot for commercial. The impact fee for all residential units is to be paid at the time of application for final plat. The commercial impact fee is to be paid at the time of issuance of a building permit.

4. The developer will be responsible for a Street Impact Fee in the amount of $468.75 per acre ($625 X .75). The plat contains approximately 160 acres for an approximate total of
$75,000. This fee is to be paid at the time of approval of the final plat or other approved arrangements shall be made for the actual construction in accordance with City standards and approved by the Director of Public Works.

5. The commercial area is limited to 91,300 square feet of development.

6. The multifamily area is limited to 34 dwelling units with a minimum of 25 feet between buildings.

7. The trash pick up area is to be moved to the east side of the grocery store.

8. The commercial area is to be screened from the west along Nall.

9. Additional dense screening is to be added to the north side of the commercial area.

10. The entrance to the commercial area from 151st Street is to be designed to allow for stacking of 3 cars, minimum,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the rezoning from A to RP-4 and CP-1, revised preliminary plat and revised preliminary site plan for Nichols Estates with stipulations.

Approved by the Governing Body this 7th day of November, 1988.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 931

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", 1987 Edition, is greater or less than is reasonable under the conditions found to exist upon certain streets within 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 in the City.

<table>
<thead>
<tr>
<th>STREET</th>
<th>PORTION CONTROLLED</th>
<th>APPLICABLE SPEED LIMIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lee Blvd.</td>
<td>81st Street to 103rd St.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>State Line Rd.</td>
<td>North City Limits to I-435</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>State Line Rd.</td>
<td>I-435 to 135th Street</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>North City limits to 330 ft. South of I-435</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>330 ft. South of I-435 to El Monte</td>
<td>15 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>119th Street to 151st St.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>College to Tomahawk Creek bridge</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>Tomahawk Creek bridge to 131st Street</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>131st Street to K-150</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>K-150 to End of Roadway</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>83rd Street</td>
<td>Within City Limits</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>85th Terrace</td>
<td>Lee Blvd. to State Line Rd.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>89th Street</td>
<td>Lee Blvd. to Road Termination</td>
<td>20 m.p.h.</td>
</tr>
<tr>
<td>89th Street</td>
<td>Mission Road to Lee Blvd.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>STREET</td>
<td>PORTION CONTROLLED</td>
<td>APPLICABLE SPEED LIMIT</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>89th Street</td>
<td>Mission Road to Lee Blvd.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>95th Street</td>
<td>Within City Limits</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>103rd Street</td>
<td>Within City Limits</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>College Blvd.</td>
<td>Between Roe Av. &amp; Nall Av.</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>College Blvd.</td>
<td>Roe to .1 Mi. West of Buena Vista</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>I-435</td>
<td>Within City Limits</td>
<td>55 m.p.h.</td>
</tr>
<tr>
<td>119th Street</td>
<td>State Line Road to Roe Av.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>119th Street</td>
<td>Roe Av. to Nall Av.</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>123rd Street</td>
<td>State Line Rd. to Mission Road</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>127th Street</td>
<td>Mission Road to Nall Av.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>K-150</td>
<td>Westbound from State Line Rd. to a point .10 miles West of intersection of K-150 and State Line Road</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>143rd Street</td>
<td>Kenneth Road to Nall Av.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>151st Street</td>
<td>Within City limits</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Kenneth Road</td>
<td>Within City limits</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Nall Avenue</td>
<td>College Blvd. to 119th Street</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Nall Avenue</td>
<td>Tomahawk Creek to 13000 block</td>
<td>35 m.p.h.</td>
</tr>
</tbody>
</table>
Adopted by the Governing Body this 7th day of November, 1988.

(SEAL)

Marcia Rinehart  Mayor

Attest:

Martha Heizer  City Clerk
RESOLUTION NO. 932

A RESOLUTION AUTHORIZING THE SALE OF $1,307,690 GENERAL OBLIGA-
TION BONDS OF THE CITY OF LEAWOOD, KANSAS, TO PAY THE COSTS OF
CERTAIN PUBLIC IMPROVEMENTS WITHIN SAID CITY; APPROVING THE FORM
OF NOTICE OF BOND SALE AND PRELIMINARY OFFICIAL STATEMENT TO BE
USED IN CONNECTION THERewith; AND AUTHORIZING AND DIRECTING THE
CITY FINANCE DIRECTOR TO ADVERTISE SUCH SALE IN THE MANNER PRE-
SCRIBED BY LAW.

WHEREAS, pursuant to K.S.A. 12-6a01, et seq., as amended,
and other provisions of the laws of the State of Kansas applica-
ble thereto, by proceedings duly had, the governing body of the
City has heretofore authorized the following described improve-
ments within the City (the "Improvements"):  

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 4373' more or less; said improvements to gener-
ally 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.

and

WHEREAS, all legal requirements pertaining to the Improve-
ments have been complied with, and the governing body of the City
now finds and determines that the total cost of the Improvements
including construction financing and related expenses is
$1,307,690 with 100% of the cost to be paid by the owners of the
property within the City benefited by the respective
Improvements, and that none of said property owners have paid
their respective assessments on account of the construction of
the Improvements and there are no funds available in the City
Treasury to pay the remainder of the cost of the Improvements
leaving $1,307,690 to be paid by the issuance and sale of the
City's general obligation bonds; and

WHEREAS, it is necessary and desirable at this time that the
City retire temporary notes previously issued and outstanding and
provide permanent financing for said Improvements by the issuance
of general obligation bonds of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS:
Section One: That the Director of Finance on behalf of Leawood, Johnson County, Kansas, is hereby authorized and directed to advertise for public sale in the manner required by law, the general obligation bonds of the City in the aggregate principal amount of $1,307,690, for the purpose of financing the costs of the above-described Improvements pursuant to the statutes hereinbefore enumerated and amendments thereto, and further pursuant to the general obligation bond authority provided by the laws of the State of Kansas.

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

NOTICE OF BOND SALE
$1,307,690
GENERAL OBLIGATION IMPROVEMENT BONDS
SERIES 1988-C
LEAWOOD, JOHNSON COUNTY, KANSAS

Sealed bids will be received by the undersigned City Finance Director of Leawood, Johnson County, Kansas, at City Hall, 9617 Lee Boulevard, Leawood, Johnson County, Kansas, until 2:00 p.m. C.S.T. on Monday, December 5, 1988, at which time such bids will be publicly opened, for the sale of the above-captioned general obligation bonds (the "Bonds") of the City of Leawood, Johnson County, Kansas, to finance the cost of construction of a certain improvement project within said City. Such bids will be considered by the Governing Body of the City at a meeting to be held at 7:30 p.m. C.S.T. on such date.

The Bonds will be designated General Obligation Improvement Bonds, Series 1988-C, in the aggregate principal amount of $1,307,690 (the "Series 1988-C Bonds") and will consist of fully registered bonds without coupons in the denominations of $5,000 and any integral multiple thereof, except that a single Bond of the issue maturing September 1, 1990 will be in the denomination of $7,690. All of said Bonds will be dated December 1, 1988, and will mature serially on September 1 of each year, as follows:

Series 1988-C Bonds

<table>
<thead>
<tr>
<th>Maturity</th>
<th>Amount</th>
<th>Maturity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>$ 87,690</td>
<td>1998</td>
<td>$ 85,000</td>
</tr>
<tr>
<td>1991</td>
<td>$ 85,000</td>
<td>1999</td>
<td>$ 90,000</td>
</tr>
<tr>
<td>1992</td>
<td>$ 85,000</td>
<td>2000</td>
<td>$ 90,000</td>
</tr>
<tr>
<td>1993</td>
<td>$ 85,000</td>
<td>2001</td>
<td>$ 90,000</td>
</tr>
<tr>
<td>1994</td>
<td>$ 85,000</td>
<td>2002</td>
<td>$ 90,000</td>
</tr>
<tr>
<td>1995</td>
<td>$ 85,000</td>
<td>2003</td>
<td>$ 90,000</td>
</tr>
<tr>
<td>1996</td>
<td>$ 85,000</td>
<td>2004</td>
<td>$ 90,000</td>
</tr>
<tr>
<td>1997</td>
<td>$ 85,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Interest on said Bonds from the date thereof at the rates determined when the Bonds are sold as herein provided will be payable semi-annually on March 1 and September 1 in each year through maturity, commencing on March 1, 1990.

The principal of and interest on the Bonds will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the paying agent and bond registrar), to the registered owners thereof whose names appear on the registration books maintained by the bond registrar as of the 15th day of the month preceding each interest payment date. The bonds will be registered pursuant to a plan of registration approved by the City and the Attorney General of the State of Kansas. The bonds may be registered as fully registered certificated or uncertificated (book entry) bonds at the option of each registered owner.

The City will pay the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondholders.

The type and denominations of the Bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the City and bond registrar at least two weeks prior to the closing date. In the absence of such information, the City will deliver Bonds in the denomination of each maturity registered in the name of the successful bidder.

At the option of the City, Bonds maturing on September 1, 1996, and thereafter will be subject to redemption and payment prior to maturity, on September 1, 1995, and on any interest payment date thereafter in whole or in part (in integral multiples of $5,000) in inverse order of maturity (and by lot within a single maturity) at the redemption price of 100 percent of the principal amount thereof, plus accrued interest to the date fixed for redemption.

If the City shall elect to call any of the Bonds for redemption and payment prior to the maturity thereof, the City shall give written notice of its intention to redeem and pay said Bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States registered or certified mail addressed to the State Treasurer of Kansas, said notice to be mailed at least 60 days prior to the redemption date, to the registered owners of said Bonds, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. If any Bond be called for redemption and payment as aforesaid, all interest on such Bond shall cease.
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 special assessments levied upon property benefitted by the construction of certain improvements and, if not so paid, 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.

The Bonds will be designated "qualified tax exempt obligations" by the City for the purposes of Section 265(b)(3)(B) of the Internal Revenue Code of 1986.

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. 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 Credit Markets, New York, New York, 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%.

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 deducting 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 City reserves the rights to waive minor irregularities and to reject any or all bids.

The initial reoffering price to the public shall be furnished to the City by the successful bidder at least one week prior to the closing date. A certificate setting forth such initial reoffering price to the public shall be furnished by the successful bidder at closing.

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 Langworthy Kohn & Van Dyke, P.C., Kansas City, Missouri,
Bond Counsel, whose services will be paid for by the City. The opinion of Bond Counsel will state that under existing laws and regulations and, assuming continued compliance with the covenants contained in the bond ordinance, the interest on the Bonds is exempt from federal income taxation, except with respect to certain taxpayers as more specifically described in the Official Statement of the City.

The Bonds will be delivered to the purchaser on or about December 29, 1988, at any such bank or trust company in the State of Kansas, Kansas City, Missouri, Chicago, Illinois, or New York, New York, 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, including the CUSIP Service Bureau's charge for assignment of said numbers, will be paid for by the City.

The population of the City is approximately 18,012. The 1988 assessed valuation of all taxable tangible property within Leawood, Kansas is $103,710,888, including motor vehicle valuation of approximately $24,559,506. The total general obligation bonded indebtedness of Leawood, Kansas, at the date hereof, including the issue of bonds herein offered for sale, is $11,652,690. In addition, the City of Leawood has temporary notes outstanding in the total amount of $1,875,000, of which $1,300,000 will be redeemed and cancelled from the proceeds of the Bonds herein offered for sale and prepayments of tax assessments.

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.

Additional copies of this Notice of Bond Sale, copies of the City's Official Statement relating to the Bonds and further information may be obtained from the undersigned City Finance Director or George K. Baum & Company, 1004 Baltimore Avenue, Kansas City, Missouri 64105, (816) 474-1100, the City's financial advisor.

Mailed bids should be addressed to Harry Malnicof, City Finance Director, City of Leawood, Kansas, 9617 Lee Boulevard, Leawood, Kansas 66206, and marked "Bid for purchase of $1,307,690 General Obligation Improvement Bonds, Series 1988-C, Leawood, Johnson County, Kansas." Bids may also be delivered to the said officer at City Hall, Leawood, Kansas, at or immediately prior to 2:00 o'clock p.m.
DATED at Leawood, Kansas, this ___ day of ______, 1988.

HARRY MALNICOF, City Finance Director

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 preliminary official statement in substantially the form attached hereto as Exhibit B is hereby approved, and the Director of Finance 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: That the Governing Body hereby finds and determines as follows:

(a) None of the gross proceeds of the bonds will be used (on a basis different from use by the general public of the improvements to be financed with the bonds), directly or indirectly, in any trade or business carried on by any person (including exempt persons) other than the City, any political subdivision of the State of Kansas or any governmental unit of the State of Kansas, or to make loans to any such person;

(b) The amount of tax-exempt obligations (other than private activity bonds) which the City reasonably anticipates will be issued during the calendar year 1988 does not exceed $10,000,000 and the City shall not issue more than $10,000,000 of any such obligations.

The Governing Body hereby designates the bonds as "qualified tax exempt obligations" for purposes of Section 265(b)(3)(B) of the Internal Revenue Code of 1986.

Section Six: 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 7th day of November, 1988.

SIGNED by the Mayor this 8th day of November, 1988.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk
EXHIBIT A

PROPOSAL FOR THE PURCHASE OF BONDS

OF

THE CITY OF LEAWOOD, KANSAS

TO THE CITY OF LEAWOOD, KANSAS:

For $___________ principal amount of General Obligation Improvement Bonds, Series 1988-C, of the City of Leawood, Kansas, described in your Notice of Bond Sale, dated __________, 1988, said bonds to bear interest as follows:

SERIES 1988-C BONDS

<table>
<thead>
<tr>
<th>Maturity</th>
<th>Amount</th>
<th>Interest Rate Per Annum</th>
<th>Maturity</th>
<th>Amount</th>
<th>Interest Rate Per Annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>$ 87,690</td>
<td>__%</td>
<td>1998</td>
<td>$ 85,000</td>
<td>__%</td>
</tr>
<tr>
<td>1991</td>
<td>$ 85,000</td>
<td>__%</td>
<td>1999</td>
<td>$ 90,000</td>
<td>__%</td>
</tr>
<tr>
<td>1992</td>
<td>$ 85,000</td>
<td>__%</td>
<td>2000</td>
<td>$ 90,000</td>
<td>__%</td>
</tr>
<tr>
<td>1993</td>
<td>$ 85,000</td>
<td>__%</td>
<td>2001</td>
<td>$ 90,000</td>
<td>__%</td>
</tr>
<tr>
<td>1994</td>
<td>$ 85,000</td>
<td>__%</td>
<td>2002</td>
<td>$ 90,000</td>
<td>__%</td>
</tr>
<tr>
<td>1995</td>
<td>$ 85,000</td>
<td>__%</td>
<td>2003</td>
<td>$ 90,000</td>
<td>__%</td>
</tr>
<tr>
<td>1996</td>
<td>$ 85,000</td>
<td>__%</td>
<td>2004</td>
<td>$ 90,000</td>
<td>__%</td>
</tr>
<tr>
<td>1997</td>
<td>$ 85,000</td>
<td>__%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The undersigned will pay 100% of the principal amount of said Bonds plus accrued interest to date of delivery, plus a total premium of $______________.

Total interest cost to the City on entire bond issue calculated to maturity on the rates specified above.................. $_______

Total premium on entire bond issue on basis of this bid.......................... $_______

Net interest cost to the City on entire bond issue on basis of this bid................. $_______

Average annual net interest rate to the City on basis of this bid.......................... $_______

This proposal is subject to all of the terms and conditions contained in said Notice of Bond Sale, and if the undersigned is the successful bidder, the undersigned will comply with all of said provisions.
A cashier's or certified check, in the amount of $26,153.80 payable to the order 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 is accepted but said City 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 is accepted, then the check delivered to the City on account of such bid, or the proceeds thereof, shall be held by the City until the undersigned shall have complied with all of the terms of said notice and such bid, at which time the amount of said check shall be paid to or upon the order of the undersigned. If the bid herein contained is accepted and if the undersigned shall default in the performance of any of the terms and conditions of such bid, the amount of such check shall be retained by the City as and for liquidated damages.

Submitted by: ________________________________
(Name of Firm)

By: ________________________________
(Name) (Office)

Account Members:

________________________________________
________________________________________
________________________________________
________________________________________
Pursuant to action duly taken by the Governing Body of the City of Leawood, Kansas, the above proposal is hereby accepted this ___ day of __________, 1988

THE CITY OF LEAWOOD, KANSAS

________________________________________
Mayor

ATTEST:

________________________________________
City Clerk

(Note: No additions or alterations in the above proposal shall be made and any erasures may cause a rejection of any bid. Bids must be filed with the City Finance Director of the City of Leawood, Kansas, at the City Hall, 9617 Lee Boulevard, in said City, sealed at or prior to 2:00 P.M. C.S.T., on Monday, December 5, 1988, or delivered to said officer at City Hall in Leawood, Kansas at or immediately prior to that time on said date.)
The Series 1988-C Bonds (the "Bonds") are issued initially as fully registered certificated bonds each in the denomination of $5,000 or any integral multiple thereof, except for one bond maturing September 1, 1990 in the denomination of $7,690, not exceeding the principal amount of bonds of each maturity. Interest on the Bonds is payable March 1, 1990, and semiannually thereafter on March 1 and September 1 in each year, by check or draft mailed to the registered owners of the Bonds by the State Treasurer of Kansas, as bond registrar and paying agent (the "Registrar/Paying Agent"). The principal of the Bonds is payable upon presentation and surrender of the Bonds at the office of the Registrar/Paying Agent. The Bonds mature, bear interest and are priced to yield as follows:

**MATURITY SCHEDULE**

<table>
<thead>
<tr>
<th>Amount</th>
<th>Rate</th>
<th>Maturity</th>
<th>Yield</th>
<th>Amount</th>
<th>Rate</th>
<th>Maturity</th>
<th>Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>$87,690</td>
<td></td>
<td>9-1-90</td>
<td>$85,000</td>
<td>9-1-98</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>85,000</td>
<td></td>
<td>9-1-91</td>
<td>90,000</td>
<td>9-1-99</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85,000</td>
<td></td>
<td>9-1-92</td>
<td>90,000</td>
<td>9-1-99</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85,000</td>
<td></td>
<td>9-1-93</td>
<td>90,000</td>
<td>9-1-00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85,000</td>
<td></td>
<td>9-1-94</td>
<td>90,000</td>
<td>9-1-01</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85,000</td>
<td></td>
<td>9-1-95</td>
<td>90,000</td>
<td>9-1-02</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85,000</td>
<td></td>
<td>9-1-96</td>
<td>90,000</td>
<td>9-1-03</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85,000</td>
<td></td>
<td>9-1-97</td>
<td>90,000</td>
<td>9-1-04</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The City reserves the right, at its option, to redeem the Bonds maturing on or after September 1, 1996 in whole or in part in principal amounts of $5,000 or any integral multiple thereof, on September 1, 1995, or on any interest payment date thereafter, as more fully set out herein. See "THE BONDS - Optional Redemption."

The Bonds are general obligations of the City and are payable as to both principal and interest from special assessments levied upon property benefited by certain improvements, and if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property within the territorial limits of the City.
In the opinion of Linde Thomson Langworthy Kohn & Van Dyke, P.C., Kansas City, Missouri, Bond Counsel, under existing laws and regulations and, assuming continued compliance with the covenants contained in the bond ordinance, the interest on the bonds is exempt from federal income taxation, except with respect to certain taxpayers as more specifically described herein. See "TAX EXEMPTION."

The Bonds are offered when, as and if issued by the City and received by the successful bidder, subject to the approval of Bond Counsel. It is expected that the Bonds will be available for delivery on or about December 29, 1988 at any bank in the State of Kansas, Kansas City, Missouri, or Chicago, Illinois, or New York, New York.

SEALED BIDS WILL BE RECEIVED BY
Harry Malnicof, Finance Director
Leawood City Hall
9617 Lee Boulevard
Leawood, Kansas 66206
Until 2:00 p.m. Central Standard Time
Monday, December 5, 1988
A RESOLUTION SETTING OUT THE FINDINGS AND DETERMINATIONS
OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, ON THE
ADVISABILITY OF THE CONSTRUCTION OF TOMAHAWK CREEK PARKWAY IN
THE CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, BEING WITHIN A
RIGHT-OF-WAY VARYING FROM 100' TO 200' IN WIDTHS BEGINNING AT
THE CENTERLINE OF COLLEGE BOULEVARD AND RUNNING IN A SOUTHWEST-
ERLY DIRECTION ALONG A MEANDERING ALIGNMENT CROSSING 119TH
STREET AND ENDING AT ROE AVENUE WHERE OVERLAND PARK'S TOMAHAWK
CREEK PARK BEGIN.

WHEREAS, it is deemed necessary and advisable by the City
of Leawood, Kansas, to make certain improvements consisting of
two (2) asphaltic cement concrete lanes being twenty-six (26)
feet in width separated with grass landscaped median. Also in-
cluded will be storm sewers, street lights, channelization, in-
tersection signalization, sidewalks and other appurtenances to
make a complete parkway road system. Along with roadway im-
provements will be site reclamation of borrow pits used in the
construction of the roadway into ponds suitable for
greenway/park system.

WHEREAS, said improvements were requested by petition of
those liable for the cost of same, said proceedings shall be
without notice as provided in K.S.A. 12-6a04(i) as amended.

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

That the following described improvement is hereby autho-
ized and ordered to be made in accordance with the findings of
the Governing Body upon the advisability of the improvement as
follows:

GENERAL NATURE OF THE IMPROVEMENT:

The general nature of the improvement is as follows:

The construction of Tomahawk Creek Parkway in the City of
Leawood, Johnson County, Kansas, being within a
right-of-way varying from 100' to 200' in widths beginning at
the centerline of College Boulevard and running in a
southwesterly direction along a meandering alignment
crossing 119th Street and ending at Roe Avenue where Over-
land Park's Tomahawk Creek Park begins.

The alignment being more particularly described as fol-
lows:

Beginning at a point which is on the centerline
of College Boulevard, which is also the South
line of Section 10, Township 13, Range 25 and is
1324.29' East of the SW corner of said Section
10; Thence southerly 339.11' on a line with a
bearing of S 1 degree-28'-52" W; Thence South
and West along a convexed curve with a radius of
1812.50 feet, a distance of 42.82 feet; Thence
southwesterly along a concaved curve with a cen-
tral angle of 9 degrees-31'-38", a radius of
1812.50 feet, a distance of 301.39 feet. Thence
southwesterly along a line with a bearing of S
26 degrees-10'-43" W, a distance of 517.59 feet;
thence southerly along a convexed curve with a
central angle of 26 degrees-12'-53" and a
radius of 1100' a distance of 505.28'; thence south
along a line with a bearing of S 0
degrees-2'-10" E, a distance of 185.02 feet;
thence southwesterly along a convexed curve with
a central angle of 74 degrees-39'-40" and a
radius of 650', a distance of 847 feet; thence southwesterly along a concaved curve with a central angle of 24 degrees-01'-18" and a radius of 850 feet, a distance of 356.37 feet; thence southwesterly along a concaved curve with a central angle of 36 degrees-12'-12" and a radius of 850 feet, a distance of 537.09 feet; thence southwesterly along a line with a bearing of S 14 degrees-24' W, a distance of 1557.61 feet; thence southwesterly along a concaved curve with a central angle of 11 degrees-41'-57" and a radius of 1200 feet, a distance of 245.38 feet; thence southwesterly along a convexed curve with a central angle of 11 degrees-41'-57" and a radius of 1200 feet, a distance of 245.38 feet; thence southerly along a concaved curve with a central angle of 15 degrees-48'-40" and a radius of 550 feet, a distance of 151.78 feet; thence south along a line with a bearing of S 1 degree-24'-40" W, a distance of 106.99 feet, said point being on the north line of Section 21, Township 13, Range 25 and 1277.93'. Continuing south along same line a distance of 73.12 feet; thence southwesterly along a concaved curve with a central angle of 86 degrees-30'-44" and a radius of 620.14 feet; a distance of 936.37 feet; thence along a line with a bearing S 85 degrees-6'-4" W, a distance of 687.73 feet to the centerline of Roe Avenue and the west line of said Section 21, Township 13, Range 25. Said point being 716' south of the northwest corner of said Section 21, Township 13, Range 25, also being the end point. This alignment as described lies within the City of Leawood, Johnson County, Kansas.

ESTIMATED AND PROBABLE COST.

The estimated or probable cost of the total improvement is Three Million Three Hundred Ninety Two Thousand and Seventeen Dollars ($3,392,017.00). The improvement will be undertaken in cooperation with the City of Leawood, Kansas, and Johnson County, Kansas. The estimated or probable cost of the portion of the proposed improvement which will be paid by the improvement district sought to be formed by this petition will be approximately One Million Eight Hundred Thirty-Five Thousand Three Hundred and Thirty-Two Dollars ($1,835,332.00).

BOUNDARIES OF PROPOSED IMPROVEMENT DISTRICT.

The proposed improvement district boundaries are indicated on the attached Exhibit A which is incorporated in this petition.

EXTENT OF PROPOSED IMPROVEMENT DISTRICT TO BE ASSESSED.

All property within the improvement district will be assessed in the manner described in this petition.

PROPOSED METHOD OF ASSESSMENT.

All assessable property within the improvement district will be assessed on the basis of an average of the percentage of square footage of each tract located within the improvement district and of the percentage of lineal front footage (also referred to as abutting front footage) of each tract located within the boundaries of the improvement district and abutting the west right-of-way line of proposed improvement as shown on the attached Exhibit A. Applicable percentages for assessment of each tract shall
be determined by the City of Leawood in the following manner. First, the City will determine the portion of square footage of each tract of ground which abuts the westerly right-of-way line of the proposed improvement and which is located within one-quarter mile of the westerly right-of-way line of the proposed improvement, all shown on Exhibit A. The portion of square footage of each tract of ground which abuts the westerly right-of-way line of the proposed improvement and which is located within one-quarter mile of the westerly right-of-way line of the proposed improvement shall be expressed as a percentage of the square footage of all tracts of ground which abut the westerly right-of-way line of the proposed improvement and which are located within one-quarter mile of said westerly right-of-way. For purposes of determining square footage within one-quarter mile of the westerly right-of-way line, any portion of a tract of ground which is currently zoned and planned so that it cannot be served by the proposed street shall be excluded from the computation of square footage within one-quarter mile.

Secondly, the City will determine the number of lineal feet of each tract to be assessed. The lineal footage of each tract of ground which abuts the westerly right-of-way line of the proposed improvement shall be expressed as a percentage of the total lineal footage of all tracts abutting the said westerly right-of-way line of the proposed improvements. All percentages shall be rounded to two decimals. Thirdly, upon determination of the applicable percentages of square footage and lineal front footage for each tract in the manner described hereinbefore the percentage of square footage and the percentage of lineal front footage for each individual tract shall be added and divided by two to arrive at an average percentage. Each tract of ground within the improvement district shall be assessed on the basis of its average percentage of square footage and lineal footage.

The average percentages as determined in accordance with the foregoing formula for assessment of each tract of ground presently located within the improvement district will be as follows:

<table>
<thead>
<tr>
<th>Owner</th>
<th>Sq. Ftg. %</th>
<th>Front Ftg. %</th>
<th>Average %*</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gordon</td>
<td>19.69%</td>
<td>37.85%</td>
<td>28.77%</td>
<td>$528,025.00</td>
</tr>
<tr>
<td>Spears</td>
<td>28.18%</td>
<td>7.10%</td>
<td>17.64%</td>
<td>323,753.00</td>
</tr>
<tr>
<td>Morgan</td>
<td>52.13%</td>
<td>55.05%</td>
<td>53.59%</td>
<td>983,554.00</td>
</tr>
<tr>
<td></td>
<td>100.00%</td>
<td>100.00%</td>
<td>100.00%</td>
<td>$1,835,332.00</td>
</tr>
</tbody>
</table>

*Average = 50% square footage + 50% front footage.

In the event that any individual assessment shall be deemed to be invalid, the assessments against other property within the improvement district shall not be increased beyond the percentages stated above.

PROPOSED APPORTIONMENT OF THE COST BETWEEN THE IMPROVEMENT DISTRICT AND THE CITY AT LARGE.

The proposed apportionment of the cost based upon the estimated cost of the improvement is as follows:

| Johnson County/Leawood Improvement District | (45.9%) | (54.1%) |
ADVISABILITY ESTABLISHING WITHOUT NOTICE AND HEARING:

That the advisability of the improvement described hereinbefore is hereby established without notice and hearing, as authorized by K.S.A. 12-6a04.

Adopted and Passed the 22nd day of November, 1988.

[Signature]  
Mayor

[Signature]  
City Clerk
CERTIFICATION

I, Martha Heizer, 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 the full, true and correct original of Resolution No. 933 adopted by the Governing Body at a special meeting held November 22, 1988.

Martha Heizer
City Clerk
City of Leawood, Kansas
RESOLUTION NO. 934

The Leawood City Council has considered the request for revised preliminary site plan and revised preliminary plat, known as Camelot Court, located at the northeast corner of 119th and Roe, and hereby finds the following:

WHEREAS, the proposed shopping center contains 263,768 square feet, and the site contains 42.4 acres, and

WHEREAS, the staff has reviewed and recommends approval of the application with stipulations, and

WHEREAS, the Plan Commission considered the application at a Public Hearing, and

WHEREAS, the site plan has changed due to the change in the size of the grocery store which now contains 36,608 square feet where the previous store contained 61,300 square feet, and

WHEREAS, the shopping center now contains 263,768 square feet, and

WHEREAS, the first phase now contains 77,558 square feet, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with the following stipulations of approval:

1. The developer agrees to participate in the construction of Tomahawk Creek Parkway. The cost of the parkway will be divided between the developer of this property and other properties between College, Roe, Tomahawk Creek Parkway and 121st Street and the City of Leawood in an equitable manner to be determined by the City of Leawood.
2. All technical deficiencies are to be changed prior to submission to the City Council.
3. The parking area is to be as shown on the revised site plan.
4. The parking on the west side, adjacent to the building is to be as shown on the revised site plan.
5. Signage must be clarified by submitting calculations for the grocery store and clarification of the signs on the outparcels.
6. No slopes over 3:1 will be allowed around any buildings.
7. Outparcel development shall be limited to the number of structures, square footage, and location shown on the plan. The out buildings shall have architecture that is harmonious with the center. There is to be one architectural theme for
the entire site. Access to the parking areas from the outparcels will be reviewed by the staff as part of the final site plan application.

8. Rooftop units must be screened from view from off of the site. Sheet 8 shows screening by parapet walls. The back side of any parapet wall shall be architecturally treated to enhance the visual appearance.

9. There is to be not more than two aisles of parking between rows of trees.

10. The developer shall be responsible for the construction of acceleration and deceleration lanes as directed by the city's traffic engineer on 117th Street, Roe, and Tomahawk Creek Parkway.

11. There shall be a connection to Tomahawk Creek Parkway as part of Phase Two.

12. Class "A" roofing shall be used on the entire site.

13. The developer shall participate in future traffic signalization at entrances to shopping center.

14. The southerly entrance (approximately 118th Terrace) onto Tomahawk Creek Parkway shall have no median cut.

15. All four sides of pad site buildings shall be finished and rooftop equipment screened.

16. Developer shall participate in 1/2 the cost of traffic signal at 119th and Tomahawk Creek Parkway.

WHEREAS, the developer agrees to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat and revised preliminary site plan of Camelot Court with stipulations.

Approved by the Governing Body this 5th day of December, 1988.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 935

The Leawood City Council has considered the request for rezoning from A to RP-1, preliminary plat and preliminary plan approval, known as Brittany Woods, located at approximately 155th and Nall and hereby finds the following:

WHEREAS, the applicant has made changes in the application, and

WHEREAS, the revised site plan and plat contains 146 lots, and

WHEREAS, the minimum lot width is 85 feet at the building line, and

WHEREAS, the minimum front yard setback is 35 feet, rear yard setback is 35 feet and the side yard setback is 12 feet, 6 inches, and

WHEREAS, the staff has reviewed and recommends approval of the application with stipulations, and

WHEREAS, the Plan Commission considered the application at a Public Hearing, and

WHEREAS, the developer is proposing to offer approximately 10 acres to the city as park land, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with the following stipulations of approval:

1. The developer will be responsible for a Street Impact Fee in the amount of $937.50 per acre ($625 X 1.5). The plat contains approximately 75 acres for an approximate total of $70,312. This fee is to be paid at the time of approval of the final plat or other approved arrangements shall be made for the actual construction in accordance with City standards and approved by the Director of Public Works.

2. The developer is responsible for street improvements for Nall as per the subdivision regulations. The City requires 50 feet of right-of-way for Nall.

3. The developer agrees not to oppose a benefit district for
Nall Avenue.
4. The developer will be responsible for Park Impact fee in the amount of $300 per dwelling unit at this time.
5. All lots are to be connected to sewers.
6. Setbacks are to be as shown on the preliminary site plan, and

WHEREAS, the developer agrees to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the rezoning from A to RP-I, preliminary plat and preliminary plan for Brittany Woods with stipulations.

Approved by the Governing Body this 5th day of December, 1988.

(S E A L)

Attest:

Marcia Rinehart
Mayor

Martha Heizer
City Clerk
The Leawood City Council has considered the request for final plat and final plan approval, known as Brittany Woods, First Plat located at approximately 155th and Nall and hereby finds the following:

WHEREAS, the staff has reviewed and recommends approval of the application with stipulations, and

WHEREAS, the Plan Commission considered the application at a Public Hearing, and

WHEREAS, the proposed first plat contains 56 lots on approximately 30.786 acres, and

WHEREAS, the developer is proposing to offer approximately 5.9 acres to the city as park land, and

WHEREAS, the minimum lot width is 85 feet; the minimum front yard setback is 35 feet; the minimum rear yard setback is 35 feet; and there is to be a minimum of 12.5 foot sideyards, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with the following stipulations of approval:

1. The developer will be responsible for a Street Impact Fee in the amount of $937.50 per acre ($625 X 1.5). The plat contains 30.786 acres for a total of $28,861. This fee is to be paid prior to approval of the final plat.
2. The developer is responsible for street improvements for Nall as per the subdivision regulations. Nall is designated as a secondary arterial street. The current rate is $110 per front foot. The City requires 50 feet of right-of-way for Nall.
3. The developer agrees not to oppose a benefit district for improvements for Nall.
4. A Park Impact Fee in the amount of $300 per dwelling unit is to be collected prior to approval of the final plat.

WHEREAS, the developer agrees to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat and final plan for Brittany Woods, 1st Plat with stipulations.
Approved by the Governing Body this 5th day of December, 1988.

(S' E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 937

A RESOLUTION AUTHORIZING THE REMODELING, ADDITION AND EQUIPPING OF THE LEAWOOD POLICE AND COURT BUILDING, 9617 LEE BOULEVARD, AND LEAWOOD FIRE STATION NO. 1, 9609 LEE BOULEVARD, IN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, a space needs study was conducted and concluded that additional and improved space is necessary for the continued efficient conduct of City business; and

WHEREAS, K.S.A. 12-1736 authorizes any city in this state to make alterations to, make additions to, remodel, furnish and equip a public building or buildings; and

WHEREAS, the Governing Body authorized the establishment of a Building Fund in accordance with K.S.A. 12-1737. Such Building Fund to levy up to two (2) mills for a period not to exceed ten (10) years with the first levy of two (2) mills to be in 1988; and

WHEREAS, K.S.A. 12-1737 provides for various methods of financing improvements to public buildings one of which is the issuance of bonds of the City for the purpose of remodeling and making additions to and further authorizes any combination of the financing methods contained therein; and

WHEREAS, the Governing Body has found and determined it advisable to make additions to, remodel and equip certain public buildings specifically the Police and Court Building and Fire Station No. 1;

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

Section 1. That the Governing Body finds and finally determines it is necessary and advisable to make additions to, remodel and equip the Police and Court Building at 9617 Lee Boulevard and Fire Station No. 1 at 9609 Lee Boulevard.

Section 2. That the improvements described in Section 1 of this Resolution are hereby authorized and ordered to be made in accordance with the findings of the Governing Body of the City of Leawood.

Section 3. That the estimated or probable cost of the improvements is $1,200,000. The improvements to be financed utilizing any one or more of the financing methods as provided in K.S.A. 12-1737. Further, that the City is hereby authorized to issue temporary notes and general obligation bonds of the City as a means of financing the improvements.

Adopted by the Governing Body this 5th day of December, 1988.

(S-E-A L) 
Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

WHEREAS, Section 11.2(a) of the "Personnel Rules and Regulations" dated January 3, 1984, and as amended October 3, 1988, designated holidays for all regular employees of the City of Leawood; and

WHEREAS, after review of holiday dates in 1989, staff recommends that the following schedule be adopted;

NOW, THEREFORE, BE IT RESOLVED that the City Hall of Leawood, Kansas, shall be closed on the following holiday dates in 1989;

BE IT FURTHER RESOLVED that the Governing Body hereby directs that the "Personnel Rules and Regulations" dated January 3, 1984, and as amended October 3, 1988, be amended in accordance with this resolution.

New Year's Day January 2
(Monday)

Presidents' Day February 20
(3rd Monday-February)

Memorial Day May 29
(last Monday-May)

Independence Day July 4

Labor Day September 4
(1st Monday-September)

Thanksgiving November 23/24
(4th Thursday & Friday-November)

Christmas December 25

Adopted by the Governing Body this 5th day of December, 1988

Marcia Rinehart, Mayor

Attest:

Martha Heizer, City Clerk
RESOLUTION NO. 939

WHEREAS, staff has reviewed and recommends approval of the "City of Leawood Drug and Alcohol Testing, Discipline, and Assistance Policy", attached hereto;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, does hereby approve said Policy.

Adopted by the Governing Body this 19th day of December, 1988.

(S. E. A. L) 

(Marcia Rinehart) Mayor

Attest:

(Martha Heizer) City Clerk
CITY OF LEAWOOD, KANSAS

DRUG AND ALCOHOL TESTING, DISCIPLINE
AND ASSISTANCE POLICY

DECEMBER, 1988
(1.1) PURPOSE

(A) The City of Leawood will strive to provide an alcohol and drug free work environment for its employees by attempting to eliminate substance abuse and its effects in the workplace. While the City does not intend to intrude into the private lives of our employees, our concern is that involvement with alcohol and drugs off the job may effect an employees performance and employee safety as well as the safety of the public.

It is in the best interest of the public, fellow workers and employees that all employees be able to perform their duties safely and efficiently. The presence of alcohol and drugs in the workplace, and the influence of these substances on employees during working hours, are inconsistent with this objective.

This policy provides guidelines for the testing of job applicants and employees of the City of Leawood. It outlines the responsibilities of City department heads and supervisors as well as employees. Through this policy the City will act to eliminate any alcohol and drug abuse (illegal drugs, misuse of prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of their job. Such abuse increases the potential for accidents, absenteeism, substandard performance, poor employee morale and damage to the City's reputation. Testing for substances is a tool to be used to gather information to aid in making informed decisions regarding employment.

(B) The City of Leawood has identified two situations in which alcohol and drug tests will be used:

1) Pre-employment testing of applicants for positions directly involved with protecting public safety to avoid hiring substance abusers

2) Testing based upon a "Reasonable suspicion" that an employee's work performance is impaired by alcohol or drugs, or following an accident.

(1.2) POLICY STATEMENT

(A) It is the City of Leawood's policy that applicants for employment for positions directly involved with protecting public safety and all employees shall not be under the influence of or in possession of any alcohol or illegal drugs; nor possess these substances while on City property, at work locations, or while on duty or subject to being called to duty; sell or provide any of these substances to any other employee or to any person while
such employee is on duty or subject to being called to duty, nor have their ability to work impaired as a result of the use of these substances.

(B) While the use of medically prescribed medications is not per se a violation of this policy, failure by the employee to notify his/her supervisor, before beginning work, when taking such medications could interfere with the safe and effective performance of duties or operation of City equipment, may result in discipline, up to and including termination. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications, clearance from a qualified physician may be required.

(1.3) DRUGS FOR WHICH TESTING WILL BE DONE

(A) When alcohol and drug testing is required under the provisions of this policy, a urinalysis test will be given to detect the presence of the following drug groups, but not limited to:

(1) Alcohol (ethyl)
(2) Amphetamines (e.g., speed)
(3) Barbiturates (e.g., Amobarbital, Butabarbital, Phenobarbital, Secobarbital)
(4) Cocaine
(5) Methaqualone (e.g., Quaalude)
(6) Opiates (e.g., Codeine, Heroin, Morphine, Hydromorphone, Hydrocodone)
(7) Phencyclidine (PCP)
(8) Cannabinoids (e.g., THC, Marijuana)
(9) Benzodiazepines (e.g., Tranquilizers, Valium)
(10) Any drugs covered by the Uniform Controlled Substance Act (K.S.A 65-4101 et seq.)

(1.4) TESTS TO BE USED AND CONFIRMATION OF TEST RESULTS
(A) All tests will be done at an approved medical laboratory selected by the City. To ensure that the test site is appropriate, the chosen facility shall submit in writing a description of procedures that will be used to obtain and maintain test samples. A "chain of custody" procedure will be established by the laboratory to assure that test samples will be properly acquired, labeled and handled in such a way as to protect the individual's right to privacy while ensuring that there is no tampering and that samples are received without contamination or mix-up and will be accounted for at each step of the process, including confirmatory tests. In order to secure this, hospital gowns will be provided so that no street clothes, bags, briefcases, purses or other containers are not carried into the test area.

(B) The initial screen to be used is the "EMIT Test". This is a urine test. A job applicant or an employee whose test yields a positive result shall be given a second test using a Gas Chromatography/Mass Spectometry (GC/MS) test. This test will use a portion of the same test sample withdrawn from the applicant or employee for the first test.

If this second test confirms the positive test result from the first test, the applicant or employee shall be notified of the results in writing by the personnel department, which notification shall be sent within twenty-four (24) hours after the Personnel Department learns of the confirmed positive test results. The letter of notification shall identify the particular substance found and its concentration level.

(C) An applicant or employee whose second test confirms the original positive test result may, at the applicant's or employee's own expense, have a third test conducted on the same sample at the laboratory selected by the City.

(D) Consequences of a confirmed positive test result are discussed under the appropriate heading for pre-employment or testing of current employees.

(1.5) CONSENT

(A) Before an alcohol and illegal drug test is administered, job applicants and employees will be asked to sign a consent form authorizing the test and permitting release of test results to those City officials with a need to know for disciplinary and personnel purposes. The consent form will have space for applicants and employees to acknowledge that they have been notified of the City's alcohol and illegal drug testing policy and to in
dicate current or recent use of prescription or over-the-counter medication. The consent form will be attached to this policy and a copy of the consent form and this policy will be given to the applicant or employee to be tested.

(1.6) PRE-EMPLOYMENT SCREENING

(A) All applicants for employment with the City of Leawood, whose positions are considered by their job description to be positions directly involved with protecting public safety will be required to undergo alcohol and illegal drug testing upon an offer of employment and prior to final appointment. This testing applies to the following positions:

(1) Police Officer
(2) Any certified position in the Police Department (if applicant is hired into a position above beginning level)
(3) Dispatcher
(4) Firefighter
(5) Any position in the Fire Department (if applicant is hired into a position above the beginning level)
(6) Building Inspectors
(7) Any employee whose duties include the operations of heavy equipment to include snow removal equipment.
(8) Lifeguards
(9) Any employee who, as a part of his/her regularly assigned duties, has direct responsibility for protecting public safety or for responding to emergency and other situations directly involving public safety.

(B) Notification - All applicants for the above positions will be notified at the time they complete the application for employment that the position for which they are applying is subject to alcohol and illegal drug testing.

At such time, they will also be notified that this policy is available to them in writing and they will be asked to sign a consent form. Any applicant for one of the above positions who
refuses to consent to an alcohol and illegal drug test will be disqualified from employment in said position with the City.

(C) Consequences - Applicants will be disqualified from employment in the position that required such a test if their test results have been confirmed as positive. Applicants will be informed in writing if they are disqualified on the basis of these confirmed positive test results.

(1.7) CURRENT EMPLOYEE SCREENING

(A) The City may require any employee to undergo alcohol and drug testing if there is reasonable suspicion that the employee is under the influence of such substances during work hours. "Reasonable suspicion" means an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of alcohol or drugs. Circumstances which constitute a basis for determining "reasonable suspicion" may include, but are not limited to:

(1) A pattern of abnormal or erratic behavior;

(2) Information provided by a reliable and credible source;

(3) A work-related accident;

(4) Direct observation of alcohol or drug use; or

(5) Presence of the physical symptoms of drug or alcohol use (i.e., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes).

(B) Supervisors are required to write in detail the specific facts, symptoms, or observations which formed the basis for their determination that reasonable suspicion existed to warrant the testing of an employee. This documentation shall be forwarded to the appropriate persons who need to know for disciplinary and personnel purposes.

(C) Supervisory Training - The City shall develop a program of training to assist supervisory personnel in identifying alcohol and drug use among employees. Such training will be directed towards helping supervisors recognize the conduct and behavior that gives rise to a reasonable suspicion of alcohol and drug use.

(D) Notification - All employees will receive a copy of this policy with their Employee Handbook.
(E) **Consent** - Should an employee be required to take an alcohol and drug screen as a result of "reasonable suspicion", he/she will be required to sign a consent form as explained above in section (1.5). An employee who refuses to consent to an alcohol and drug screen when reasonable suspicion has been identified is subject to disciplinary action up to and including termination. The reason(s) for the refusal shall be considered in determining the appropriate action.

(F) **Consequences** - Should the results of an employee's alcohol and drug screen be confirmed positive, the employee is subject to disciplinary action up to and including termination. Factors to be considered in determining the appropriate disciplinary response include the employee's work history, length of service to the City, current job performance, and the existence of past disciplinary actions. No disciplinary action may be taken against employees who voluntarily identify themselves as alcohol or drug users, obtain counseling and rehabilitation through the City's employee assistance program or their own means, and thereafter refrain from violating the City's policy on alcohol and drug abuse.

(G) **Right to a hearing** - If an employee's positive test result has been confirmed, the employee is entitled to a hearing before any disciplinary action may be taken by the City. The employee must make a written request for a hearing to the Personnel Committee within 5 working days of receipt by the employee of the confirmed test results. Employees may be represented by legal counsel, present evidence and witnesses on their behalf, and confront and cross-examine the evidence and witnesses against them.

No adverse personnel action may be taken against an employee based on confirmed positive alcohol and drug test results unless the Personnel Committee finds a preponderance of the evidence that:

1. the employee's supervisor had reasonable suspicion to believe that the employee was under the influence of alcohol or drugs while on the job; and
2. the employee's alcohol and drug test results are accurate.

Within 5 working days following the close of the hearing, the Personnel Committee shall issue a written decision and a brief summary of the facts and evidence supporting that decision.

(H) **Employee Assistance Program Referral** - Upon the first confirmed determination that an employee is under the influence of
alcohol or drugs, the City shall refer the employee to an Employee Assistance Program (EAP) for assessment, and counseling. Participation in the EAP is voluntary and no disciplinary action may be taken against an employee for failure to begin or complete an EAP program. Referral to an EAP is not in lieu of disciplinary action and disciplinary action based on a violation of the city's alcohol and drug policy is not automatically suspended by an employee's participation in an EAP and may be imposed when warranted.

(1.8) CONFIDENTIALITY OF TEST RESULTS

All information from an applicant's or employee's alcohol and drug test is confidential, and only those who need to know for disciplinary and personnel purposes are to be informed of test results. Disclosure of test results to any other person, agency or organization is prohibited unless written authorization is obtained from the applicant or employee, or unless disclosure is ordered by court order or other legal process. The results of a positive alcohol and drug test shall not be released until the results are confirmed. The records of unconfirmed positive test results and negative test results shall be destroyed by the testing laboratory.
CITY OF LEAWOOD

DRUG AND ALCOHOL TESTING AGREEMENT

The undersigned understands and agrees that as a precondition to employment, and if employed, as a condition of continued employment, he or she may be required to submit to drug and alcohol screening tests to determine compliance with the City of Leawood's policy on Drug and Alcohol abuse. Failure to comply with the testing program will be grounds for immediate discharge. An employee of the City of Leawood will not be required at any time to take the drug and alcohol screening tests mentioned above unless there is a reasonable suspicion that his or her working performance is impaired by such substance or following an accident.

Signature ___________________________ Date ________________________
RESOLUTION NO. 940

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 1989.

FEE SCHEDULE: CONSTRUCTION, ALTERATIONS AND REMODELING.

New Building Construction Permits
Mechanical, electrical, and plumbing $ 50.00 each

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 25.00 each

Commercial, Office, Industrial:
1. Interior finish for new construction; building alterations, remodeling .10/SF
2. Mechanical, electrical, plumbing 50.00 each

Miscellaneous
1. Swimming pools, whirlpool, hydropool, etc.
   a. Residential—single family 75.00 each
   b. Other than residential s.f. 150.00 each
2. Reroofing 30.00 each
3. Lawn sprinkler systems
   a. Residential (s.f.—single lot) 50.00 each
   b. Residential (multi units—single lot) 50.00/s.f. unit or 50.00/multi unit bldg.
c. Commercial Based on valuation determined by bldg. official and figured in accordance with UBC Table No. 3A

4. Towers, satellite dish equipment, solar equipment
   a. Single family $25.00 each
   b. Commercial 100.00 each
5. Demolition, each unit or building 60.00 each
6. Structure moving 150.00 each
7. Street curb cut 15.00 each
8. Fences, walls, patio covers
   a. Residential 20.00 each
   b. Subdivision perimeter Based on valuation determined by bldg. official and figured in accordance with UBC Table No. 3A

9. Major foundation repair 25.00 each
10. Duplicate building permit (reissuance) 60.00 each
11. Land use permit 200.00 each

Occupancy of Space or Building
   Application fee 20.00 each
   Inspection fee 30.00 each

Reinspection Fees
   Residential 30.00 each
   Office/commercial 30.00 each
   Occupancy 20.00 each

4-803(b)(3). FEES FOR OIL AND GAS DRILLING AND PRODUCTION.
   Special Use Permit 400.00
   Permit for one well 100.00
   Blanket permit - multi wells 300.00

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.

Residential
1. Builder Temporary Sign
   2. Developer Temporary Sign
      a. Small (0/SF to 32/SF) $ 5.00 each
      b. Large (Over 32/SF) 20.00 each
   3. Subdivision Monument Signs/Structures 50.00 each

Commercial
1. Permanent Sign-Wall Signs $ 2.00/SF-minimum
   2. Temporary Sign
      Developer/Real Estate Leasing Sign
      Small (0/SF to 32/SF) 20.00 each
      Large (Over 32/SF) 40.00 each
   3. Monument signs (additional elec. permit required) 50.00 each

13-1A03. PERMIT FEES; SIDEWALKS.
For any permit issued under the provisions of this article 10.00 each

13-207. PERMIT FEES; STREETS.
For any permit issued under the provisions of this article Maintenance bond
   10.00 each
   100% of construction cost for 2 years

13-225. BACK CHARGE RECOVERY COST FEES; "MUD ORD.".
For men and/or equipment. This is not a service. Back charged work will be done only with the approval of the Director or Asst. Director of Public Works. There will be a one hour minimum charge. Transportation to the job site will be charged at the same rate.

Men with hand tool only 16.00/hr.
Pick-up truck with driver 26.00/hr.
Dump truck with driver 41.00/hr.
Sweeper with operator 86.00/hr.
Jet rodder with operator 86.00/hr.
Back hoe with operator 56.00/hr.
Mowing tractor with operator 56.00/hr.
Bobcat, pick-up, trailer, and hand tools with operator 66.00/hr.
Grader with operator 66.00/hr.
Loader with operator 66.00/hr.
Outside contractors 65.00/hr. with a 3 hr. min.
### 15-110. SEWER CONNECTION CHARGE.

$800.00

### 16-202. FEES FOR ZONING PROCEDURES.

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<td>and gas</td>
<td>10+ - up</td>
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Other Plan Approvals
Landscape Plan $200.00
Sign Policy Approval 150.00
Flood Plain Development 200.00

Streets, Utility Vacation 200.00

Board of Zoning Appeals
1. Hearing 150.00
2. Request for fence height exception 75.00

Applicant is responsible for the cost of publishing rezoning, preliminary plat or special use permit Notice of Hearing.

Applicant is responsible for the cost of publishing rezoning, special use permit, or vacation ordinance following City Council approval, and cost of recording plats. (See fees for Final Plat Submission.)

Applicant shall be responsible for paying a late fee in the amount of $500.00 if an application for site development plan is submitted to the City after the deadline for submissions has expired.

16-402. FEES FOR SUBDIVISION REGULATION PROCEDURES.

Preliminary Plat Submission:
Applicant to pay $400.00 minimum plus $2.00 per lot.

Final Plat Submission:
Applicant to pay $200.00 minimum plus $2.00 per lot plus $30.00 recording fee.

PLANNING AND DEVELOPMENT DEPARTMENT DOCUMENT FEES.

Comprehensive Plan Book $ 25.00 each
Zoning Regulations 5.00 each
Subdivision Regulations 5.00 each
Zoning Map 3.00 each
Subdivision Map 3.00 each
Comprehensive Plan Map 5.00 each
K-150 Plan Map 3.00 each
Leawood Street Plan Map 5.00 each
Other Department Publications/Report Fees (to be individually determined based upon printing costs)
Fees According to Open Records Act
Record Search (Ordinance No. 801) $10.00 minimum
Copying fee per page .50
Adopted by the Governing Body this 19th day of December, 1988.

(SEAL)

Attest:

[Signature]

Martha Heizer, City Clerk

[Signature]

Margia Rinehart, Mayor
CITY OF LEAWOOD
RESOLUTION NO. 941
A RESOLUTION CONSENTING TO THE INCLUSION OF PROPERTY WITHIN THE CITY LIMITS OF LEAWOOD, KANSAS IN A MAIN SEWER DISTRICT.

WHEREAS, Charter Resolution 18-84 exempting Johnson County, Kansas from Chapter 99, 1983 Session Law of Kansas (K.S.A. 1983 Supp. 19-27a01 through 19-27a27 and K.S.A. 19-2752a through 19-2752i, and providing additional provisions on the same subject, provides that "the Board of County Commissioners shall not create initially any sewer district within or extend any sewer district into the limits of any incorporated city without the consent of the governing body of the city; and

WHEREAS, the owners of 100% of the property described and shown on Exhibit "A" attached hereto have petitioned the Board of County Commissioners to enlarge the boundaries of Tomahawk Creek Main Sewer District No. 1 within the limits of the City of Leawood, Kansas to include said property.

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

SECTION ONE: Consent to Inclusion of Property Within the City of Leawood in a Main Sewer District. That the City of Leawood, Kansas hereby consents to the enlargement of Tomahawk Creek Main Sewer District No. 1 to include the real estate described and shown on Exhibit "A" attached hereto.

ADOPTED BY THE CITY COUNCIL this 16th day of January, 1989.

ATTEST:

Major

CITY CLERK
DELETIONS OF LAND FROM THE LEAWOOD SEWER DISTRICT
LEAWOOD, JOHNSON COUNTY, KANSAS

Point of Beginning
Tract 3 - Deletion
N 83°25'56" W, 30.02'
S 1°30'12" E, 405.13'
S 1°30'12" E, 150.80'

Point of Beginning
Tract 4 - Deletion
S 33°54'05" E 74.12'

DENOTES DELETIONS FROM SEWER DISTRICT

PREPARED BY:

ANDERSON
SURVEY COMPANY
6412 EAST 87TH STREET
KANSAS CITY, MISSOURI 64138
A RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE PRIVATE PROPERTY FOR THE USE OF THE CITY AND AUTHORIZING A SURVEY AND DESCRIPTION OF THE LAND AND INTEREST TO BE CONDEMNED.

WHEREAS the City of Leawood intends to make certain necessary improvements to TOMAHAWK CREEK PARKWAY and COLLEGE BOULEVARD.

WHEREAS all necessary right of ways and easements have been obtained by the City with the exception of a tracts of ground described as:

All that part of the NW 1/4 of Section 15, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the NW 1/4 of said Section 15; thence N 87° 50' 04" E, along the North line of the NW 1/4 of said Section 15, a distance of 450.04 feet, to the true point of beginning of subject tract; thence continuing N 87° 50' 04" E, along the North line of the NW 1/4 of said Section 15, a distance of 1039.96 feet, to a point on the Westerly right-of-way line of Tomahawk Creek Parkway, as now established; thence S 2° 09' 56" E, along the Westerly right-of-way line of said Tomahawk Creek Parkway, a distance of 40 feet, to a point of curvature; thence Southerly and Southwesterly, along the Westerly right-of-way line of said Tomahawk Creek Parkway, said line being on a curve to the right, having a radius of 250 Feet, and a central angle of 28° 20' 39", a distance of 123.68 feet, to a point of compound curvature; thence Southwesterly, along the Westerly right-of-way line of said Tomahawk Creek Parkway, said line being on a curve to the right, having a radius of 1812.50 feet, a central angle of 8° 15' 56", and whose initial tangent bearing is S 26° 10' 43" W, a distance of 261.47 feet; thence N 1° 28' 52" W, a distance of 339.11 feet, to a point 40 feet South of the North line of the NW 1/4 of said Section 15; thence S 87° 50' 04" W, along a line 40 feet South of and parallel to the North line of the NW 1/4 of said Section 15, a distance of 874.25 feet; thence N 1° 27' 33" W, a distance of 40 feet, to the true point of beginning of subject tract.
The above described tract of land contains 1.75042 acres, more or less.

All that part of the SW 1/4 of Section 10, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the SW 1/4 of said Section 10; thence N 87° 50' 04" E, along the South line of the SW 1/4 of said Section 10, a distance of 718.24 feet, to the true point of beginning of subject tract; thence continuing N 87° 50' 04" E, along the South line of the SW 1/4 of said Section 10, a distance of 606.04 feet; thence N 1° 55' 24" W, a distance of 55 feet, to a point 55 feet North of the South line of the SW 1/4 of said Section 10; thence S 87° 50' 04" W, along a line 55 feet North of and parallel to the South line of the SW 1/4 of said Section 10, a distance of 606.27 feet; thence S 2° 09' 56" E, a distance of 55 feet, to the true point of beginning of subject tract.

The above described tract of land contains 0.76534 acres, more or less.

WHEREAS it appears that said necessary right of way and easements cannot be obtained other than through condemnation.

NOW THEREFORE, be it resolved by the City of Leawood, Kansas:

That the City does hereby declare it to be necessary to appropriate certain private property for the use of the city for purposes of making certain improvements to Tomahawk Creek Parkway and College Boulevard.

That the Director of Public Works is hereby authorized and directed to obtain a survey and description of the land and interest to be condemned.

That said survey shall be made by some competent engineer and filed with the City Clerk.

That this Resolution shall be published once in the official city newspaper.
PASSED AND APPROVED THIS 6th DAY OF February, 1989

Marcia Rinehart, Mayor

Martha Heizer, City Clerk
RESOLUTION NO. 943

BE IT RESOLVED that the amendment, attached hereto, to the
PERSONNEL RULES AND REGULATIONS, as adopted by the "Code of the
City of Leawood, Kansas, 1984", and as from time to time amended,
is hereby approved by the Governing Body of the City of Leawood
and made a part of the official document as of this date.

Adopted by the Governing Body this 6th day of March, 1989.

(S E A L)

MARCIA RINEHART
Mayor

Attest:

MARTHA HEIZER
City Clerk
8.4 EMPLOYMENT OF RELATIVES

Members of the family of current city employees, the Governing Body or Boards, Committees or Commissions will not be considered for full time, part time, or temporary employment with the City. However, the Recreation Commission, as authorized to hire and fire employees by Kansas State Statute, may consider family members of Recreation Commission employees for full time, temporary, seasonal employment as long as no family member be in a position to directly or indirectly supervise another family member. Family shall be defined as spouse, children, parents, brothers, sisters, grandparents, grandchildren, in-laws (mother, father, brother, sister, daughter, son) aunts, uncles, nieces, nephews, cousins or stepchildren.

WHEREAS, the Boards of County Commissioners of Geary County, Kansas and Riley County, Kansas are desirous of undertaking a program to provide decent, safe and sanitary housing for persons of moderate income, and of making and executing contracts and other instruments necessary and convenient in connection therewith, all in accordance with K.S.A. 19-101a, as amended, and the Kansas Local Residential Housing Finance Law, K.S.A. 1986 Supp. 12-5219 to 12-5235, inclusive, as amended (the "Act"); and

WHEREAS, the Sponsor has undertaken such a program by establishing its Single Family Mortgage Credit Certificate Program, Series 1987 (the "Program"); and

WHEREAS, Section 12-5231 of the Act provides that one or more cities and counties may join together and cooperate with one another in the exercise of any powers conferred under the Act in accordance with and pursuant to a written agreement between or among such cooperating cities and counties; and

WHEREAS, the City of Leawood, Kansas (the "City"), wishes to join and cooperate with the Sponsor in the implementation of the Program pursuant to the Act, and is willing to authorize the Sponsor to engage in acts and exercise the authority and powers conferred by the Act within, and with respect to any property located within, the corporate boundaries of the City; and

WHEREAS, it is hereby found and determined that it is desirable and in the best interests of the City to rescind Resolution No. 889 and enter into a New Cooperation Agreement with the Sponsor as hereinafter provided; and

WHEREAS, the City has not heretofore engaged in any act or exercised any power authorized by the Act, or comparable acts or powers authorized or contemplated under the Act or any other law of the State of Kansas, which would impair the City's authority to enter into and perform said Cooperation Agreement.

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

Section 1. That Resolution No. 889 and the Cooperation Agreement adopted by the City of Leawood on February 1, 1988 are hereby rescinded.
Section 2. That the Cooperation Agreement by and between the City and the Sponsor, which Agreement authorizes the Sponsor to engage in any and all acts and exercise all of the authority and powers conferred by the Act within, or with respect to any property located within, the corporate boundaries of the City, is hereby approved in all respects, and the Mayor and the City Clerk are hereby authorized to execute and deliver the same on behalf of and as the act and deed of the City.

Section 3. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

ADOPTED by the governing body of the City of Leawood, Kansas, this 6th day of March, 1989.

[Signature]
Mayo

ATTEST:

[Signature]
City Clerk

4/1
June 16, 1989

RECEIVED
JUN 20 1989

Ms. Martha Heizer
City Clerk
City Hall
9617 Lee Boulevard
Leawood, Kansas 66206

Dear Ms. Heizer:

On behalf of Geary County and Riley County, we are pleased to return a copy of the Cooperation Agreement for the Kansas Statewide Mortgage Credit Certificate Program that was adopted recently by the City. Your Cooperation Agreement has been accepted and executed by Geary and Riley Counties and the program is proceeding very well. We have held informational meetings in various cities across the state and have appointed two regional administrators to serve as liaisons with the banking and real estate communities across the state.

We are very pleased to have the City of Leawood participate in this program. Your county, along with hundreds of other cities and counties in Kansas has made the area for this very beneficial federal program cover approximately 90% of Kansas, and it is still growing. We are in the process of doing everything possible to ensure that this program is a complete success.

If you have any questions regarding the Mortgage Credit Certificate Program, contact me at our toll-free number 1-800-821-7195. Again, thank you for your participation in this program. We look forward to the successful implementation of the Mortgage Credit Certificate Program in the months to come, as well as to any further opportunities which we may have of working with the City.

Very truly yours,

GEORGE K. BAUM & COMPANY

Roger S. Edgar
Vice President

RSE:eb
COOPERATION AGREEMENT


WHEREAS, the Boards of Commissioners of Geary County, Kansas and of Riley County, Kansas are desirous of undertaking a program to provide decent, safe and sanitary housing for persons of moderate income and of making and executing contracts and other instruments necessary and convenient in connection therewith, all in accordance with the Kansas Local Residential Housing Finance Law, K.S.A. 1986 Supp. 12-5219 to 12-5235, inclusive, as amended (the "Act"); and

WHEREAS, the Sponsor has undertaken such a program by establishing its Single Family Mortgage Credit Certificate Program, Series 1987 (the "Program"); and

WHEREAS, Section 12-5231 of the Act provides that one or more cities and counties may join together and cooperate with one another in the exercise of any powers conferred under the Act in accordance with and pursuant to a written agreement between or among such cooperating cities and counties; and

WHEREAS, the City of Leawood, Kansas (the "City"), wishes to join and cooperate with the Sponsor in the implementation of the Program pursuant to the Act and is willing to authorize the Sponsor to engage in acts and exercise the authority and powers conferred by the Act within, and with respect to any property located within, the corporate boundaries of the City; and

WHEREAS, the City has not heretofore engaged in any act or exercised any power authorized by the Act, or comparable acts or powers authorized or contemplated under the Act or any other law of the State of Kansas, which would impair the City's authority to enter into and perform this Cooperation Agreement; and

WHEREAS, the adoption of the Resolution authorizing the execution of this Cooperation Agreement and the exercise hereof will not conflict with or constitute on the part of the City a breach of or default under the laws of the State of Kansas, including the Act, or any other agreement, indenture or instrument to which the City is a party or by which it is bound; and

WHEREAS, the execution and delivery of this Cooperation Agreement by the City has been authorized by a Resolution duly adopted by the governing body of the City; and

WHEREAS, the execution and delivery of this Cooperation Agreement by the Sponsor has been authorized by a Resolution duly adopted by the Board of Commissioners of the Sponsor.
NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

Section 1. That Resolution No. 889 and the Cooperation Agreement adopted by the City of Leawood on February 1, 1988 are hereby rescinded.

Section 2. The City and the Sponsor hereby agree to join and cooperate with each other in implementing and carrying out the Program pursuant to and in accordance with the Act. In order to effectively implement the Program, the City hereby agrees not to participate in an issue of qualified mortgage credit certificates until such time as 90% of the proceeds of the Program or any extension thereof have been utilized to assist homebuyers.

Section 3. The Sponsor is hereby authorized by the City to engage in any and all acts and exercise all of the authority and powers conferred by the Act within, or with respect to any property located within, the corporate boundaries of the City.

EXECUTED AND DELIVERED IN JOHNSON COUNTY, KANSAS, THIS ____ DAY OF _____, 1989.

THE CITY OF LEAWOOD, KANSAS

[Signature]
Mayor

ATTEST:

[Signature]
CITY CLERK

GEARY COUNTY, KANSAS

[Signature]
Chairman, Board of County Commissioners

ATTEST:

[Signature]
COUNTY CLERK

RILEY COUNTY, KANSAS

[Signature]
Chairman, Board of County Commissioners

ATTEST:

[Signature]
COUNTY CLERK
RESOLUTION NO. 945

A RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE PRIVATE PROPERTY FOR THE USE OF THE CITY AND AUTHORIZING A SURVEY AND DESCRIPTION OF THE LAND AND INTEREST TO BE CONDEMNED.

WHEREAS, the City of Leawood intends to make certain necessary improvements to 95th Street between State Line Road and Wenonga; and

WHEREAS, all necessary right-of-ways and easements have been obtained by the City with the exception of tracts of land described as:

(1) All of the North 5.0 feet of the West 100 feet and all of the North 11.0 feet of the East 30 feet of Lot 62, "Leawood Estates", (2327 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(2) All of the North 12.0 feet of Lot 64, "Leawood Estates", (2319 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(3) All of the North 36.0 feet of Lot 65, "Leawood Estates", (2315 West 95th), a subdivision in Leawood, Johnson County, Kansas;

(4) All of the North 36.0 feet of the West 47.0 feet and all of the North 15.0 feet of the East 78.0 feet of Lot 66, "Leawood Estates", (2309 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(5) All that part of Lot 69, "Leawood Estates", (2033 West 95th), a subdivision of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 69; thence South 89°, 54'-36" East, along the North line of said Lot 69, a distance of 120.00 feet to the Northeast corner thereof; thence South 0°, 05'-24" West, along the East line of said Lot 69, a distance of 45.00 feet; thence North 89°, 54'-36" West, a distance of 32.00 feet; thence North 0°, 05'-24" East, a distance of 33.00 feet; thence North 86°, 00'-34" West, a distance of 88.20 feet to a point on the West line of said Lot 69; thence North 0°, 05'-24" East, along said West line, a distance of 6.00 feet to the point of beginning;

(6) All that part of Lot 70, "Leawood Estates", (2029 West 95th), a subdivision of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest Corner of said Lot 70; thence South 89°, 54'-36" East, along the North line of said Lot 70, a distance of 125.00 feet to the
Northeast corner thereof; thence South 0°, 05'-24" West, along the East line of said Lot 70, a distance of 45.00 feet; thence North 89°, 54'-36" West, a distance of 53.00 feet; thence North 0°, 05'-24" East, a distance of 30.00 feet; thence North 89°, 54'-36" West, a distance of 52.00 feet; thence South 0°, 05'-24" West, a distance of 21.00 feet; thence North 89°, 54'-36" West, a distance of 20.00 feet to a point on the West line of said Lot 70; thence North 0°, 05'-24" East, along said West line, a distance of 36.00 feet to the point of beginning;

(7) All of the North 40.00 feet of the West 47.0 feet and all of the North 10.0 feet of the East 78.0 feet of Lot 71, "Leawood Estates", (2025 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(8) All of the North 6.00 feet of Lot 72, "Leawood Estates", (2017 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(9) All that part of the East 65 feet of Lot 25, "Amended Plat of Lots 19 to 30, inclusive, Leawood Estates", (9416 High Drive), a subdivision of Leawood, Johnson County, Kansas lying South of a straight line drawn from a point on the East line of said Lot 25 that is 14.0 feet North of the Southeast corner thereof, to a point on the West line of the East 65 feet of said lot 25 that is 13.0 feet North of the South line of said Lot 25;

(10) All of the South 13.0 feet of the West 65.0 feet of Lot 25, and all of the South 13.0 feet of Lot 26, "Amended plat of Lots 19 to 30, inclusive, Leawood Estates", (2314 West 95th), a subdivision of Leawood, Johnson County, Kansas; and

WHEREAS, it appears that said necessary right-of-ways and easements cannot be obtained other than through condemnation;

NOW, THEREFORE, BE IT RESOLVED by the City of Leawood, Kansas:

That the City does hereby declare it to be necessary to appropriate certain private property for the use of the City, for the purpose of making certain improvements to 95th Street between State Line Road and Wenonga;

That the Director of Public Works is hereby authorized and directed to obtain a survey and description of the land and interest to be condemned;

That said survey shall be made by a competent
engineer and filed with the City Clerk,

That this Resolution shall be published once in the official City newspaper.

Adopted by the Governing Body this 20th day of March, 1989.

(S.E.A.L)

Martha Heizer
City Clerk

Marcia Rinehart
Mayor

Attest:

Marcia Rinehart
RESOLUTION

WHEREAS, Mr. Andrew Happer, Overland Park City Councilman, passed away March 14, 1989; and

WHEREAS, Mr. Happer was first appointed to the City Council in December 1980, and elected in April 1981; and

WHEREAS, Mr. Happer served as Council President from April 1984 to April 1985; and

WHEREAS, he also served the city government as a member of the Public Works Committee, Finance and Administration Committee, and Community Development Committee; and

WHEREAS, the City of Leawood wishes to acknowledge Mr. Happer'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 Andrew Happer, and that this Resolution be sent to the Happer family.

Adopted by the Governing Body of the City of Leawood, Kansas, this 20th day of March, 1989.

Marcia Kinshart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION

WHEREAS, Mr. Loyd D. Jones, former resident of the City of Leawood, passed away March 6, 1989; and

WHEREAS, Mr. Jones served on the Leawood City Council from May 1959 to May 1961, and served as Mayor from May 1961 to May 1965; and

WHEREAS, the City of Leawood wishes to acknowledge Mr. Jones' 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 extend its sincere sympathy to the family of Loyd Jones, and that this Resolution be sent to his widow, Ruth Jones.

Adopted by the Governing Body this 20th day of March, 1989.

Marcia Rinehart  Mayor

Attest:

Martha Heizer  City Clerk
RESOLUTION NO. 946

The Leawood City Council has considered the request for final plat of Camelot Court located at 119th and Mission and hereby finds the following:

WHEREAS, the property is zoned CP-1 to be developed as a shopping center of 273,000 square feet, and

WHEREAS, the staff has reviewed and recommends approval of the application with stipulations, and

WHEREAS, the Plan Commission considered the application at a Public Hearing, and

WHEREAS, the proposed plat contains 15 lots on approximately 42 acres, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with the following stipulations:
1. The developer shall participate in future traffic signalization at entrances to the shopping center.
2. The developer shall participate in one-half the cost of traffic signals at 119th and Tomahawk Creek Parkway. The Director of Public Works will determine when the lights are warranted.
3. The plat will be corrected to add access easements for the outparcels prior to submitting the plat to the City Council for approval.
4. Engineering plans must be submitted, reviewed and approved by the Director of Public Works prior to submission to the City Council, and

WHEREAS, stipulations 3 and 4 have been met by the developer, and

WHEREAS, substantial fill will be required on the property and the staff has concerns regarding the testing of the fill, and

WHEREAS, the staff requests that the Director of Public Works will determine the frequency of testing the fill on the site, and

WHEREAS, the testing will be approved by the Director of Public Works,
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Camelot Court with the following stipulations:

1. The developer shall participate in future traffic signalization at entrances to the shopping center.
2. The developer shall participate in one-half the cost of traffic signals at 119th and Tomahawk Creek Parkway. The Director of Public Works will determine when the lights are warranted.
3. The Director of Public Works will determine the frequency of testing the fill on the site.
4. The testing is to be approved by the Director of Public Works.

Adopted by the Governing Body this 3rd day of April, 1989.

Marcia Rinehart
Mayor

Martha Heizer
City Clerk
RESOLUTION NO. 947

The Leawood City Council considered the request for final plat approval of Brittany Woods, 2nd Plat, located at approximately 151st and Nall, and hereby finds the following:

WHEREAS, the plat contains 7.5 acres divided into 16 lots, and

WHEREAS, the replat was necessary in order to save existing trees on the site, and

WHEREAS, the staff has reviewed and recommends approval of the application with the following stipulations:

1. All technical corrections on the plat are to be corrected prior to submission to the City Council, and

WHEREAS, the developer made the corrections on the plat, and

WHEREAS, the Plan Commission recommends no stipulations of approval,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Brittany Woods 2nd Plat with no stipulations.

Adopted by the Governing Body this 3rd day of April, 1989.

(S E A L)  

Mayor

Attest:

City Clerk
RESOLUTION NO. 948

The Leawood City Council has considered the request for revised preliminary plat and revised preliminary plan for Leawood Falls, Second Plat located at 138th and Kenneth and hereby finds the following:

WHEREAS, the applicant is requesting approval of revised preliminary plat and revised preliminary plan in order to redesign an area of Leawood Falls, and

WHEREAS, the property is zoned RP-2, and

WHEREAS, the developer is requesting 54 single family homes on 20.07 acres, and

WHEREAS, the previously approved plan included 96 townhomes on 20 acres, and

WHEREAS, the developer sees a need for single family homes and desires to redesign this area for single family homes, and

WHEREAS, single family homes are allowed in RP-2 zoning, and

WHEREAS, this property is exempt from impact fees as it received zoning and preliminary plat and plan approval prior to the initiation of impact fees, and

WHEREAS, this area is currently served by sanitary sewers, and

WHEREAS, the staff has reviewed the application and recommends approval of the application, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with the following stipulations:

1. The development is limited to 54 units on 20 acres.
2. No six foot fence, as previously approved, will be built along the south side of 138th Street. All other fences will be in accordance with the fence ordinances in effect at the time of construction. If the developer would like to
specify materials, locations, or height of fences he can do so through the Homes Association Declarations.

3. No monument signs are shown on the site plan and none will be constructed for this plat, and

WHEREAS, the developer agrees to these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat and revised preliminary plan of Leawood Falls, Second Plat with stipulations.

Adopted by the Governing Body this 1st day of May, 1989.

(S E A L)

Martha Heizer

Attest:

Martha Heizer

City Clerk
RESOLUTION NO. 949

RESOLUTION REQUESTING JOHNSON COUNTY, KANSAS, PARTICIPATION IN THE CITY OF LEAWOOD'S FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM THROUGH THE COUNTY'S ASSISTANCE ROAD SYSTEM (C.A.R.S.)

WHEREAS, the City of Leawood Governing Body has reviewed and approved the attached Five-Year Road and Bridge Improvement Program, and

WHEREAS the City of Leawood is requesting participation from Johnson County, Kansas, through the County's Assistance Road System (C.A.R.S.),

NOW, THEREFORE, be it resolved by the Governing Body of the City of Leawood, Kansas, that the attached Five-Year Road and Bridge Program be submitted to Johnson County, Kansas, per Johnson County's Resolution No. 25-89.

Adopted by the Governing Body this 1st. day of May, 1989.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk
## COUNTY ASSISTANCE ROAD SYSTEM
### 1990 - 1994

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<tr>
<th>PROJECT</th>
<th>SCOPE OF PROJECT</th>
<th>EXISTING FACILITIES</th>
<th>A.D.T.</th>
<th>PERCENTAGES OF PARTICIPATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>90-3</td>
<td>Construct 4-Lane divided Rural Arterial</td>
<td>None</td>
<td>None</td>
<td>0</td>
</tr>
<tr>
<td>90-5</td>
<td>Widen signals and provide left turn lane</td>
<td>4 lane undivided, unsignalized</td>
<td>11,000</td>
<td>10,000</td>
</tr>
<tr>
<td>90-4</td>
<td>Widen, signalize and channelize</td>
<td>3 way unsignalized, unsymmetric</td>
<td>11,000</td>
<td>13,200</td>
</tr>
<tr>
<td>90-1</td>
<td>Reconstruct to 4 lane Portland Cement concrete, secondary arterial</td>
<td>Two Lane asphalt roadway</td>
<td>15,000</td>
<td>21,000</td>
</tr>
<tr>
<td>90-2</td>
<td>Overlay previously widened</td>
<td>36' wide collector</td>
<td>250</td>
<td>27,000</td>
</tr>
<tr>
<td>91-2</td>
<td>Widen roadway, channelize and provide turning lanes</td>
<td>Two (2) lane collector</td>
<td>9,000</td>
<td>12,000</td>
</tr>
<tr>
<td>91-1</td>
<td>Widen</td>
<td>Two (2) lane road</td>
<td>14,999</td>
<td>21,000</td>
</tr>
<tr>
<td>92-1</td>
<td>Widen to 4 lanes, divided arterial w/bridge over Indian Creek.</td>
<td>Two (2) lane road</td>
<td>9,700</td>
<td>17,000</td>
</tr>
<tr>
<td>92-2</td>
<td>Widen to 4 lane divided, arterial w/bridge over Indian Creek</td>
<td>Partial 36' widened roadway and no roadway</td>
<td>4,000</td>
<td>20,000</td>
</tr>
<tr>
<td>93-1</td>
<td>Reconstruct collector roadway to secondary arterial 48'</td>
<td>2 Lane asphalt roadway</td>
<td>6,400</td>
<td>5,000</td>
</tr>
<tr>
<td>PRIORITY</td>
<td>PROJECT</td>
<td>ESTIMATED PROJECT SCHEDULE</td>
<td>SCOPE OF PROJECT</td>
<td>EXISTING FACILITIES</td>
</tr>
<tr>
<td>----------</td>
<td>---------------------------------</td>
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</tr>
<tr>
<td>93-2</td>
<td>Mission Rd. - 97th Place to 103rd St.</td>
<td>4/93 12/93</td>
<td>Reconstruct primary arterial roadway</td>
<td>2-lane asphalt roadway</td>
</tr>
<tr>
<td></td>
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<tr>
<td>94-1</td>
<td>Roe Ave. - 124th St. to 135th St.</td>
<td>4/94 12/94</td>
<td>Construct secondary arterial roadway</td>
<td>2-lane roadway</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>94-3</td>
<td>Mission Rd. - 135th to 151 St.</td>
<td>4/94 12/94</td>
<td>Widen to four (4) lane arterial roadway</td>
<td>2-lane roadway</td>
</tr>
<tr>
<td>94-4</td>
<td>143rd St. - Kenneth Rd. to Mission Rd.</td>
<td>4/94 12/94</td>
<td>Widen to primary collector roadway</td>
<td>2-lane roadway</td>
</tr>
<tr>
<td>94-2</td>
<td>Hall Ave. - 119th St. to 135th St.</td>
<td>4/94 12/94</td>
<td>Widen to primary arterial roadway</td>
<td>2-lane stabilized roadway</td>
</tr>
</tbody>
</table>

CITY | % | OCC|
Leawood | 75 | 50|
Overland Park | 25 | 50|
WHEREAS, a presentation was made to the Leawood City Council regarding the proposed office building and parking structure to be built by the Tutera Group located at approximately 91st Terrace and State Line Road in Kansas City, Missouri; and

WHEREAS, the land use directly across from this proposed office building is single family residential, and it is the intent of the City of Leawood that this area remain as a viable single family neighborhood; and

WHEREAS, the current infrastructure of the area cannot support the proposed redevelopment, as demonstrated by the fact that State Line Road between 89th Street and I-435 presently carries over 27,000 vehicles per day; and

WHEREAS, the City of Leawood feels that the traffic generated from this building will have a detrimental effect on the residences in the City of Leawood; and

WHEREAS, the improvements proposed for State Line Road directly in front of the proposed development are not adequate to handle the increased traffic in this section of the State Line Corridor;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Leawood does hereby express its opposition to the proposed office building to be built by the Tutera Group at 91st Terrace and State Line Road; and

BE IT FURTHER RESOLVED, that the Governing Body of the City of Leawood would oppose any further development or redevelopment along the State Line Corridor north of I-435 until such time as a specific plan mutually agreeable to both cities has been developed for the future improvement of this roadway and that such improvements be constructed in conjunction with any new development or redevelopment of the area.

Adopted by the Governing Body this 15th day of May, 1989.

(S E A L)

(Signature)

Mayor

Attest:

(Signature)

City Clerk
RESOLUTION NO. 951

The Leawood City Council has considered the request for preliminary plat, preliminary site plan, and request for rezoning from A to CP-O for Lord of Life Lutheran Church located at K-150 and Aberdeen and hereby finds the following:

WHEREAS, the Plan Commission has recommended approval of the rezoning from A to CP-O, preliminary plat and preliminary site plan for a church and ancillary facilities to the City Council, and

WHEREAS, the proposed use includes a church containing 15,000 square feet that can seat 1200 people, a multipurpose room containing 19,000 square feet, classrooms, a preschool and accessory kitchen and office, and

WHEREAS, the site also contains an office building of 20,000 square feet on two levels, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with the following stipulations of approval:

1. The use is limited to church and ancillary facilities including a preschool subject to a special use permit to be obtained at a later date and office buildings as shown on the preliminary site plan.
2. The site plan is approved with a deviation of the required front yard setback to allow a front yard setback of 30 feet as per Section 15-405 F. (1) of the zoning ordinance.
3. Prior to construction, the engineers must submit plans for the retention pond, such plans to be approved by the Director of Public Works.
4. The engineers must submit preliminary alignment of 137th Street, such alignment to be approved by the Director of Public Works.
5. The church must pay a park impact fee in the amount of 10 cents per square foot of floor area to be collected at the time of issuance of a building permit. The sanctuary is exempt from this fee.
6. The church must pay a K-150 Corridor impact fee in the amount of 26 cents per square foot finished floor area to be collected at the time of issuance of the building permit. The sanctuary is exempt from this fee.
7. The church agrees not to oppose any liquor sales within 200 feet of the church’s property.
8. The church agrees not to oppose any future benefit districts that may be formed for K-150.
9. The church agrees not to oppose any future benefit district for expansion of a wastewater district to serve this property.

10. At each phase of final development the issue of wastewater will be reviewed with limited development of the church’s multipurpose area allowed prior to installation of sanitary sewers.

11. The septic tank for the multipurpose area must be approved by Johnson County.

12. Adequate legal documents must be drafted and approved by the City Attorney which address maintenance and operation of the septic tank and retention pond.

13. Alternate roofing material will be reviewed at the final plan stage, such roofing shall not include asphalt or composition.

14. Additional plantings will be required at final plan stage to include hardwood shade trees.

15. The entry sign shall be designed to be in keeping with the architecture and materials of the church and in accordance with the sign ordinance.

WHEREAS, the applicant agrees to these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary plat, preliminary site plan, and rezoning from A to CP-O with stipulations.

Adopted by the Governing Body this 5th day of June, 1989.

(S.E.A.L.)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk
RESOLUTION NO. 952

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 LEGAL RECORD meets all statutory requirements; and

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood does hereby designate THE JOHNSON COUNTY LEGAL RECORD as the official City newspaper for all documents requiring legal publication; and

BE IT FURTHER RESOLVED that, in the event THE JOHNSON COUNTY LEGAL RECORD should for any reason be unable to publish according to the requirements of the City, then THE JOHNSON COUNTY SUN and THE OLATHE DAILY NEWS are hereby designated to serve as the official City newspaper.

Adopted by the Governing Body this 5th day of June, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Helzer
City Clerk
RESOLUTION NO. 953

The Leawood City Council has considered the request for final plat approval of Cherry Creek, 2nd Plat, located at approximately 128th Terrace and Catalina and hereby finds the following:

WHEREAS, the staff has reviewed and recommends approval of the application with the following stipulation:
1. A mud bond in the amount of $5000 must be submitted prior to recording the plat, and

WHEREAS, the plat contains 15 acres to be divided into 35 single family home lots, and

WHEREAS, the final plat is in accordance with the approved preliminary plat, and

WHEREAS the proposed use is in accordance with the Master Plan,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for final plat approval of Cherry Creek, 2nd Plat.

Adopted by the Governing Body this ___3rd___ day of ___July___, 1989.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 954

The Leawood City Council has considered the request for rezoning from A to RP-2 and RP-3, preliminary plat and preliminary site plan for Pine Lakes Apartments, located at 137th and Mission and hereby finds the following:

WHEREAS, this application was remanded to the Plan Commission for reconsideration at their June 27, 1989 meeting, and

WHEREAS, at that time the Plan Commission reopened the Public Hearing and heard additional comments from the audience, and

WHEREAS, at the conclusion of the meeting the Plan Commission unanimously passed a motion to recommend approval of the application to the City Council with 16 stipulations of approval, and

WHEREAS, the application is now with the Council for consideration and action, and

WHEREAS, the proposed application includes RP-2 zoning (10.427 acres, 68 dwelling units) and RP-3 zoning (15.329 acres, 152 dwelling units), and

WHEREAS, the Plan Commission has reviewed the application and recommended approval with the following stipulations:

1. The developer will be responsible for Park Impact fees in the amount of $300 per dwelling unit. The impact fee for residential units is to be paid at the time of application for final plat. Each final plat will be calculated according to the number of lots on the plat.
2. The developer is responsible for street improvements for Mission Road as per the subdivision regulations.
3. The developer is responsible for one half the cost of development of 137th Street.
4. Fire lanes will be designated by the staff to be built to fire lane standards.
5. The development is limited to 220 dwelling units, with 68 units in the RP-2 district and 152 in the RP-3 district.
6. All RP-3 buildings must have a Class A roof.
7. If the developer proceeds with construction prior to Mission Road being improved the cost of that portion of Mission Road improvements necessary to connect to K-150 including intersection improvements and signalization will be borne by
the developer.
8. All of the duplexes that back onto Mission Road and the adjacent landscaping must be in place prior to any construction commencing in the area to be zoned RP-3.
9. The pool is to be built with the initial phase of RP-3 development
10. Street lighting of the private drives will be considered at the time of final site plan approval.
11. The entrance to the site will be from 137th Street. All units must be served by an improved public street which will necessitate building 137th Street in sections, and
12. The landscaping is to include both hardwood deciduous trees and evergreens on berms in a ratio to be determined by the staff.
13. There is to be no wood siding on any exterior of the buildings. All buildings are to be masonry with brick and/or stone on the fronts.
14. The clubhouse is to be constructed with masonry siding with brick and/or stone on the front.
15. There are to be concrete roofs on the duplexes.
16. Lighting in the parking lots and private streets is to be comparable to residential lighting on public streets.

WHEREAS, the owner/developer agreed to these stipulations, and

WHEREAS, the Plan Commission held many public hearings on the application and has considered the testimony from the audience, and

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning, preliminary plat and preliminary plan of Pine Lakes Apartments with the following stipulations:

1. The developer will be responsible for Park Impact fees in the amount of $300 per dwelling unit. The impact fee for residential units is to be paid at the time of application for final plat. Each final plat will be calculated according to the number of lots on the plat.
2. The developer is responsible for street improvements for Mission Road as per the subdivision regulations.
3. The developer is responsible for one half the cost of development of 137th Street.
4. Fire lanes will be designated by the staff to be built to fire lane standards.
5. The development is limited to 220 dwelling units, with 68 units in the RP-2 district and 152 in the RP-3 district.
6. All RP-3 buildings must have a Class A roof.
7. If the developer proceeds with construction prior to Mis-
sion Road being improved the cost of that portion of Mission Road improvements necessary to connect to K-150 including intersection improvements and signalization will be borne by the developer.

8. All of the duplexes that back onto Mission Road and the adjacent landscaping must be in place prior to any construction commencing in the area to be zoned RP-3.

9. The pool is to be built with the initial phase of RP-3 development.

10. Street lighting of the private drives will be considered at the time of final site plan approval.

11. The entrance to the site will be from 137th Street. All units must be served by an improved public street which will necessitate building 137th Street in sections.

12. The landscaping is to include both hardwood deciduous trees and evergreens on berms in a ratio to be determined by the staff.

13. There is to be no wood siding on any exterior of the buildings. All buildings are to be masonry with brick and/or stone on the fronts.

14. The clubhouse is to be constructed with masonry siding with brick and/or stone on the front.

15. There are to be concrete roofs on the duplexes.

16. Lighting in the parking lots and private streets is to be comparable to residential lighting on public streets.

Adopted by the Governing Body this 3rd day of July, 1989.

(S E A L)

Marcia Rinehart  Mayor

Attest:

Martha Heizer  City Clerk
RESOLUTION NO. 955

The Leawood City Council has considered the request for rezoning from A to R-1 and preliminary plat approval for Willow Lake Estates, located on 143rd Street between Kenneth and Mission Roads, and hereby finds the following:

WHEREAS, the proposed rezoning is in accordance with the Master Plan, and

WHEREAS, a Public Hearing was held by the Plan Commission on June 27, 1989, and

WHEREAS, there were no persons in opposition to this application at the meeting, and

WHEREAS, the area to be rezoned contains 10 acres and is proposed to be subdivided into 4 lots, and

WHEREAS, the owner is proposing serving the property with septic tanks, and

WHEREAS, the staff has reviewed the application and recommends the following stipulations of approval:
1. A street impact fee in the amount of $812.50 is to be paid prior to final plat approval by the City Council.
2. The owners agree to submit an affidavit stating that they will not be opposed to a benefit district for improvements to 143rd Street. Such affidavit will be recorded concurrently with the plat.
3. All septic tanks are to be approved by the Johnson County Health Department.
4. The owners are to pay a Park Impact Fee in the amount of $300 per dwelling unit prior to the City Council considering the final plat, and

WHEREAS, the owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from A to R-1, and preliminary plat approval of Willow Lake Estates with the additional stipulation that the current owners, their heirs, successors and assigns, agree not to oppose a sewer district or formation of a sewer benefit district.
Adopted by the Governing Body this 17th day of July, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
The Leawood City Council has considered the request for re-zoning from A to R-I and preliminary plat approval for Willow Lake Estates, located on 143rd Street between Kenneth and Mission Roads, and hereby finds the following:

WHEREAS, the proposed rezoning is in accordance with the Master Plan, and

WHEREAS, a Public Hearing was held by the Plan Commission on June 27, 1989, and

WHEREAS, there were no persons in opposition to this application at the meeting, and

WHEREAS, the area to be rezoned contains 10 acres and is proposed to be subdivided into 4 lots, and

WHEREAS, the owner is proposing serving the property with septic tanks, and

WHEREAS, the Plan Commission has reviewed the application and recommends the following stipulations of approval:
1. A street impact fee in the amount of $812.50 is to be paid prior to final plat approval by the City Council.
2. All septic tanks are to be approved by the Johnson County Health Department.
3. A mud bond in the amount of $5000 is to be submitted prior to recording the plat.
4. The owners agree to submit an affidavit stating that they will not be opposed to a benefit district for improvements to 143rd Street. Such affidavit will be recorded concurrently with the plat.
5. Culverts may be necessary for drives and will be designed as part of the building permit process.
6. The owners are to pay a Park Impact Fee in the amount of $300 per dwelling unit ($1200 total) prior to the City Council considering the final plat.

WHEREAS, the owners agree to these stipulations,
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Willow Lake Estates with the additional stipulation that the current owners, their heirs, successors and assigns, agree not to oppose a sewer district or formation of a sewer benefit district.

Adopted by the Governing Body this 17th day of July, 1989.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 957

A RESOLUTION DIRECTING THE CITY CLERK TO PUBLISH NOTICE OF PROPOSED REASSESSMENTS.

WHEREAS, the Governing Body of the City of Leawood, Kansas has previously ordered the improvement of 127th Street between Mission and Roe Avenue within the City of Leawood; and

WHEREAS, said improvement has now been completed; final cost determined; assessments levied and general obligation bonds issued; and

WHEREAS, property owned by A. W. Doepke and Martha Jo Doepke, which assessment was levied against the City-at-large, has been subdivided and developed since assessments were levied; and

WHEREAS, developed property is now known as the Bristol Place Subdivision;

WHEREAS, Ordinance No. 850 dated April 29, 1985, directs the reassessment of that amount levied against the City-at-large to the Doepke property upon subdividing or development; and

WHEREAS, the amount to be reassessed against individual properties within the Bristol Place Subdivision have been determined;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that the City Clerk is hereby directed to publish a notice that the Governing Body will meet at 7:00 o'clock P. M. on the 7th day of August, 1989, at Leawood City Hall, 9615 Lee Boulevard, to consider proposed reassessments for the cost of the aforementioned improvement.

Notice shall be published once not less than ten (10) days prior to such meeting of the Governing Body and shall state the date, time and place of such meeting, the general nature of the improvement, extent of the improvement district proposed to be reassessed, and that written or oral objections will be considered at such hearing.

The City Clerk is further directed to mail to the owners of property liable to pay the reassessment, at their last known post office address, a notice of the hearing and a statement of the cost proposed to be reassessed against the land so owned and reassessed

Adopted by the Governing Body this 17th day of July, 1989.

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk
RESOLUTION NO. 958

The Leawood City Council has considered the request for final plat approval of Lord of Life, 1st Plat located at approximately 135th and Chadwick and hereby finds the following:

WHEREAS, the proposed final plat is in accordance with the approved preliminary plat, and

WHEREAS, the area of the plat contains 11 acres to be included in one lot, and

WHEREAS, the area that contains the septic tank, retention pond and the reverse frontage road is to the south of this property, and

WHEREAS, the Plan Commission has reviewed the application and recommends the following stipulations of approval:

1. The owners agree to submit an affidavit stating that they will not oppose future benefit districts for K-150, sanitary sewers, and the reverse frontage road, with the costs to be determined when the benefit districts are formed. This affidavit is to be filed with the plat.
2. All public works elements shall be approved by the Director of Public Works.
3. The documents governing the septic system, retention pond, and the reverse frontage road to be approved by the City Attorney and recorded concurrently with the plat, and

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Lord of Life, 1st Plat with stipulations.

Adopted by the Governing Body this 7th day of August, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 959

The Leawood City Council has considered the request for rezoning from RP-4 to RP-1, revised preliminary plat and revised preliminary site plan for Hallbrook Farms, 3rd plat and hereby finds the following:

WHEREAS, the applicant is requesting approval of rezoning from RP-4 to RP-1, revised preliminary plat and revised preliminary site plan in order to redesign an area of Hallbrook, and

WHEREAS, this change would allow construction of 44 single family dwellings on 33.69 acres, and

WHEREAS, the previously approved preliminary plan included 386 dwelling units on 91.14 acres, and

WHEREAS, this rezoning would leave 57 acres zoned RP-4 for 241 dwelling units, and

WHEREAS, this plat will continue the landscape buffer north on State Line Road, and

WHEREAS, the staff has reviewed the application and recommends approval of the application, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with the following stipulations:
1. The density is limited to 44 single family homes on 33.69 acres.
2. The side yards are to be calculated in accordance with R-1 standards.
3. Medians are to be irrigated and maintained by the Homes Association.
4. Street lighting is to be approved by the Director of Public Works and maintained by the Homes Association.
5. Deed Restrictions must be submitted and recorded prior to issuance of any building permits.
6. Landscaping in the medians and in the street right-of-way is to be comparable to that in the first phase, and

WHEREAS, the developer agrees to these stipulations,
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from RP-4 to RP-1, revised preliminary plat and revised preliminary plan of Hallbrook Farms, Third Plat with stipulations.

Adopted by the Governing Body this 7th day of August, 1989.

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

Attest:

Martha Heizer                 City Clerk
RESOLUTION NO. 960

The Leawood City Council has considered the request for final plat Hallbrook Farms, Third Plat and hereby finds the following:

WHEREAS, the applicant is requesting approval of a final plat of 33.69 acres in order to allow the construction of 44 single family homes, and

WHEREAS, this plat will continue the landscape buffer north on State Line Road, and

WHEREAS, the staff has reviewed the application and recommends approval of the application, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with the following stipulations:
1. Deed Restrictions must be submitted and recorded prior to issuance of any building permits.
2. Landscaping in the medians and in the street right-of-way is to be comparable to that in the first phase.
3. All Public Works elements are to be approved by the Director of Public Works.
4. The plat is to reflect that the Homes Association is to maintain all islands and street lights, and

WHEREAS, the developer agrees to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for final plat of Hallbrook Farms, Third Plat with stipulations.

Adopted by the Governing Body this 7th day of August, 1989.

(S. E. A. L.)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk
RESOLUTION NO. 961

The Leawood City Council has considered the request for revised preliminary plat and revised preliminary site plan for Leawood Falls, Third Plat, located at 137th Street and 138th Street and hereby finds the following:

WHEREAS, the applicant is requesting approval of a revised preliminary plat and revised preliminary site plan to develop a pool for Leawood Falls, and

WHEREAS, the property is zoned RP-4, and

WHEREAS, the staff has reviewed the application and recommends approval of the application, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with the following stipulations:
1. The parking is to be revised so that no parking backs onto a public street.
2. The pool is to be surrounded with a fence, non-chain link and non-wood, 6 feet in height, and

WHEREAS, the developer agrees to these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat and revised preliminary site plan of Leawood Falls, Third Plat with stipulations.

Adopted by the Governing Body this 7th day of August, 1989.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 962

The Leawood City Council has considered the request for final plat approval for Leawood Falls, 3rd Plat, located at 137th Street and 138th Street and hereby finds the following:

WHEREAS, the plat consists of one lot on which to build a pool for Leawood Falls, and

WHEREAS, the staff has reviewed the application and recommends approval of the application, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with no stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Leawood Falls, 3rd Plat.

Adopted by the Governing Body this 7th day of August, 1989.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martina Heizer City Clerk
RESOLUTION NO. 963

The Leawood City Council has considered the request for final plat approval of Patrician Woods, 9th Plat, located at the northwest corner of 127th and Roe and hereby finds the following:

WHEREAS, the applicant is requesting approval of a final plat consisting of 5.288 acres to be subdivided into 11 lots, and

WHEREAS, also included on the plat are 9 small tracts that will be added to lots in Patrician Woods, 8th Plat, and

WHEREAS, the property is zoned RP-4, and

WHEREAS, the final plat is in accordance with the approved preliminary plat, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with the following stipulations:
1. All Public Works elements are to be approved by the Director of Public Works prior to recording the plat.
2. A mud bond of $5000 is required prior to recording the plat.
3. The 8th plat bridge is to be constructed prior to construction of the 9th plat in order to assure adequate access, and

WHEREAS, the developer agrees to these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Patrician Woods, 9th plat with stipulations.

Adopted by the Governing Body this 7th day of August, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 964

The Leawood City Council has considered the request for rezoning from RP-4 to CP-1 for Leawood Plaza located at 123rd and State Line Road and hereby finds the following:

WHEREAS, the request is in accordance with the Settlement Agreement between Colonial Investment Company and the City of Leawood, and

WHEREAS, changing the zoning will not change the use of the property, and

WHEREAS, legal notices were sent to all property owners within 200 feet as required by State Statutes, and

WHEREAS, signs were posted on the property announcing the proposed rezoning, and

WHEREAS, a Public Hearing was held by the Plan Commission on July 25, 1989, and

WHEREAS, no one spoke against the application, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with no stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from RP-4 to CP-1 with no stipulations.

BE IT FURTHER RESOLVED that this resolution shall not have the effect of rescinding or cancelling any of the contractual obligations of either party created by the settlement agreement.

Adopted by the Governing Body this 21st day of August, 1989.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 965

WHEREAS, on March 10 and March 17, 1988, the City of Leawood filed petitions to annex land pursuant to K.S.A. 1987 Supp. 12521 with the Board of County Commissioners of Johnson County, Kansas; and

WHEREAS, those petitions included, among others, a 60.02 acre tract owned by Bernard William O'Donnell and Paula J. O'Donnell (hereinafter the "O'Donnell tract"), said tract legally described as follows:

Beginning at a point 829.6 feet South of the Northwest corner of the Northwest Quarter of Section 10, Township 14, Range 25, Johnson County, Kansas; thence East along a line parallel to the North line of said Northwest Quarter a distance of 2409.6 feet; thence South along a line parallel to the West line of said Northwest Quarter a distance of 1320 feet; thence West along a line parallel to the North line of said Northwest Quarter a distance of 1465.8 feet; thence North along a line parallel to the West line of said Northwest Quarter a distance of 600 feet; thence West along a line parallel to the North line of said Northwest Quarter a distance of 943.8 feet; thence North along the West line of the Northwest Quarter a distance of 720 feet to the point of beginning, except that part in streets or roads.

WHEREAS, the Board of County Commissioners on July 20, 1989, adopted their resolution No. 96-89 wherein they set September 14, 1989, as the date for consideration of the Annexation petition filed on behalf of the City of Leawood; and

WHEREAS, the petition for annexation filed on behalf of the City of Leawood and to be considered by the Board of County Commissioners has always included the "O'Donnell Tract"; and

WHEREAS, on July 26, 1989, the O'Donnells signed and filed with the City Clerk of Overland Park their written Consent to Annexation of the O'Donnell tract into the City of Overland Park; and

WHEREAS, on the 31st day of August, 1989, the O'Donnells did personally and by written notice advise and inform the City of Overland Park that their consent to be annexed by the City of Overland Park is revoked; and
WHEREAS on the 31st day of August, 1989, the O'Donnella
did execute their consent to be annexed by the City of
Leawood, a copy of which is attached hereto and incorporated
herein by reference as Exhibit A.

WHEREAS, the O'Donnell tract adjoins the City of
Leawood; and

WHEREAS, K.S.A. 1988 Supp. 12-520 authorizes the
governing body of any city by ordinance to annex land to
such city if the land adjoins the city and written petition
for or consent to annexation is filed with the city by the
owner.

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

1. That the said Consent to Annexation executed by the
O'Donnella on August 31, 1989, be hereby officially
received by the Governing Body of the City of
Leawood, Kansas, and referred to city planning
staff for study and report back to the Governing
Body on the question of whether it would be in the
best interest of the citizens of the City of
Leawood and of the owners of the land that is the
subject of the Consent to Annexation to be annexed
by ordinance into the City Leawood.

2. That Staff is directed to report to the Governing
Body of the City within sixty (60) days of the
Board of County Commissioners' decision on
Leawood's Revised Annexation Petition.

3. That the City Administrator direct a letter to the
Board of County Commissioners and the Johnson
County Planning Commission informing them of the
activity on the O'Donnell tract involving the City
of Leawood and the location of the O'Donnell tract
in relation to the Leawood City boundary.

4. That the City Clerk is directed to forward an
executed copy of this Resolution to the County
Clerk of Johnson County, Kansas, and to the Board
of County Commissioners of Johnson, Kansas.
Adopted by the Governing Body this 31st day of August, 1989.

Marcia Rinehart
Mayor

Attest:
Martha Heizer
City Clerk
CONSENT TO ANNEXATION

TO THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS

THE UNDERSIGNED OWNERS OF THE FOLLOWING LEGALLY DESCRIBED TRACT
OF LAND HEREBY FORMALLY CONSENT TO ANNEXATION OF SUCH LAND INTO THE
CITY OF LEAWOOD, KANSAS:

Beginning at a point 829.6 feet South of the Northwest corner
of the Northwest Quarter of Section 10, Township 14, Range 25,
Johnson County, Kansas; thence East along a line parallel to
the North line of said Northwest Quarter a distance of 2409.6
feet; thence South along a line parallel to the West line of
said Northwest Quarter a distance of 1320 feet; thence West
along a line parallel to the North line of said Northwest
Quarter a distance of 1465.8 feet; thence North along a line
parallel to the West line of said Northwest Quarter a distance
of 600 feet; thence West along a line parallel to the North
line of said Northwest Quarter a distance of 943.8 feet; thence
North along the West line of the Northwest Quarter a distance
of 720 feet to the point of beginning, except that part in
streets and roads.

Bernard William O'Donnell

Paula J. O'Donnell
ACKNOWLEDGEMENT

STATE OF KANSAS  
)  
) SS.  
COUNTY OF JOHNSON  
)

BE IT REMEMBERED, that on this 31st day of August, 1989, before me, the undersigned, a Notary Public in and for said County and State, came Bernard William O'Donnell and Paula J. O'Donnell, who are personally known to me to be the same persons who executed the foregoing Consent to Annexation on their own behalf, and each acknowledged that they executed the same as their free act and deed.

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

Notary Public

My term expires:

June 25, 1991
RESOLUTION NO. 966

The Leawood City Council has considered the request for final plat approval of The Highlands of Leawood, Third Plat, located at 129th and Sherwood and hereby finds the following:

WHEREAS, the plat is a replat of Lots 34 through 39, The Highlands of Leawood, First Plat, and

WHEREAS, the replat will reconfigure 6 lots into 5 lots, and

WHEREAS, the replat will not change any of the common space in the subdivision, and

WHEREAS, the plat contains approximately 2 acres, and

WHEREAS, the staff has reviewed the application and recommends approval of the application, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with one stipulation:
1. Homes with a two story side shall have a minimum setback of 13 feet on a two story side, and a one story side yard is to be a minimum of eight feet. There is also an eight foot side yard on the single story garage side of a two story home, and

WHEREAS, the developer agrees to this stipulation,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of The Highlands of Leawood, Third Plat with the following stipulation:
1. Homes with a two story side shall have a minimum setback of 13 feet on a two story side, and a one story side yard is to be a minimum of eight feet. There is also an eight foot side yard on the single story garage side of a two story home.

Adopted by the Governing Body this 5th day of September, 1989.

(S E A L)  
Marcia Rinehart  Mayor

Attest:

Martha Heizer  City Clerk
RESOLUTION NO. 967

The Leawood City Council has considered the request for final plat approval for Leawood Falls, Second Plat, located at 138th and Pembroke and hereby finds the following:

WHEREAS, the property is zoned RP-2, Planned Cluster Residential, and

WHEREAS, the applicant is requesting final plat approval of 20 acres in order to construct 54 single family homes, and

WHEREAS, the final plat is in accordance with the revised preliminary plat, and

WHEREAS, the staff has reviewed the application and recommends approval of the application, and

WHEREAS, this property is exempt from impact fees as it received zoning, preliminary plat and plan approval prior to the initiation of impact fees, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with no stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Leawood Falls, Second Plat.

Adopted by the Governing Body this 5th day of September, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 968

A RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE PRIVATE PROPERTY FOR THE USE OF THE CITY AND AUTHORIZING A SURVEY AND DESCRIPTION OF THE LAND AND INTEREST TO BE CONDEMNED.

WHEREAS the City of Leawood intends to make certain necessary improvements to 143rd Street near the intersection of 143rd Street and Nall Avenue in the City of Leawood, Kansas; and

WHEREAS all necessary right of ways and easements have been obtained by the City with the exception of a tract of ground described as follows:

Tract 1. The North 30 feet of the South 50 feet of the West 10 acres of the East 20 acres of the Southeast 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas.


Tract 2. The North 30 feet of the South 50 feet of the East 10 acres of the Southeast 1/4 of the Southwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas.

Owner: Same as Tract 1 hereinabove.

WHEREAS it appears that said necessary right of way and easements cannot be obtained other than through condemnation.

NOW THEREFORE, be it resolved by the City of Leawood, Kansas:
That the City does hereby declare it to be necessary to appropriate certain private property for the use of the city for purposes of making certain improvements to 143rd Street near the intersection of 143rd Street and Nall Avenue in the City of Leawood, Kansas.

That the Director of Public Works is hereby authorized and directed to obtain a survey and description of the land and interest to be condemned.

That said survey shall be made by some competent engineer and filed with the City Clerk.

That this Resolution shall be published once in the official city newspaper.

PASSED AND APPROVED THIS 2nd DAY OF October, 1989

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

Approved as to Form
City Attorney
RESOLUTION NO. 969

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", 1989 Edition, is greater or less than is reasonable under the conditions found to exist upon certain streets within 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 in the City.

<table>
<thead>
<tr>
<th>STREET</th>
<th>PORTION CONTROLLED</th>
<th>APPLICABLE SPEED LIMIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lee Blvd.</td>
<td>81st Street to 103rd St.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>State Line Rd.</td>
<td>North City Limits to I-435</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>State Line Rd.</td>
<td>I-435 to 135th Street</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>North City limits to 330 ft. South of I-435</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>330 ft. South of I-435 to El Monte</td>
<td>15 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>119th Street to 151st St.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>College to Tomahawk Creek bridge</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>Tomahawk Creek bridge to 131st Street</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>131st Street to K-150</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>K-150 to End of Roadway</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>83rd Street</td>
<td>Within City Limits</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>85th Terrace</td>
<td>Lee Blvd. to State Line Rd.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>89th Street</td>
<td>Lee Blvd. to Road Termination</td>
<td>20 m.p.h.</td>
</tr>
<tr>
<td>89th Street</td>
<td>Mission Road to Lee Blvd.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>STREET</td>
<td>PORTION CONTROLLED</td>
<td>APPLICABLE SPEED LIMIT</td>
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</tr>
<tr>
<td>95th Street</td>
<td>Within City Limits</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>103rd Street</td>
<td>Within City Limits</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>College Blvd.</td>
<td>Between Roe Av. &amp; Nall Av.</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>College Blvd.</td>
<td>Roe to .1 Mi. West of Buena Vista</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>I-435</td>
<td>Within City Limits</td>
<td>55 m.p.h.</td>
</tr>
<tr>
<td>119th Street</td>
<td>State Line Road to Roe Av.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>119th Street</td>
<td>Roe Av. to Nall Av.</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>123rd Street</td>
<td>State Line Rd. to Mission Road</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>127th Street</td>
<td>Mission Road to Nall Av.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>K-150</td>
<td>Westbound from State Line Rd. to a point .10 miles West of intersection of K-150 and State Line Road</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>K-150</td>
<td>Westbound from .10 miles West of State Line Road to City limits</td>
<td>55 m.p.h.</td>
</tr>
<tr>
<td>K-150</td>
<td>Eastbound from a point .30 miles West of State Line Road to State Line Road</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>K-150</td>
<td>Eastbound from City Limits to a point .30 miles West of State Line Road</td>
<td>55 m.p.h.</td>
</tr>
<tr>
<td>143rd Street</td>
<td>Kenneth Road to Nall Av.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>151st Street</td>
<td>Within City limits</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Kenneth Road</td>
<td>Within City limits</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Nall Avenue</td>
<td>College Blvd. to 119th Street</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Nall Avenue</td>
<td>Tomahawk Creek to 13000 block</td>
<td>35 m.p.h.</td>
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</tbody>
</table>
Adopted by the Governing Body this 2nd day of October 1983.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 970

BE IT RESOLVED that the amendment, attached hereto, to the PERSONNEL RULES AND REGULATIONS, as adopted by the "Code of the City of Leawood, Kansas, 1984", and as from time to time amended, is hereby approved by the Governing Body of the City of Leawood and made a part of the official document as of this date.

Adopted by the Governing Body this 6th day of November, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
11.14 EDUCATIONAL ASSISTANCE

All regular status employees are encouraged to take advantage of educational and vocational courses which help improve their performance in their current position and better prepare them for promotion to related higher level positions in the municipal service. Application requests for educational assistance must be submitted and approved prior to course registration. The request will be forwarded to the Director of Personnel for approval after review by the Department Head. The proposed course(s) to be taken must show a direct relationship to the employee's work, i.e. to improve the work performance of the present or envisioned future work of the employee for the City. Upon the successful completion of any approved course with a minimum grade of "C" at the undergraduate level and of "B" at the graduate level, the City will reimburse an employee 75% of tuition for job-related courses. The City will reimburse an employee based upon an amount not to exceed the in-state cost per credit hour at Kansas University or University of Missouri - Kansas City for the level of coursework taken (undergraduate or graduate). The cost per credit hour over and above the cost at these institutions shall be borne by the employee along with all other expenses incurred in connection with the course. All courses must be scheduled on off-duty hours if reimbursement is to be received by the employee. The granting of educational assistance is contingent upon the availability of funds in the department to which the employee is assigned. Consideration will be given to all other forms of tuition assistance the employee may be receiving. Any employee obtaining GI Educational Benefits or similar reimbursement will be ineligible for City reimbursement.

JB:cp

wp:EdAsst
RESOLUTION NO. 971

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 20th day of November, 1989, 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 enlargement of Blue River Main Sewer District No. 1 and Blue River Sewer Sub-District No. 6. 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 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 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.

Marvin Heider
Mayor

ATTEST:

Martin Neiser
City Clerk
Description:

Part of the West 680.00 feet of the North Half of the Northeast Quarter of Section 4, Township 14 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, being more particularly described as follows:

Beginning at a point in the North line of said Northeast Quarter which is 680.00 feet East of the Northwest Corner of said Northeast Quarter; thence South, parallel to the West line of said Northeast Quarter, a distance of 1,281.41 feet to a point in the South line of the North Half of said Northeast Quarter; thence West along the South line of said North Half of said Northeast Quarter, a distance of 347.89 feet; thence North, parallel to the West line of said Northeast Quarter, a distance of 909.27 feet; thence East, parallel to the North line of said Northeast Quarter, a distance of 22.89 feet; thence North, parallel to the West line of said Northeast Quarter, a distance of 328.00 feet; thence East, parallel to the North line of said Northeast Quarter, a distance of 34.00 feet; thence North, parallel to the West line of said Northeast Quarter, a distance of 46.00 feet to a point in the North line of said Northeast Quarter; thence East, along said North line of said Northeast Quarter, a distance of 291.00 feet to the Point of Beginning, except that part taken for road right-of-way.
RESOLUTION NO. 972

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 20th day of November, 1989, 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 enlargement of Blue River Sewer Sub-District No. 2. 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 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 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.

ATTEST:

Mayor

City Clerk
October 23, 1989

LEGAL DESCRIPTION FOR
ENLARGEMENT TO BLUE RIVER SEWER SUB-DISTRICT NO. 2
PART OF NE¼, SECTION 34-13-25
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

All that part of LEAWOOD FALLS, SECOND PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, being a part of the E½ of Section 34, 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 SE¼ of said Section 34; thence S 2° 01' 08" E, along the East line of the SE¼ of said Section 34, a distance of 504.81 feet, to a point 160 feet North of the South line of the N½ of the N½ of the SE¼ of said Section 34, also being the Easterly extension of the South line of Block 1 of said LEAWOOD FALLS, SECOND PLAT; thence S 87° 47' 35" W, along a line 160 feet North of and parallel to the South line of the N½ of the N½ of the SE¼ of said Section 34, and along the South line and its extension of said Block 1, a distance of 232.79 feet, to the true point of beginning of subject tract; thence continuing S 87° 47' 35" W, along a line 160 feet North of and parallel to the South line of the N½ of the N½ of the SE¼ of said Section 34, and along the South line of said Block 1, a distance of 502.14 feet, to the Southwest corner of Lot 19 of said Block 1; thence N 7° 24' W, along the Westerly line of said Block 1, a distance of 194.02 feet; thence N 34° 12' W, along the Westerly line of said Block 1, a distance of 305 feet; thence N 65° 18' W, along the Westerly line of said Block 1, a distance of 116.91 feet to a point on the North line of the SE¼ of said Section 34; thence N 87° 47' 34" E, along the North line of the SE¼ of said Section 34, a distance of 29.99 feet, to a point 990 feet West of the Northeast corner thereof; thence S 58° 27' 34" E, a distance of 908.68 feet, to the true point of beginning of subject tract.

The above described tract of land contains 2.345 Gross Acres, more or less.
RESOLUTION NO. 973

RESOLUTION CONSENTING TO THE INCLUSION OF PROPERTY WITHIN THE CITY LIMITS OF LEAWOOD, KANSAS, INTO THE STATE LINE (121ST STREET) MAIN SEWER DISTRICT.

WHEREAS, Charter Resolution 18-84 exempting Johnson County, Kansas, from Chapter 99, 1983 Session Law of Kansas (K.S.A. 1983 Supp. 19-27a01 through 19-27a27 and K.S.A. 19-2752a through 19-2752i), and providing additional provisions on the same subject, provides that the Board of County Commissioners shall not create initially any sewer district within or extend any sewer district into the limits of any incorporated city without the consent of the governing body of the city; and

WHEREAS, the owners of 100% of the property described and shown on Exhibit "A" attached hereto have petitioned the Board of County Commissioners to enlarge the boundaries of State Line (121st Street) Main Sewer District within the limits of the City of Leawood, Kansas, to include said property;

NOW, THEREFORE, BE IT RESOLVED that the City of Leawood, Kansas, hereby consents to the enlargement of State Line (121st Street) Main Sewer District to include the real estate described and shown on Exhibit "A" attached hereto.

ADOPTED BY THE GOVERNING BODY THIS ______20th__ DAY OF __November__, 1989.

MARCIA RINEHART MAYOR

MARTHA HEIZER CITY CLERK
ADDITION OF LAND TO THE STATE LINE (121ST STREET)  
MAIN SEWER DISTRICT  
LEAWOOD, JOHNSON COUNTY, KANSAS

ADDITION - TRACT ONE: ALL THAT PART OF FRACTIONAL SECTION 14, TOWNSHIP 13, RANGE 25, IN THE CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID FRACTIONAL SECTION 14; THENCE NORTH 2°-05'-34" WEST ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 272.37 FEET; THENCE NORTH 2°-21'-12" WEST, CONTINUING ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 77.63 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 60°-06'-04" WEST, A DISTANCE OF 610.16 FEET; THENCE NORTH 39°-08'-13" EAST, A DISTANCE OF 58.35 FEET; THENCE NORTH 35°-37'-36" EAST, A DISTANCE OF 79.95 FEET; THENCE NORTH 27°-31'-18" EAST, A DISTANCE OF 83.36 FEET; THENCE NORTH 87°-41'-53" EAST, A DISTANCE OF 386.38 FEET TO A POINT ON SAID EAST LINE OF SAID FRACTIONAL SECTION 14; THENCE SOUTH 2°-21'-12" EAST, ALONG SAID EAST LINE, A DISTANCE OF 504.71 FEET TO THE TRUE POINT OF BEGINNING.

ADDITION - TRACT TWO: ALL THAT PART OF FRACTIONAL SECTION 14, AND ALL THAT PART OF THE SOUTHEAST 1/4 OF SECTION 15, ALL IN TOWNSHIP 13, RANGE 25, IN THE CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID FRACTIONAL SECTION 14; NORTH 2°-05'-34" WEST ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 272.37 FEET; THENCE NORTH 2°-21'-12" WEST, CONTINUING ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 77.63 FEET; THENCE NORTH 60°-06'-04" WEST, A DISTANCE OF 709.47 FEET TO A POINT THAT IS 725.00 FEET NORTH OF POINT 709.47 WEST OF SAID SOUTHEAST CORNER; THENCE SOUTH 44°-20'-44" WEST, A DISTANCE OF 411.34 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE CONTINUING SOUTH 44°-20'-44" WEST, A DISTANCE OF 289.82 FEET; THENCE NORTH 1°-20'-03" WEST, A DISTANCE OF 128.21 FEET; THENCE NORTH 68°-57'-18" EAST, A DISTANCE OF 220.53 FEET TO THE TRUE POINT OF BEGINNING.

Revised September 19, 1989  
September 14, 1989  
For: Halbrook Farm Associates

Exhibit A (p.1 of 2)  

The quiet of our estates, in a great measure, depends upon the faithfulness, understanding, and care of our surveyors.  

Virginia Statutes, 1705
ADDITIONS OF LAND TO THE STATE LINE (121ST STREET)
MAIN SEWER DISTRICT
LEAWOOD, JOHNSON COUNTY, KANSAS

TRUE POINT OF BEGINNING
TRACT TWO
S 44°25'44" W
269.92'
N 2°03'34" W
275.86'

TRUE POINT OF BEGINNING
TRACT ONE
N 22°12' W
77.63'

POINT THAT IS 725.00' NORTH
AND 600.00' WEST OF THE SE.
COR. OF FRACTIONAL SECTION
14, TOWNSHIP 13, RANGE 25

SOUTHEAST COR. OF THE
SE. 1/4 OF SEC. 15, TWP.
13, RGE. 25

PREPARED BY:

ANDERSON
SURVEY COMPANY
6412 EAST 87TH STREET
KANSAS CITY, MISSOURI 64138

Exhibit A (p.2 of 2)

SCALE 1" = 300'
REVISED SEPT. 18, 1980
RESOLUTION NO. 974

WHEREAS, as a member of the Kansas City Royals Baseball Team, Bret Saberhagen has achieved success and awards. He was a member of the 1985 World Champions of Professional Baseball, MVP of the 1985 World Series (the youngest recipient ever of that award), ESPN's 1985 American League "Pitcher of the Year", 1985 American League Cy Young Award winner, and Royals "Pitcher of the Year" in 1985 and 1987; and

WHEREAS, Bret Saberhagen had the following impressive statistics in 1989:
   1. a win-loss record of 23-6;
   2. ERA of 2.16;
   3. 4 shutouts;
   4. 193 strikeouts;
   5. pitched in 36 games (started 35 of those);
   6. pitched 12 complete games; and

WHEREAS, the "Sporting News" selected Bret Saberhagen as the 1989 American League "Pitcher of the Year"; and

WHEREAS, Bret Saberhagen won the 1989 American League Cy Young Award; and

WHEREAS, Bret Saberhagen resides in the City of Leawood; and

WHEREAS, the City of Leawood takes pride in recognizing outstanding residents;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, is proud to congratulate Bret Saberhagen on his outstanding career achievements, and extends its best wishes to him for continued success.

Adopted by the Governing Body this 4th day of December, 1989.

Attest:

Marcia Rinehart
Mayor

Martha Heizer
City Clerk
RESOLUTION NO. 975

The Leawood City Council has considered the request for revised preliminary plan for phases one, two, and three and final site plan for the first and second phases of Knight-Ridder to be located at 2020 West 89th Street and hereby finds the following:

WHEREAS, the purpose of the application is to allow construction of a building that will eventually contain 135,000 sq.ft., that will replace the existing Commodity News Building, and

WHEREAS, the new building will be built in 3 phases, and

WHEREAS, in Phase One a 3-story building containing 68,900 square feet will be built. On the first floor will be parking and elevators. The second and third floors will house office areas. There will also be parking for 276 cars on surface parking to the north of the building, and

WHEREAS, in Phase Two there will be an addition of 26,500 square feet for a total of 95,400 sq.ft., including the first floor. Surface parking to the north will park 382 cars, and

WHEREAS, in Phase Three there will be an addition of 39,600 square feet for a total of 135,000 sq.ft., and

WHEREAS, this is a change from the previously approved plans for the area which allowed 2 building totalling 61,700 sq.ft., and

WHEREAS, the building is entered from the south through an entry plaza and is to be constructed of thermal glazed glass with trim. The colors to be used have not been determined at this time. There will be a penthouse area that will house the heating and cooling units and the satellite dishes, and

WHEREAS, a public hearing was held on the application, and

WHEREAS, the Plan Commission did not feel that there was enough information to consider the final site plan of phases one and two, and
WHEREAS, the Plan Commission did not feel that there was enough information to consider the preliminary plans of phase three development at this time, and

WHEREAS, the applicant has requested that the final site plan and the preliminary site plan for phase three be continued for more consideration at the next Plan Commission meeting, and

WHEREAS, the Plan Commission accepted this request, and

WHEREAS, the Plan Commission has considered this request to be approval of the preliminary site plan for phases one and two and has recommended approval,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approved the preliminary site plan for phases one and two of Knight-Ridder, located at 2020 West 89th Street, with no stipulations.

Adopted by the Governing Body this 4th day of December, 1989.

(S'E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk
RESOLUTION NO. 976

The Leawood City Council has considered the request for preliminary plat and final plat of Executive Hills West and hereby finds the following:

WHEREAS, the plat is to be used for a new building to be constructed for Knight-Ridder, and

WHEREAS, the plat contains 7.029 acres, and

WHEREAS, this property has not been platted in the past, and

WHEREAS, the owner desires to plat the property into 3 lots, and

WHEREAS, the Plan Commission finds that the property should all be in one lot, and

WHEREAS, the staff has reviewed the plat in more detail and recommends approval of the plat as three lots to reflect the different ownerships of the property,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for preliminary plat and final plat of Executive Hills West with the plat to reflect the ownership lines at the time of platting.

Adopted by the Governing Body this 4th day of December, 1989.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 977

The Leawood City Council has considered the request for revised preliminary plat and final plat of Lots 1405, 1406 & 1407, Leawood Estates and hereby finds the following:

WHEREAS, the proposed plat is a replat of part of Lots 24, 25, and all of Lot 26, Leawood Estates, and

WHEREAS, two of the lots (to be known as Lots 1406 and 1407) front onto 95th Street and the remaining lot fronts onto High, and

WHEREAS, Lot 1405, fronting onto High is occupied by Dr. Gates home and contains 2.78 acres, and

WHEREAS, Lot 1406 is currently occupied by a home and contains 25,375 sq.ft. and Lot 1407 is vacant and contains 21,000 sq.ft., and

WHEREAS, all lots exceed 120 feet in frontage, and

WHEREAS, the lots that will result from this replat are similar in size to surrounding lots in Leawood Estates and will remain as part of Leawood Estates, and

WHEREAS, the staff has reviewed the application and recommends no stipulations of approval,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat and final plat of Lots 1405, 1406 & 1407, Leawood Estates, with no stipulations.

Adopted by the Governing Body this 4th day of December, 1989.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 978

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 1990.

FEE SCHEDULE: CONSTRUCTION, ALTERATIONS AND REMODELING.

<table>
<thead>
<tr>
<th>New Building Construction Permits</th>
<th>Mechanical, electrical, and plumbing</th>
<th>$ 50.00 each</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Existing Building Construction Permits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential:</td>
</tr>
<tr>
<td>1. Building alterations, remodeling,</td>
</tr>
<tr>
<td>additions, decks (fees are</td>
</tr>
<tr>
<td>calculated on the area being</td>
</tr>
<tr>
<td>added or improved)</td>
</tr>
<tr>
<td>2. Mechanical, electrical, and</td>
</tr>
<tr>
<td>plumbing</td>
</tr>
</tbody>
</table>

| Commercial, Office, Industrial:       |
| 1. Interior finish for new construction; building alterations, remodeling | .10/SF |
| 2. Mechanical, electrical, plumbing   | 50.00 each |

<table>
<thead>
<tr>
<th>Miscellaneous</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Swimming pools, whirlpool, hydropool, etc.</td>
</tr>
<tr>
<td>a. Residential—single family</td>
</tr>
<tr>
<td>b. Other than residential s.f.</td>
</tr>
<tr>
<td>2. Reroofing</td>
</tr>
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<tr>
<td></td>
</tr>
<tr>
<td>3. Lawn sprinkler systems</td>
</tr>
<tr>
<td>a. Residential (s.f.—single lot)</td>
</tr>
<tr>
<td>b. Residential (multi units—single lot)</td>
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</tbody>
</table>
c. Commercial Based on valuation determined by bldg. official and figured in accordance with UBC Table No. 3A

4. Towers, satellite dish equipment, solar equipment
   a. Single family $ 25.00 each
   b. Commercial 100.00 each

5. Demolition, each unit or building 60.00 each
6. Structure moving 150.00 each
7. Street curb cut 15.00 each

8. Fences, walls, patio covers
   a. Residential lots to 22,000 s.f. 20.00 each
   b. Lots greater than 22,000 s.f. up to 1 acre 50.00 each
   c. Subdivision perimeter + lots greater than 1 acre

9. Major foundation repair 25.00 each
10. Reissuance of building permit (duplicate of original) 60.00 each
11. Land use permit 200.00 each

Occupancy of Space or Building
Application fee 20.00 each
Inspection fee 30.00 each

Reinspection Fees
Residential 30.00 each
Office/commercial 30.00 each
Occupancy 20.00 each

4-803(b)(3). FEES FOR OIL AND GAS DRILLING AND PRODUCTION.

Special Use Permit 400.00
Permit for one well 100.00
Blanket permit - multi wells 300.00
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.

1. Temporary Sign up to 5 s.f. $ 5.00 each
2. Developer Temporary Sign
   a. Small (0/SF to 32/SF) 20.00 each
   b. Large (Over 32/SF) 50.00 each
3. Monument Signs/Structures
   (additional elec. permit required) 50.00 each
4. Permanent Sign-Wall Signs 2.00/SF-minimum 25.00

13-1A03. PERMIT FEES; SIDEWALKS.

For any permit issued under the provisions of this article 10.00 each

13-207. PERMIT FEES; STREETS.

For any permit issued under the provisions of this article
Maintenance bond 10.00 each
100% of construction cost for 2 years

13-225. BACK CHARGE RECOVERY COST FEES; "MUD ORD."

For men and/or equipment. This is not a service. Back charged work will be done only with the approval of the Director or Asst. Director of Public Works. There will be a one hour minimum charge. Transportation to the job site will be charged at the same rate.

Men with hand tool only 16.00/hr.
Pick-up truck with driver 26.00/hr.
Dump truck with driver 41.00/hr.
Sweeper with operator 86.00/hr.
Jet rodder with operator 86.00/hr.
Back hoe with operator 56.00/hr.
Mowing tractor with operator 56.00/hr.
Bobcat, pick-up, trailer, and hand tools with operator 66.00/hr.
Grader with operator 66.00/hr.
Loader with operator 66.00/hr.
Outside contractors 65.00/hr. with a 3 hr. min.
15-110. SEWER CONNECTION CHARGE.  

800.00

16-202. FEES FOR ZONING PROCEDURES.

<table>
<thead>
<tr>
<th>Rezoning</th>
<th>Size</th>
<th>Tract Rezoning Fee</th>
<th>Preliminary Plan</th>
<th>Final Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>0 - 5 acres</td>
<td>$300</td>
<td>$300</td>
<td>$150</td>
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<tr>
<td>(AR-1 to RP-6)</td>
<td>5+ - 40</td>
<td>400</td>
<td>400</td>
<td>150</td>
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<td></td>
<td>40+ - up</td>
<td>400</td>
<td>400</td>
<td>200</td>
</tr>
<tr>
<td>Office</td>
<td>0 - 5 acres</td>
<td>300</td>
<td>300</td>
<td>150</td>
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<tr>
<td>(CP-0)</td>
<td>5+ - 10</td>
<td>300</td>
<td>300</td>
<td>150</td>
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<tr>
<td></td>
<td>10+ - 25</td>
<td>400</td>
<td>400</td>
<td>200</td>
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<td>25+ - 50</td>
<td>400</td>
<td>400</td>
<td>200</td>
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<tr>
<td></td>
<td>50+ - up</td>
<td>400</td>
<td>400</td>
<td>250</td>
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<tr>
<td>Commercial</td>
<td>0 - 5 acres</td>
<td>300</td>
<td>300</td>
<td>150</td>
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<tr>
<td>(CP-1 to CP-2)</td>
<td>5+ - 10</td>
<td>300</td>
<td>300</td>
<td>150</td>
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<td></td>
<td>10+ - 25</td>
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<td>25+ - 50</td>
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<td>400</td>
<td>250</td>
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<tr>
<td></td>
<td>50+ - up</td>
<td>500</td>
<td>500</td>
<td>250</td>
</tr>
<tr>
<td>Recreation</td>
<td>0 - 5 acres</td>
<td>300</td>
<td>300</td>
<td>100</td>
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<td></td>
<td>5+ - 25</td>
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<td>150</td>
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<td></td>
<td>25+ - up</td>
<td>300</td>
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<tr>
<td>Industrial</td>
<td>0 - 5 acres</td>
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<td>300</td>
<td>150</td>
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<td></td>
<td>5+ - 10</td>
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<td>150</td>
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<td></td>
<td>10+ - up</td>
<td>400</td>
<td>400</td>
<td>200</td>
</tr>
<tr>
<td>Business Park</td>
<td>0 - 5 acres</td>
<td>300</td>
<td>300</td>
<td>150</td>
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<tr>
<td>(BP)</td>
<td>5+ - 10</td>
<td>300</td>
<td>300</td>
<td>150</td>
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<td>10+ - 25</td>
<td>400</td>
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<td>25+ - 50</td>
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<td></td>
<td>50+ - up</td>
<td>500</td>
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<td>250</td>
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<tr>
<td>Special Develop-</td>
<td>0 - 5 acres</td>
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<td>150</td>
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<td>ment</td>
<td>5+ - 10</td>
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<td>10+ - 25</td>
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<td>300</td>
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<td></td>
<td>25+ - up</td>
<td>400</td>
<td>400</td>
<td>300</td>
</tr>
<tr>
<td>Mixed Zoning</td>
<td>0 - 10 acres</td>
<td>400</td>
<td>400</td>
<td>200</td>
</tr>
<tr>
<td>(Combination of any two or more districts)</td>
<td>10+ - 25</td>
<td>500</td>
<td>500</td>
<td>250</td>
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<td></td>
<td>25+ - 50</td>
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<td>300</td>
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<td></td>
<td>50+ - 75</td>
<td>600</td>
<td>600</td>
<td>300</td>
</tr>
<tr>
<td></td>
<td>75+ - up</td>
<td>700</td>
<td>700</td>
<td>350</td>
</tr>
</tbody>
</table>
Special Use Permit: $ 50
- temporary short term, not longer than 10 days
- as defined in Art. 19, Sec. 15-1901(25) of the Zoning Ordinance

Text amendment to Zoning Ordinance: 300

Other Plan Approvals:
- Revision of final plan: 150.00
- Landscape Plan: 200.00
- Sign Plan Approval: 150.00
- (commercial)
- Flood Plain Development: 200.00

Streets, Utility Vacation: 200.00

Board of Zoning Appeals:
1. Hearing: 150.00
2. Request for fence height exception: 75.00

Applicant is responsible for the cost of publishing rezoning, preliminary plat or special use permit Notice of Hearing.

Applicant is responsible for the cost of publishing rezoning, special use permit, or vacation ordinance following City Council approval, and cost of recording plats. (See fees for Final Plat Submission.)

Applicant shall be responsible for paying a late fee in the amount of $500.00 if an application for site development plan is submitted to the City after the deadline for submissions has expired.

16-402. FEES FOR SUBDIVISION REGULATION PROCEDURES.

Preliminary Plat Submission:
Applicant to pay $400.00 minimum plus $2.00 per lot.

Final Plat Submission:
Applicant to pay $200.00 minimum plus $2.00 per lot.
**PLANNING AND DEVELOPMENT DEPARTMENT DOCUMENT FEES.**

<table>
<thead>
<tr>
<th>Document</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comprehensive Plan Book</td>
<td>$25.00</td>
</tr>
<tr>
<td>Zoning Regulations</td>
<td>$5.00</td>
</tr>
<tr>
<td>Subdivision Regulations</td>
<td>$5.00</td>
</tr>
<tr>
<td>Zoning Map</td>
<td>$3.00</td>
</tr>
<tr>
<td>Subdivision Map</td>
<td>$3.00</td>
</tr>
<tr>
<td>Comprehensive Plan Map</td>
<td>$5.00</td>
</tr>
<tr>
<td>K-150 Plan Map</td>
<td>$3.00</td>
</tr>
<tr>
<td>Leawood Street Plan Map</td>
<td>$5.00</td>
</tr>
</tbody>
</table>

Other Department Publications/Report Fees (to be individually determined based upon printing costs)

Fees According to Open Records Act
- Record Search (Ordinance No. 801) 10.00 minimum
- Copying fee per page .50

Adopted by the Governing Body this 18th day of December, 1989.

(S E A L)

Marcia Rinehart  Mayor

Attest:

Martha Heizer  City Clerk
RESOLUTION NO. 979

A RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE PRIVATE PROPERTY FOR THE USE OF THE CITY AND AUTHORIZING A SURVEY AND DESCRIPTION OF THE LAND AND INTEREST TO BE CONDEMNED.

WHEREAS the City of Leawood intends to make certain necessary improvements to Lee Boulevard which improvements include certain drainage structures in the area of 9820 Lee Boulevard;

WHEREAS all necessary right of ways and easements have been obtained by the City with the exception of a tract of ground described as:

Lot 302, Leawood Estates, commonly known as "9820 Lee Boulevard" a subdivision in the City of Leawood, Kansas;

WHEREAS it appears that said necessary right of way and easements cannot be obtained other than through condemnation.

NOW THEREFORE, be it resolved by the City of Leawood, Kansas:

That the City does hereby declare it to be necessary to appropriate certain private property for the use of the city for purposes of making certain improvements to Lee Boulevard, which improvements include certain drainage structures in the area of 9820 Lee Boulevard;
RESOLUTION NO. 980

A RESOLUTION DECLARING THE BOUNDARIES OF THE CITY OF LEAWOOD, KANSAS.

WHEREAS, three (3) tracts of land were annexed to the City of Leawood by Ordinance No. 1129 which took effect October 6, 1989; and

WHEREAS, K.S.A. 1988 Supp. 12-517 states that before the last day of December in any year in which any territory has been added to or excluded from any city, the governing body of such city shall declare by resolution the entire boundary of the city;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas, hereby declares that the area described in Exhibit A attached hereto is the entire boundary of the City of Leawood as of the date hereof; and

BE IT FURTHER RESOLVED that in accordance with K.S.A. 1988 Supp. 12-518, the City Clerk of the City of Leawood shall file a certified copy of this resolution with the County Clerk, the Register of Deeds, and the Election Commissioner of Johnson County, Kansas. She shall also file a certified copy of this resolution with the state transportation engineer.

Adopted by the Governing Body this 18th day of December, 1989.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk
November 29, 1989

LEGAL DESCRIPTION FOR
CITY OF LEAWOOD BOUNDARY
JOHNSON COUNTY, KANSAS

Beginning at the Northeast corner of fractional Section 11, Township 13, Range 25, Johnson County, Kansas; thence South, along the East line of said fractional Section 11 and the East line of fractional Section 14, Township 13, Range 25 of said Johnson County and the East line of fractional Section 23, Township 13, Range 25 of said Johnson County and the East line of fractional Section 26, Township 13, Range 25, of said Johnson County, and the East line of fractional Section 35, Township 13, Range 25 of said Johnson County, and the East line of fractional Section 2, Township 14, Range 25 of said Johnson County to the Southeast corner of the North 20 acres of said fractional Section 2; thence West, along the South line of the North 20 acres of said fractional Section 2 to the Southwest corner thereof; thence South, along the West line of said fractional Section 2 to the Southeast corner of the NE\1 of the SE\1 of Section 3, Township 14, Range 25 of said Johnson County, thence West, along the South line of the NE\1 of the SE\1 of said Section 3 to the West line thereof; thence South along the West line of the SE\1 of said Section 3 to the Southwest corner thereof; thence South along the East line of the North fifty acres of the NW\1 of Section 10, Township 14, Range 25, of said Johnson County, to the Southeast corner of said fifty acres; thence West, along the South line of said fifty acres to a point 2409.6 feet East of the West line of the NW\1 of said Section 10; thence South, along a line parallel to the West line of the NW\1 of said Section 10, to a point 1320 feet South of the North line of the South 110 acres of the NW\1 of said Section 10; thence West, a distance of 1465.8 feet; thence North, a distance of 600 feet; thence West, a distance of 943.8 feet, to a point on the West line of the NW\1 of said Section 10 and 720 feet South of the North line of the South 110 acres of the NW\1 of said Section 10; thence North, along the West line of said Section 10 to its...
intersection with the centerline of the KCC&S Railroad right-of-way, said point being 577 feet South of the Northeast corner of Section 9, Township 14, Range 25 of said Johnson County; thence Southwesterly, along said right-of-way centerline, a distance of 950.3 feet, said point being 808 feet South of the Norh line of said Section 9; thence South, to a point on the South line of the NE\textsuperscript{1} of said Section 9, said point being 2657.4 feet South of the North line and 917.85 feet West of the East line of said Section 9; thence West, along the South line of said NE\textsuperscript{1}, to the Southwest corner thereof; thence West, along the South line of the NW\textsuperscript{1} of said Section 9 to a point 230 feet East of the Southwest corner of said NW\textsuperscript{1}; thence North, parallel to the West line of said NW\textsuperscript{1}, a distance of 169 feet; thence West, parallel to the South line of said NW\textsuperscript{1}, a distance of 230 feet, to the West line of said NW\textsuperscript{1}; thence North, along the West line of said NW\textsuperscript{1} to the Northwest corner thereof, said corner being also the Southwest corner of Section 4, Township 14, Range 25 of said Johnson County; thence North, along the West line of said Section 4, to the Northwest corner thereof; thence continuing North, along the West line of Section 33, Township 13, Range 25, Johnson County, Kansas, to the Northwest corner of the SE\textsuperscript{1} of the SW\textsuperscript{1} of said Section 33; thence East, along the North line of the SE\textsuperscript{1} of the SW\textsuperscript{1} of said Section 33, to the East line of the SW\textsuperscript{1} of said Section 33, thence North, along the East line of the SW\textsuperscript{1} of said Section 33, to the Northeast corner thereof; thence West, along the South line of the East 68 acres of the NW\textsuperscript{1} of said Section 33, to the Southwest corner of said East 68 acres; thence North, along the West line of said East 68 acres, to the Southeast corner of the East 375 feet of the North 813 feet of the West 92 acres of the NW\textsuperscript{1} of said Section 33; thence West, parallel to the North line of said Section 33, a distance of 375 feet; thence North, parallel to the East line of the West 92 acres of the NW\textsuperscript{1} of said Section 33, a distance of 813 feet, to the North line of said Section 33, said point also being the South line of Section 28, Township 13, Range 25, Johnson County, Kansas; thence West, along the South line of said Section 28, to the Southwest corner of the E\textsuperscript{1} of the SW\textsuperscript{1} of said Section 28, thence North, along the West line of the E\textsuperscript{1} of the SW\textsuperscript{1} of said Section 28, to the Northeast corner thereof; thence East, along the North line of said E\textsuperscript{1} to the Northeast corner
thereof; thence North along the West line of the E½ of said Section 28, to the Northwest corner of the E½ of said Section 28; thence West, along the South line of the NW½ of said Section 28, to the Southwest corner of the NW½ of said Section 28; thence North, along the West line of the NW½ of said Section 28, to the Northwest corner thereof; thence continuing North, along the West line of the S½ of the SW½ of Section 21, Township 13, Range 25, Johnson County, Kansas to the Northwest corner thereof; thence East, along the North line of the S½ of the SW½ of said Section 21, to a point on the centerline of Tomahawk Creek; thence Northeasterly, along the centerline of said Tomahawk Creek, to its intersection with the East line of the NW½ of said Section 21, said point being 170 feet North of the Southeast corner of the NW½ of said Section 21, thence East, along a line perpendicular to the West line of the NE½ of said Section 21, a distance of 150 feet; thence continuing along a line that deflects 18° to the left from the last described course, a distance of 115.51 feet; thence continuing along a line that deflects 44° to the left from the last described course, a distance of 198.8 feet; thence continuing along a line that deflects 47° 20' to the right from the last described course, a distance of 460.14 feet; thence continuing along a line that deflects 57° 10' 30" to the left from the last described course, a distance of 605.19 feet; thence continuing along a line that deflects 18° 5' 30" to the left from the last described course, a distance of 537.85 feet; thence continuing along a line that deflects 90° to the left from the last described course, a distance of 74.13 feet; thence continuing West along an extension of the last described course a distance of 418.72 feet; thence continuing along a line that deflects 81° 05' 26" to the right from the last described course a distance of 176.0 feet; thence continuing along a line that deflects 83° 51' 01" to the left from the last described course a distance of 470.65 feet to a point on the West line of the NE½ of said Section 21, said point being 1762.6 feet North of the SW corner of the NE½ of said Section 21; thence North along the West line of the NE½ of said Section 21 to the N½ corner of said Section 21, said point also being on the South line of Section 16, Township 13, Range 25 of said Johnson County, Kansas thence West along the South line of said Section 16, to the Southwest corner thereof; thence North,
along the West line of said Section 16, to the Northwest corner thereof; thence East, along the North line of said Section 16, to a point 1097 feet, more or less, East of the Northwest corner of the NE¼ of said Section 16, said point being in the right-of-way of a public road, as said road is now constructed and used; thence Northerly, Northeasterly and Easterly, along the right-of-way of a public road, as said road is now constructed and used, to a point on the East line of the SE¼ of Section 9, Township 13, Range 25 of said Johnson County, Kansas, said point being 1293.01 feet North of the Southeast corner thereof; thence North, along the West line of Section 10 and 3, Township 13, Range 25 of said Johnson County, Kansas, to the Southwest corner of the NW¼ of said Section 3; thence East, along the South line of the NW¼ of said Section 3, to the Southeast corner thereof; thence North, along the East line of the NW¼ of said Section 3, to the Northeast corner thereof; thence West along the North line of said Section 3, to the Northwest corner thereof; thence North, along the West line of Sections 34 and 27, Township 12, Range 25 of said Johnson County, Kansas, to the Northwest corner of the S½ of the SW¼ of said Section 27; thence East, along the North line of the S½ of the SW¼ of said Section 27, to the Southwest corner of the NE¼ of the SW¼ of said Section 27; thence North along the West line of the NE¼ of the SW¼ of said Section 27, to the Northwest corner thereof; thence North along the West line of the SE¼ of said Section 27, to the Northwest corner thereof; thence East, along the North line of the SE¼ of the NW¼ of said Section 27, to the Northeast corner thereof; thence North along the West line of the NE¼ of said Section 27, to the centerline of Somerset Drive as now located; thence Northeasterly, and Easterly, along the centerline of said Somerset Drive, to its intersection with the North line of the S½ of the NE¼ of said Section 27; thence East, along the North line of the S½ of the NE¼ of the NE¼ of said Section 27, to the East line of said Section 27; thence North along the East line of said Section 27, said line also being the West line of NEL-ARO, a subdivision of land in Johnson County, Kansas to its intersection with the Westerly extension of the South line of Lot 3, of said NEL-ARO; thence East along the South line of said Lot 3, and its extensions, to the East line of fractional Section 26, Township 12, Range 25 of said Johnson County,
Kansas; thence South, along the East line of said fractional Section 26 and the East line of fractional Section 35, Township 12, Range 25 of said Johnson County, Kansas and the East line of fractional Section 2, Township 13, Range 25 of said Johnson County, Kansas, said line also being the common line between the States of Kansas and Missouri, to the point of beginning.
RESOLUTION NO. 981

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEAWOOD, KANSAS, PURSUANT TO K.S.A. 19-3616 PROVIDING FOR THE DETACHMENT AND EXCLUSION OF TERRITORY ANNEXED INTO THE CITY OF LEAWOOD FROM THE EXISTING TERRITORY OF FIRE DISTRICT NO. 2 (RURAL) JOHNSON COUNTY, KANSAS.

WHEREAS, the governing body of the City of Leawood, Kansas, has been authorized by the provisions of K.S.A. 19-3616, acting jointly with the governing body of a fire district, to detach and exclude from the existing territory of the fire district any of its territory which may have been included within the corporate limits of the City by subsequent annexation, and

WHEREAS, certain territory of Fire District No. 2 (Rural) Johnson County, Kansas as originally created in 1976 has been annexed by subsequent action of the City, so that it is now included within the corporate limits of the City, and

WHEREAS, such territory so annexed includes the following described land:

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

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guilford Downs. Containing 34.024 acres more or less.

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

Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2409.6 feet; south 1320 feet; west 1465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.
Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guilford Downs; and

WHEREAS, in the judgment of the governing body of the City, such annexed territory, because of its location and proximity to the existing fire stations and facilities of the City in relation to the stations and facilities of the district, may be properly protected by the City and adequately provided with fire protection in such annexed areas, and

WHEREAS, the governing body of the fire district pursuant to its Resolution No. 1989-2 adopted by the governing body of the fire district on October 26, 1989 approved the detachment and exclusion of such territory from the then existing territory of such fire district, and

WHEREAS, the City is willing to assume the fire protection services for such annexed territories and requested the detachment of such territories from such fire district, all pursuant to the authority granted by said statute;

NOW, THEREFORE, be it resolved by the governing body of the City of Leawood, Kansas:

1. Upon the enactment of this Resolution, the City of Leawood, Kansas shall assume all fire protection responsibilities for the areas described above which were
part of the existing territory of Fire District No. 2 (Rural) Johnson County, Kansas at the time such territory was annexed into the City of Leawood, Kansas;

2. The governing body of the City of Leawood, Kansas hereby consents to the detachment and exclusion of the above described territory from the existing territory of Fire District No. 2 (Rural) Johnson County, Kansas;

3. All general obligation bonds issued by such fire district for the acquisition or construction of fire stations or buildings, the acquisition of sites therefor and the purchase of fire fighting trucks and equipment for use in the district, which are issued prior to the effective date of the detachment of such territory, as herein provided, shall continue as an obligation of the property subject to taxation for payment thereof at the time such bonds were issued, all as provided for in K.S.A. 19-3616.


Marta Rinehart
Mayor
City of Leawood

ATTEST:

Martha Heizer, City Clerk
City of Leawood

APPROVED AS TO FORM:

Richard S. Metzler
City Attorney
City of Leawood

STATE OF KANSAS
COUNTY OF JOHNSON

CERTIFICATE

I, MARTHA HEIZER, City Clerk of the City of Leawood, Kansas, hereby certify that the foregoing is a true and correct copy of Resolution No. 981 as the same appears in my office. In testimony whereof, I have hereunto signed my name and affixed the seal of said City this 8th day of January, 1990.

Martha Heizer
City Clerk
RESOLUTION NO. 981

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEAWOOD, KANSAS, PURSUANT TO K.S.A. 19-3616 PROVIDING FOR THE DETACHMENT AND EXCLUSION OF TERRITORY ANNEXED INTO THE CITY OF LEAWOOD FROM THE EXISTING TERRITORY OF FIRE DISTRICT NO. 2 (RURAL) JOHNSON COUNTY, KANSAS.

WHEREAS, the governing body of the City of Leawood, Kansas, has been authorized by the provisions of K.S.A. 19-3616, acting jointly with the governing body of a fire district, to detach and exclude from the existing territory of the fire district any of its territory which may have been included within the corporate limits of the City by subsequent annexation, and

WHEREAS, certain territory of Fire District No. 2 (Rural) Johnson County, Kansas as originally created in 1976 has been annexed by subsequent action of the City, so that it is now included within the corporate limits of the City, and

WHEREAS, such territory so annexed includes the following described land:

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

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guilford Downs. Containing 34.024 acres more or less.

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

Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2409.6 feet; south 1320 feet; west 1465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.
Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guilford Downs; and

WHEREAS, in the judgment of the governing body of the City, such annexed territory, because of its location and proximity to the existing fire stations and facilities of the City in relation to the stations and facilities of the district, may be properly protected by the City and adequately provided with fire protection in such annexed areas, and

WHEREAS, the governing body of the fire district pursuant to its Resolution No. 1989-2 adopted by the governing body of the fire district on October 26, 1989 approved the detachment and exclusion of such territory from the then existing territory of such fire district, and

WHEREAS, the City is willing to assume the fire protection services for such annexed territories and requested the detachment of such territories from such fire district, all pursuant to the authority granted by said statute;

NOW, THEREFORE, be it resolved by the governing body of the City of Leawood, Kansas:

1. Upon the enactment of this Resolution, the City of Leawood, Kansas shall assume all fire protection responsibilities for the areas described above which were
part of the existing territory of Fire District No. 2 (Rural) Johnson County, Kansas at the time such territory was annexed into the City of Leawood, Kansas;

2. The governing body of the City of Leawood, Kansas hereby consents to the detachment and exclusion of the above described territory from the existing territory of Fire District No. 2 (Rural) Johnson County, Kansas;

3. All general obligation bonds issued by such fire district for the acquisition or construction of fire stations or buildings, the acquisition of sites therefor and the purchase of fire fighting trucks and equipment for use in the district, which are issued prior to the effective date of the detachment of such territory, as herein provided, shall continue as an obligation of the property subject to taxation for payment thereof at the time such bonds were issued, all as provided for in K.S.A. 19-3616.


Marcia Rinehart
MAYOR

Martha Heizer, City Clerk
City of Leawood

APPROVED AS TO FORM:

Richard S. Wetzel
City Attorney
City of Leawood
RESOLUTION NO. 982

A RESOLUTION ESTABLISHING FEE SCHEDULE FOR THOSE FEES NOT SPECIFICALLY PROVIDED FOR IN THE 1984 CODIFICATION, AND RESCINDING RESOLUTION NO. 978 ADOPTED DECEMBER 18, 1989.

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 BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. That Resolution No. 978 adopted by the Governing Body on December 18, 1989, is hereby rescinded.

Section 2. That the following fee schedule for 1990 is hereby ratified:

FEE SCHEDULE: CONSTRUCTION, ALTERATIONS AND REMODELING.

New Building Construction Permits
   Mechanical, electrical, and plumbing $50.00 each

Existing Building Construction Permits
   Residential:
      1. Building alterations, remodeling, additions, decks (fees are calculated on the area being added or improved) $30.00 min. + $0.07/SF
      2. Mechanical, electrical, and plumbing $25.00 each

   Commercial, Office, Industrial:
      1. Interior finish for new construction; building alterations, remodeling $0.10/SF
      2. Mechanical, electrical, plumbing $50.00 each

Miscellaneous
   1. Swimming pools, whirlpool, hydropool, etc.
      a. Residential—single family $75.00 each
      b. Other than residential S.F. $150.00 each
   2. Reroofing $30.00 + $1.50/Square over 20 squares
3. Lawn sprinkler systems
   a. Residential (s.f.-single lot) $ 50.00 each
   b. Residential (multi units-single lot)
   c. Commercial

4. Towers, satellite dish equipment, solar equipment
   a. Single family
   b. Commercial

5. Demolition, each unit or building

6. Structure moving

7. Street curb cut

8. Fences, walls, patio covers
   a. Privacy fences exceeding 4 feet in height encompassing patios
   b. Lot perimeter fences exceeding 4 feet in height on lots to 22,000 s.f.
   c. Lot perimeter fences exceeding 4 feet in height on lots greater than 22,000 s.f. up to 1 acre
   d. Subdivision perimeter fences and lot perimeter fences exceeding 4 feet in height on lots greater than 1 acre
   e. Fence replacement sections exceeding 4 feet in height and 10 feet in length
   f. Pool fences 4 feet to 6 feet in height around perimeter of pool only
   g. Walls
     1. Privacy walls over 4 feet in height encompassing patios

Based on valuation determined by bldg. official and figured in accordance with UBC Table No. 3A
2. Lot and subdivision perimeter walls over 4 feet in height
   Based on valuation determined by Bldg. Official and figured in accordance with UBC Table No. 3

3. Retaining walls over 4 feet in height (other than as part of home)
   Based on valuation determined by Bldg. Official and figured in accordance with UBC Table No. 3

   h. Patio covers
      $ 20.00 each

9. Major foundation repair
   25.00 each

10. Reissuance of building permit
    (duplicate of original)
    60.00 each

11. Land use permit
    200.00 each

**Occupancy of Space or Building**

   Application fee
   20.00 each

   Inspection fee
   30.00 each

**Reinspection Fees**

   Residential
   30.00 each

   Office/commercial
   30.00 each

   Occupancy
   20.00 each

4-803(b)(3). FEES FOR OIL AND GAS DRILLING AND PRODUCTION.

   Special Use Permit
   400.00

   Permit for one well
   100.00

   Blanket permit - multi wells
   300.00

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.
1. Temporary Sign up to 5 s.f. $ 5.00 each
2. Developer Temporary Sign
   a. Small (0/SF to 32/SF) 20.00 each
   b. Large (Over 32/SF) 50.00 each
3. Monument Signs/Structures
   (additional elec. permit required) 50.00 each
4. Permanent Sign-Wall Signs 2.00/SF-minimum 25.00

13-1A03. PERMIT FEES; SIDEWALKS.
For any permit issued under the provisions of this article 10.00 each

13-207. PERMIT FEES; STREETS.
For any permit issued under the provisions of this article
Maintenance bond 10.00 each
100% of construction cost for 2 years

13-225. BACK CHARGE RECOVERY COST FEES; "MUD ORD."
For men and/or equipment. This is not a service. Back charged work will be done only with the approval of the Director or Asst. Director of Public Works. There will be a one hour minimum charge. Transportation to the job site will be charged at the same rate.

Men with hand tool only 16.00/hr.
Pick-up truck with driver 26.00/hr.
Dump truck with driver 41.00/hr.
Sweeper with operator 86.00/hr.
Jet rodder with operator 86.00/hr.
Back hoe with operator 56.00/hr.
Mowing tractor with operator 56.00/hr.
Bobcat, pick-up, trailer, and hand tools with operator 66.00/hr.
Grader with operator 66.00/hr.
Loader with operator 66.00/hr.
Outside contractors 65.00/hr. with a 3 hr. min.

15-110. SEWER CONNECTION CHARGE. 800.00
16-202. FEES FOR ZONING PROCEDURES.

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<th>Rezoning</th>
<th>Tract Size</th>
<th>Rezoning Fee</th>
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<th>Final Plan</th>
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<td>$300</td>
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<tr>
<td>Permits, except oil</td>
<td>5+ - 10</td>
<td>500</td>
<td></td>
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</tr>
<tr>
<td>and gas</td>
<td>10+ - up</td>
<td>600</td>
<td></td>
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</tr>
</tbody>
</table>
Special Use Permit - temporary short term, not longer than 10 days as defined in Art. 19, Sec. 15-1901(25) of the Zoning Ordinance

Text amendment to Zoning Ordinance $ 50

Other Plan Approvals
- Revision of final plan $150.00
- Landscape Plan $200.00
- Sign Plan Approval (commercial) $150.00
- Flood Plain Development $200.00

Streets, Utility Vacation $200.00

Board of Zoning Appeals
1. Hearing $75.00
2. Request for fence height exception $75.00

Applicant is responsible for the cost of publishing rezoning, preliminary plat or special use permit Notice of Hearing.

Applicant is responsible for the cost of publishing rezoning, special use permit, or vacation ordinance following City Council approval, and cost of recording plats. (See fees for Final Plat Submission.)

Applicant shall be responsible for paying a late fee in the amount of $500.00 if an application for site development plan is submitted to the City after the deadline for submissions has expired.

16-402. FEES FOR SUBDIVISION REGULATION PROCEDURES.

**Preliminary Plat Submission:**
Applicant to pay $400.00 minimum plus $2.00 per lot.

**Final Plat Submission:**
Applicant to pay $200.00 minimum plus $2.00 per lot

**PLANNING AND DEVELOPMENT DEPARTMENT DOCUMENT FEES.**

<table>
<thead>
<tr>
<th>Document</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comprehensive Plan Book</td>
<td>$ 25.00 each</td>
</tr>
<tr>
<td>Zoning Regulations</td>
<td>5.00 each</td>
</tr>
<tr>
<td>Subdivision Regulations</td>
<td>5.00 each</td>
</tr>
</tbody>
</table>
Zoning Map $ 3.00 each
Subdivision Map 3.00 each
Comprehensive Plan Map 5.00 each
K-150 Plan Map 3.00 each
Leawood Street Plan Map 5.00 each

Other Department Publications/Report Fees (to be individually determined based upon printing costs)
Fees According to Open Records Act
Record Search (Ordinance No. 801) 10.00 minimum
Copying fee per page .50

Adopted by the Governing Body this 15th day of January, 1990.

(SEAL)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk
RESOLUTION NO. 983


WHEREAS, Section 11.2(a) of the "Personnel Rules and Regulations" dated January 3, 1984, and as amended October 3, 1988, requires that holidays for all regular employees of the City of Leawood be confirmed by resolution of the City Council each year; and

WHEREAS, after review of the holiday dates in 1990, staff recommends that the following schedule be adopted;

NOW, THEREFORE, BE IT RESOLVED that the City Hall of Leawood, Kansas, shall be closed on the following holiday dates in 1990:

New Year's Day January 1
President's Day February 19
(3rd Monday-February)
Memorial Day May 28
(last Monday-May)
Independence Day July 4
Labor Day September 3
(1st Monday-September)
Thanksgiving November 22/23
(4th Thurs. & Fri.-November)
Christmas December 25

Adopted by the Governing Body this 15th day of January, 1990.

(SEAL)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk
The Leawood City Council has considered the request for final site plan for phases one and two, and preliminary site plan for phase three of Knight-Ridder to be located at 2020 West 89th Street and hereby finds the following:

WHEREAS, the purpose of the application is to allow construction of a building that will eventually contain 135,000 sq.ft., that will replace the existing Commodity News Building, and

WHEREAS, the new building will be built in 3 phases, and

WHEREAS, in Phase One a 3-story building containing 68,900 square feet will be built. On the first floor will be parking and elevators. The second and third floors will house office areas. There will also be parking for 276 cars on surface parking to the north of the building, and

WHEREAS, in Phase Two there will be an addition of 26,500 square feet for a total of 95,400 sq.ft., including the first floor. Surface parking to the north will park 382 cars, and

WHEREAS, in Phase Three there will be an addition of 39,600 square feet for a total of 135,000 sq.ft., and

WHEREAS, this is a change from the previously approved plans for the area which allowed 2 building totalling 61,700 sq.ft., and

WHEREAS, the building is entered from the south through an entry plaza and is to be constructed of thermal glazed glass with trim. The colors to be used have not been determined at this time. There will be a penthouse area that will house the heating and cooling units and the satellite dishes, and

WHEREAS, a public hearing was held on the application, and

WHEREAS, no one spoke in opposition to the application at the public hearing, and

WHEREAS, the Plan Commission recommended approval of the preliminary site plan for phase 3 and the final site plan for phases 1 and 2 with the following stipulations:
1. Phase 1 development is limited to 68,900 sq.ft.
2. Phase 2 development is limited to 95,400 sq.ft.
3. Phase 3 development is limited to 135,000 sq.ft.
4. During consideration of the final site plan for phase 3, additional traffic studies shall be required and the applicant may be required to contribute towards traffic signals and/or lane improvements on State Line Road, and

WHEREAS, the developer/owner agrees to these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final site plan for phases one and two and preliminary site plan of phase three of Knight-Ridder, located at 2020 West 89th Street, with stipulations.

Adopted by the Governing Body this 5th day of February, 1990.

(SEAL) 

Marcia Rinehart Mayor

Attest:

Martha Helzer City Clerk
RESOLUTION NO. 985

The Leawood City Council has considered the request for rezoning from A to R-1, preliminary plat and preliminary site plan for Church of the Nativity to be located at 119th and Mission and hereby finds the following:

WHEREAS, the proposed use includes a church containing 34,890 square feet that can seat approximately 950 people, including a gathering hall and offices, and an elementary church for grades K through 8, containing approximately 54,500 square feet, and

WHEREAS, the total acreage of the site is 9.56 acres.

WHEREAS, the Plan Commission conducted two public hearings on the application, and

WHEREAS, access to the site will be from both 119th Street and Mohawk with the main entrance to be located at 119th and Mission, and

WHEREAS, the private drive to be used for access will replace the public street access, and

WHEREAS, the church is to obtain a "Letter of Intent" to be signed by the church and the affected property owners accepting the concept of the private drive, and

WHEREAS, before the final plat is approved, the specifics of the private drive agreement must be worked out so that they are reflected on the plat, and

WHEREAS, the church is to be constructed of split face limestone and stucco with concrete tile and metal roofing. The upper floor will contain the sanctuary, gathering hall and chapel. The lower level contains office areas, future kitchen site and a gathering hall that could be used for a variety of functions. The main entrance is to the east, and

WHEREAS, this property must pay a Park Impact Fee in the amount of 10 cents per square foot of floor area, limited to the school only, such fee is to be collected at the time of issuance of a building permit, and
WHEREAS, as part of the improvement of 119th, the City may require the church to build a bike path on the north side of the street, such path is to be 10 feet in width, constructed of asphalt and reflected on the final site plan of the first phase, and

WHEREAS, a traffic signal at the intersection of 119th and Mission must be installed before occupancy of the church is granted, and

WHEREAS, this site is liable for one-fourth of the cost of the signal, and

WHEREAS, the church property is the site of a siren that is used for public warning of storms, and is to be relocated on the site at a high point that can be reached through the church's parking lot, and

WHEREAS, the staff has reviewed the application and recommends approval of the application with the following stipulations of approval:
1. The church is limited to approximately 34,890 square feet in two stories, seating approximately 950 people. The school is to be an elementary school containing approximately 54,500 square feet when fully developed.
2. The Church is to obtain a "Letter of Intent" to be signed by the church, Morgan and McCarthy accepting the concept of the private drive. Before the final plat is approved, the specifics of the private drive agreement must be worked out so that they are reflected on the plat.
3. This property must pay a Park Impact Fee in the amount of 10 cents per square foot of floor area, limited to the school only. This fee is collected at the time of issuance of a building permit.
4. As part of the improvement of 119th, the City may require the church to build a bike path on the north side of the street. The church agrees to install this bike path at a later date to be established by the City.
5. The emergency warning siren is to be relocated on the site. The church has suggested a spot on the northeast corner of the property which is agreeable to the city. The cost of moving the siren will be included in the cost of the improvements to 119th Street.
6. The church is to be constructed of split face limestone, acrylic stucco, Class A concrete tile roof, and metal roofing. The height of the steeple is limited to 70 feet with the cross 10 feet higher.
7. A traffic signal at the intersection of 119th and Mission must be installed before occupancy of the church is granted.
This site is liable for one-fourth of the cost of the signal.

8. This property is responsible for the construction of what was Mission Road, north of 119th Street as amended on the plans and indicated as a private drive. Such private drive is to be constructed with the first phase of the plan, and

WHEREAS, the applicant agrees to all but #3 and #7 of the stipulations and requests an exemption on these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from A to R-1, preliminary plat and preliminary site plan of Church of the Nativity with stipulations.

Adopted by the Governing Body this 5th day of February, 1990.

(S. E A L)

Marcia Rinehart Mayor

Attest:

Martha K. Heizer City Clerk
RESOLUTION NO. 986

The Leawood City Council has considered the request for final plat approval for University Park Condominiums, First Plat, a replat of Lot 1, University Park and hereby finds the following:

WHEREAS, the Governing Body has previously approved the final plat of University Park, and

WHEREAS, this plat is a replat of Lot 1, University Park, and

WHEREAS, this replat is necessary in order to subdivide the property as condominium office buildings, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the final plat of University Park Condominiums, First Plat with the following stipulations:
1. The common area must be included in a tract or lot.
2. Submit copies of the Condominium Declarations and Deed Restrictions to the staff for our records, and

WHEREAS, the applicant agrees to these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of University Park Condominiums, First Plat with stipulations.

Adopted by the Governing Body this 5th day of February, 1990.

(S E A L)  
Marcia Rinehart  Mayor

Attest:  
Martha Heizer  City Clerk
RESOLUTION NO. 987

The Leawood City Council has considered the request for revised preliminary plat, landscape plan and monument sign for Royse, 9th Plat and hereby finds the following:

WHEREAS, the plat contains 73 lots on 36 acres for a density of 2.03 units per acre, and

WHEREAS, the property is zoned R-1, and

WHEREAS, the property is the last phase of Royse and is located at the west end of Royse, and

WHEREAS, the property is bounded by Hunter's Ridge on the north, 127th Street on the south, Norwood on the east and Leawood South on the west, and

WHEREAS, a landscape plan is not required in R-1 but it is submitted as the applicant desires to add an additional monument sign proposed to be located in the island located in Aberdeen where Royse connects to Hunter's Ridge, and

WHEREAS, the proposed sign is limestone with brick lettering, 4 feet in height and 6 feet in width, protected in the island and has a planter on the south side to be filled with dwarf evergreen spreaders and annuals, and

WHEREAS, a final plan for the monument or landscaping is not required, and

WHEREAS, the Homes Association will be responsible for the maintenance of the sign and island, and

WHEREAS, the preliminary plat needs additional information to show the existing waterway on the property including additional information to show what is happening to the storm water once it reaches Leawood South, and

WHEREAS, the staff has reviewed the application and recommends approval of the application with the following stipulations of approval:

1. Show the existing water courses on the plat.
2. Show what is happening to storm water where it dumps into Leawood South, Third Plat,

WHEREAS, the applicant agrees to these stipulations.
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat, landscape plan and monument sign for Royse, 9th Plat with stipulations.

Adopted by the Governing Body this 5th day of February, 1990.

(S E A L)

Marcia Rinehart  Mayor

Attest:

Martha Heizer  City Clerk
RESOLUTION NO. 988

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", 1989 Edition, is greater or less than is reasonable under the conditions found to exist upon certain streets within 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 in the City.

<table>
<thead>
<tr>
<th>STREET</th>
<th>PORTION CONTROLLED</th>
<th>APPLICABLE SPEED LIMIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lee Blvd.</td>
<td>81st Street to 103rd St.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>State Line Rd.</td>
<td>North City Limits to I-435</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>State Line Rd.</td>
<td>I-435 to 135th Street</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>North City limits to 330 ft. South of I-435</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>330 ft. South of I-435 to El Monte</td>
<td>15 m.p.h.</td>
</tr>
<tr>
<td>Mission Road</td>
<td>119th Street to 151st St.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>College to Tomahawk Creek bridge</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>Tomahawk Creek bridge to 131st Street</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>131st Street to K-150</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Roe Avenue</td>
<td>K-150 to End of Roadway</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>83rd Street</td>
<td>Within City Limits</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>89th Street</td>
<td>Lee Blvd. to Road Termination</td>
<td>20 m.p.h.</td>
</tr>
<tr>
<td>89th Street</td>
<td>Mission Road to Lee Blvd.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>STREET</td>
<td>PORTION CONTROLLED</td>
<td>APPLICABLE SPEED LIMIT</td>
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<tr>
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<td>------------------------</td>
</tr>
<tr>
<td>95th Street</td>
<td>Within City Limits</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>103rd Street</td>
<td>Within City Limits</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>College Blvd.</td>
<td>Between Roe Av. &amp; Nall Av.</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>College Blvd.</td>
<td>Roe to .1 Mi. West of Buena Vista</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>I-435</td>
<td>Within City Limits</td>
<td>55 m.p.h.</td>
</tr>
<tr>
<td>119th Street</td>
<td>State Line Road to Roe Av.</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>119th Street</td>
<td>Roe Av. to Nall Av.</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>123rd Street</td>
<td>State Line Rd. to Mission Road</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>127th Street</td>
<td>Mission Road to Nall Av.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>K-150</td>
<td>Westbound from State Line Rd. to a point .10 miles</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td></td>
<td>West of intersection of K-150 and State Line Road</td>
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<tr>
<td>K-150</td>
<td>Westbound from .10 miles</td>
<td>55 m.p.h.</td>
</tr>
<tr>
<td></td>
<td>West of State Line Road to City limits</td>
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<tr>
<td>K-150</td>
<td>Eastbound from a point .30 miles West of State Line</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td></td>
<td>Road to State Line Road</td>
<td></td>
</tr>
<tr>
<td>K-150</td>
<td>Eastbound from City Limits to a point .30 miles West</td>
<td>55 m.p.h.</td>
</tr>
<tr>
<td></td>
<td>of State Line Road</td>
<td></td>
</tr>
<tr>
<td>143rd Street</td>
<td>Kennneth Road to Nall Av.</td>
<td>30 m.p.h.</td>
</tr>
<tr>
<td>151st Street</td>
<td>Within City limits</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Kenneth Road</td>
<td>Within City limits</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Nall Avenue</td>
<td>College Blvd. to 119th Street</td>
<td>45 m.p.h.</td>
</tr>
<tr>
<td>Nall Avenue</td>
<td>Tomahawk Creek to 13000 block</td>
<td>35 m.p.h.</td>
</tr>
<tr>
<td>STREET</td>
<td>PORTION CONTROLLED</td>
<td>APPLICABLE SPEED LIMIT</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Tomahawk Creek Parkway</td>
<td>Within City limits</td>
<td>35 m.p.h.</td>
</tr>
</tbody>
</table>

Adopted by the Governing Body this 20th day of February 1990.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
WHEREAS, the City of Leawood, Kansas, has previously granted to TeleCable of Overland Park, Inc. (the "Company"), by The Community Antenna Television (CATV) Franchise Ordinance (the "Franchise Ordinance"), a franchise to maintain a cable television system in the City of Leawood, Kansas (the "Franchise"); and

WHEREAS, the ownership of the corporate stock of the Company is presently split between TeleCable Technologies, Inc. and TeleCable Investment Corporation, both of which are owned 100% by TeleCable Corporation; and

WHEREAS, as part of a larger reorganization of its group of subsidiary companies, TeleCable Corporation intends to merge the Company into a newly formed Kansas corporation (the "New Company") owned 100% by TeleCable Investment Corporation; and

WHEREAS, as a result of such merger (the "Merger"), the Franchise and all other assets and liabilities of the Company will be transferred to and accepted by the New Company; and

WHEREAS, the Franchise Ordinance states in pertinent part that "the Franchisee shall not sell or transfer its plant or cable television system or any portion thereof, nor any right, title or interest in the same, nor shall the Franchisee transfer any rights from this Franchise to any other person without prior approval of the governing body of said City as expressed by resolution adopted at one of its regular or special meetings; provided further that such approval shall not be unreasonably withheld"; and

WHEREAS, the Company and TeleCable Corporation have requested City Council's approval of the Merger and the substitution of the New Company for the Company as the party entitled to all rights, and responsible for all obligations, of the Franchisee under the Franchise; and

WHEREAS, said New Company has represented to the City that it will fully assume all responsibilities, duties and obligations to the City existing under said Franchise Ordinance;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council of the City of Leawood, Kansas, pursuant to the terms of the Franchise Ordinance, does hereby consent to the Merger of the Company into the New Company, and does further consent to the necessary transfer of the Franchise to the New Company pursuant to the Merger.
RESOLUTION NO. 989

2. The City Council affirms and agrees that following the Merger, the Franchise and any and all collateral agreements relating thereto or made in connection therewith, will continue in full force and effect for the benefit of the New Company, its successors and assigns.

3. The transferee New Company shall within sixty (60) days provide to the City a written agreement from said New Company that it fully assumes all of the obligations of the Old Company under the transferred franchise agreement.

4. In the event that transferee New Company shall fail to provide to the City a written agreement whereby said New Company fully assumes all responsibilities, duties and obligations of the Old Company under the transferred franchise agreement, then this consent shall be revoked and become null and void.

5. This Resolution shall take effect immediately upon its passage.

Adopted by the Governing Body this 20th day of February, 1990.

(SEAL)

Marcia Rinehart  Mayor

Attest:

Martha Heizer  City Clerk
March 28, 1990

HAND DELIVERED

Martha Heiser
City of Leawood
9617 Lee Blvd.
Leawood, Kansas 66206

Re: Our File No: 17,511

Dear Ms. Heiser:

Pursuant to the terms of Resolution No: 989 relative to Telecable of Overland Park, Inc., enclosed herewith please find an Assumption Agreement signed by Richard Roberts, President of New Overland Park Telecable Corporation, setting forth the new corporations intention to assume the obligations of Telecable of Overland Park, Inc.

Should you have any questions concerning this matter, please feel free to contact the undersigned.

Very truly yours,

Jenny Colwell
Legal Assistant
For the Firm

Enclosure

/6204G
Pursuant to City Council Resolution No. 989 which was adopted by the City Council of the City of Leawood, Kansas (the "City") on February 20, 1990, New Overland Park TeleCable Corporation hereby (i) assumes and agrees to be bound by all of the responsibilities, duties and obligations of TeleCable of Overland Park, Inc. (the "Company") under the franchise granted by the City to the Company to maintain a cable television system in the City pursuant to the Community Antenna Television Franchise Ordinance (the "Franchise Ordinance"); (ii) accepts and agrees to fulfill all legal obligations under the Franchise Ordinance; and (iii) agrees to be bound by and comply with all federal, state and local laws.

NEW OVERLAND PARK TELECABLE CORPORATION

By

Richard D. Roberts, President

ATTEST:

Jane O. Pruitt, Secretary
RESOLUTION NO. 990

RESOLUTION REQUESTING JOHNSON COUNTY, KANSAS, PARTICIPATION IN THE CITY OF LEAWOOD'S FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM THROUGH THE COUNTY'S ASSISTANCE ROAD SYSTEM (C.A.R.S.)

WHEREAS, the City of Leawood Governing Body has reviewed and approved the attached five-Year Road and Bridge Improvement Program, and

WHEREAS, the City of Leawood is requesting participation from Johnson County, Kansas, through the County's Assistance Road System (C.A.R.S.),

NOW, THEREFORE, be it resolved by the Governing Body of the City of Leawood, Kansas, that the attached Five-Year Road and Bridge Program be submitted to Johnson County, Kansas, per Johnson County's Resolution No. 25-89 and resolution No. 05-90.

Adopted by the Governing Body this 20th day of February, 1990.

MARTHA HEIZER, CITY CLERK
# County Assistance Road System
## 1991-1995

<table>
<thead>
<tr>
<th>PRIORITY</th>
<th>PROJECT</th>
<th>START/END</th>
<th>SCOPE OF PROJECT</th>
<th>EXISTING FACILITIES</th>
<th>A.I.T.'S</th>
<th>C.A.R.S.</th>
<th>PERCENTAGES OF PARTICIPATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>91-1</td>
<td>K-150 (135th Street)</td>
<td>2/91-12/91</td>
<td>Reconstruction</td>
<td>2 Lane Undivided</td>
<td>10,000,000</td>
<td>4,672,000</td>
<td>Leawood 75%</td>
</tr>
<tr>
<td>91-1</td>
<td>State Line Road to Mall Avenue</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>91-2</td>
<td>83rd Street</td>
<td>2/91-12/91</td>
<td>2 - 2 Lane Undivided Roadway</td>
<td>2 Lane Undivided</td>
<td>2,500,000</td>
<td>1,000,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>91-3</td>
<td>Somerset Road</td>
<td>12/91</td>
<td>Major Rehabilitation</td>
<td>2 Lane Undivided</td>
<td>9,333,000</td>
<td>400,000</td>
<td>Prairie Village 25%</td>
</tr>
<tr>
<td>92-1</td>
<td>Mission Road Bridge</td>
<td>1/92</td>
<td>4 Lane Roadway with 2 medians</td>
<td>Closed Bridge</td>
<td>0</td>
<td>1,000,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>92-1</td>
<td>Over Indian Creek</td>
<td>9/92</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>93-1</td>
<td>Mission Road</td>
<td>10/93</td>
<td>Construct 6 Lane undivided roadway</td>
<td>2 Lane Unimproved Road</td>
<td>0</td>
<td>120,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>93-1</td>
<td>135th Street to College Boulevard</td>
<td>12/93</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>93-2</td>
<td>College Boulevard</td>
<td>12/93</td>
<td>Widening, Overlay and Construct 3 Lane Roadway</td>
<td>3 Lane Roadway and 1 Roadway</td>
<td>0</td>
<td>200,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>93-2</td>
<td>El Monte to State Line Road</td>
<td>8/93</td>
<td>6 Lane Undivided Roadway</td>
<td>2 Lane</td>
<td>6,140,000</td>
<td>1,320,000</td>
<td>Leawood 25%</td>
</tr>
<tr>
<td>94-1</td>
<td>Mission Road</td>
<td>6/94</td>
<td>Reconstruct to 4 Lane Roadway</td>
<td>2 Lane Rural Road</td>
<td>0</td>
<td>100,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>94-1</td>
<td>97th Place to 103rd Street</td>
<td>9/94</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>94-2</td>
<td>E. Avenue</td>
<td>2/94</td>
<td>Construct 6 Lane Divided roadway</td>
<td>2 Lane Rural Road</td>
<td>0</td>
<td>1,200,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>94-2</td>
<td>119th Street to 135th Street</td>
<td>12/94</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>95-1</td>
<td>131st Street</td>
<td>2/95</td>
<td>Reconstruct to 4 Lane</td>
<td>2 Lane Rural Highway</td>
<td>12,000,000</td>
<td>2,700,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>95-1</td>
<td>Castleberry Road to E Avenue</td>
<td>12/95</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>95-2</td>
<td>Roe Avenue</td>
<td>2/95</td>
<td>Construct 2 Lane</td>
<td>2 Lane Rural</td>
<td>3,700,000</td>
<td>9,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>95-3</td>
<td>State Line Road</td>
<td>10/95</td>
<td>Division Roadway</td>
<td>2 Lane Rural</td>
<td>3,700,000</td>
<td>9,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>95-3</td>
<td>100th to 1-435</td>
<td>10/95</td>
<td>Straighten, Reconstruct and replace 4 Lane Divided Roadway to 4 Lane undivided roadway</td>
<td>2 Lane Rural</td>
<td>4,000,000</td>
<td>2,200,000</td>
<td>Leawood 75%</td>
</tr>
<tr>
<td>95-3</td>
<td>131st to 1200 Feet</td>
<td>12/95</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>95-4</td>
<td>119th Street to 1,200 Feet</td>
<td>2/95</td>
<td>Reconstruct Road to 4 Lane</td>
<td>2 Lane Rural Road</td>
<td>0</td>
<td>500,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>95-4</td>
<td>135th Street to 131st Street</td>
<td>12/95</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>95-5</td>
<td>Mission Road</td>
<td>2/95</td>
<td>Construct 4 Lane</td>
<td>2 Lane Rural Road</td>
<td>2,000,000</td>
<td>6,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>95-5</td>
<td>135th Street to 131st Street</td>
<td>12/95</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Priority</td>
<td>Project</td>
<td>Start/Finish</td>
<td>Scope of Project</td>
<td>Existing Facilities</td>
<td>A.D.T.'s</td>
<td>C.A.R.S.</td>
<td>Percentages of Participation</td>
</tr>
<tr>
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<td>----------------------------</td>
</tr>
<tr>
<td>95-6</td>
<td>143rd Street</td>
<td>2/95</td>
<td>Construct 4 Lane</td>
<td>2 Lane Rural Road</td>
<td>1998, 2010</td>
<td>10,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td></td>
<td>Kenneth Road to Wall Avenue</td>
<td>12/95</td>
<td>Undivided Roadway</td>
<td></td>
<td>5,000,000</td>
<td>100%</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td>95-7</td>
<td>North Access Road</td>
<td>2/95</td>
<td>Construct New Roadway</td>
<td>No Road</td>
<td>2010</td>
<td>4,000,000,000</td>
<td>Leawood 100%</td>
</tr>
<tr>
<td></td>
<td>of K-150</td>
<td>12/95</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
RESOLUTION NO. 991

The Leawood City Council has considered the request for final plat approval for Royse, 9th Plat and hereby finds the following:

WHEREAS, the plat contains 14 lots on 7.9 acres for a density of 1.7 units per acre, and

WHEREAS, the property is zoned R-1, and

WHEREAS, the property is located at the west end of Royse, south of 124th Terrace in Hunter’s Ridge and west of High Drive, and

WHEREAS, the names of the Plan Commission Chairman, Mayor and City Clerk must be added to the plan, and

WHEREAS, the staff has reviewed the application and recommends approval of the application with the following stipulations:
1. The names of the Plan Commission Chairman, Mayor and City Clerk are added to the plat.
2. The Public Works Elements are approved by the Director of Public Works, and

WHEREAS, the applicant agrees to these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat for Royse, 9th Plat with stipulations.

Adopted by the Governing Body this 12th day of March, 1990.

Marcia Rinehart
Mayor

(S E A L)

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 992

The Leawood City Council has considered the request for final plat approval for Church of the Nativity and hereby finds the following:

WHEREAS, the property is currently zoned R-1, Single Family Residential (Ordinance #1147, passed 2/6/90), and the total acreage is 9.56 acres, and

WHEREAS, the applicant is requesting approval of final plat in order to construct the first stage of development of a church with school, and

WHEREAS, the Plan Commission approved the final site plan for the first meeting at their meeting held February 27, 1990, and

WHEREAS, the property is in one lot, and

WHEREAS, access from Mission Road will be on a private drive which will vacate the Mission Road right-of-way, and

WHEREAS, the Director of Public Works is to approve the Public Works Elements, and

WHEREAS, the church is to obtain a "Letter of Intent" to be signed by the church, Morgan and McCarthy accepting the concept of the private drive. This is to be submitted and approved by the City Attorney prior to accepting the plat for recording, and

WHEREAS, the Plan Commission recommends the following stipulations of approval:
1. The church contains 35,200 square feet in two stories and can seat approximately 950 people. The school is to be an elementary school containing 41,200 square feet when fully developed. The first phase will contain 15,600 square feet.  
2. The church is to obtain a "Letter of Intent" to be signed by the church, Morgan and McCarthy accepting the concept of the private drive. This is to be submitted and approved by the City Attorney prior to accepting the plat for recording.  
3. Before the final plat is submitted for recording, the specifics of the private drive agreement must be worked out so that they are reflected on the plat.  
4. This property must pay a Park Impact Fee in the amount of 10 cents per square foot of floor area of the school. This fee is collected at the time of issuance of a building permit.  
5. As part of the improvement of 119th Street, the issue of
the design of the sidewalk is to be addressed in a manner acceptable to the Director of Public Works.

6. The emergency warning siren is to be relocated on the site at a location northeast corner of the parking lot. The cost of moving the siren will be included in the cost of the improvements to 119th Street and will be moved when the parking lot is constructed.

7. The church is to be constructed of split face limestone, acrylic stucco, Class A concrete roofing, and metal roofing.

8. A traffic signal at the intersection of 119th and Mission must be installed before occupancy of the church is granted. The church is required to pay their proportionate share of the cost of the signal, up to 25% of the cost, with a limit of $20,000. This proportion will be determined once the signal design has been finalized and will be determined by the Public Works Director. The monies must be paid before the signal is installed.

9. All public works elements are to be approved by the Director of Public Works prior to any construction on the site.

10. The trash enclosure on the north side of the property is considered temporary and will be moved to the southwest corner of the future school site when the school is fully built to the south or when the property to the north (Hazelwood) is developed, whichever comes first, and

WHEREAS, the property owner agrees to these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat for The Church of the Nativity with stipulations.

Adopted by the Governing Body this 12th day of March, 1990.

Marcia Rinehart
Mayor

(S E A L)

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 993

The Leawood City Council has considered a request for preliminary site plan and final site plan approval for Waterford Pool to be located at 132nd and Mission and hereby finds the following:

WHEREAS, the pool is to be developed to serve the residents of Waterford that will be members of the pool association, and

WHEREAS, the purpose of the application is to allow construction of a pool and accessory buildings on Lots 28 and 29, Block 4, Waterford,

WHEREAS, the property is currently zoned R-1, Single Family Residential, and

WHEREAS, the pool is approximately 1500 square feet and there is a small baby pool, also on the site are a restroom building and equipment building, and

WHEREAS, the pool and buildings are enclosed by fencing that is wrought iron on the south and east sides with wooden fencing on the north and west, and

WHEREAS, the wooden fencing is 6 feet high and is a "picture frame" style and the wrought iron fence is also 6 feet high, and

WHEREAS, the parking lot contains 14 spaces and has no lighting, and

WHEREAS, the building is stained gray with white trim and a wood shake roof, and

WHEREAS, the landscaping is concentrated on the north and east sides of the parking area to protect the adjoining residential properties. A combination of evergreens and flowering trees will be installed on a berm. All areas will be sodded, and

WHEREAS, the Plan Commission has considered the request and recommends the following stipulations of approval:
1. Berms are to be approved by the staff prior to issuance of a building permit.
2. There is to be no lighting in the parking lot.
3. A small sign is allowed, 6 square feet, to be attached to the fence, to identify that the pool is private, and

WHEREAS, the applicant agrees to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for preliminary site plan and final site plan for Waterford Pool to be located at 132nd and Mission with stipulations.

Adopted by the Governing Body this 9th day of April, 1990.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk
RESOLUTION NO. 994

The Leawood City Council has considered the request for rezoning from R-1 to RP-1, preliminary plat and preliminary site plan approval for Chartwell West and hereby finds the following:

WHEREAS, the property is currently zoned R-1, Single Family Residential, and contains 5 acres, and

WHEREAS, the applicant is requesting approval of a preliminary plat and preliminary site plan to allow construction of 8 single family homes, and

WHEREAS, the property is located at the northwest corner of 103rd and Lee, north of the existing home, and

WHEREAS, the site is to be surrounded by a perimeter fence, along Lee Boulevard the fence will be 6 foot high wrought iron with 8 foot tall brick columns placed 50 feet apart, with the balance of the fence will all be wrought iron, no brick columns, and

WHEREAS, the entry gates are an ornate wrought iron design and are electronically controlled with brick posts at the entry gates 10 feet high, and

WHEREAS, the Fire Department is reviewing the operation of the gates, and

WHEREAS, the developer states that there will be $50,000 worth of insurance coverage on the gates with $1,000,000 liability, and proof of insurance will be required with the final site plan, and

WHEREAS, the gate design and operation will be part of the final site plan approval process, and

WHEREAS, the existing pond will be drained, and

WHEREAS, the storm sewers for Lee Boulevard have been designed for this additional runoff and this development will be charged for the additional capacity needed to compensate for draining the pond with the cost to be determined by the Director of Public Works and payable before the final plat is recorded, and

WHEREAS, this property is within the Leawood Sewer system
and the current hook up fee is $817.50 per house which is paid to Public Works prior to obtaining a building permit, and

WHEREAS, the front setback is 55 feet as measured from the centerline of the street or 41 feet from the back of curb. The rear building line is 30 feet from the north, west and south. The rear building line as measured from the right-of-way of Lee Boulevard is 50 feet. Sideyards will be a minimum of 12.5 feet, and

WHEREAS, as an RP-1 subdivision, the developer is seeking a deviation on the 100 foot width requirement, and

WHEREAS, this property is not liable for a Park Impact Fee as it is not served by any new park land north of I-435, and

WHEREAS, the lot size is in keeping with the lot sizes adjoining, and

WHEREAS, the smallest lot is 20,200 sq.ft. The lot widths are comparable to the adjoining lots, and

WHEREAS, the Plan Commission recommends the following stipulations of approval:
1. The development is limited to 8 lots as shown on the preliminary plat.
2. A final site plan is required. This final site plan will include final landscaping, fence layout, gate details including operation, and entry monuments.
3. The gate operation will be reviewed and approved by the Fire Department. Proof of insurance will be required with the final site plan.
4. This development will be charged for the additional capacity needed to compensate for draining the pond. This cost will be determined by the Director of Public Works and is payable before the final plat is recorded.
5. There is to be restricted access on Lee Boulevard.
6. This property is within the Leawood Sewer system. The current hook up fee is $817.50 per house which is payed to Public Works prior to obtaining a building permit.
7. The front setback is 55 feet as measured from the centerline of the street or 41 feet from the back of curb. The rear building line is 30 feet from the north, west and south. The rear building line as measured from the right-of-way of Lee Boulevard is 50 feet. Sideyards will be a minimum of 12.5 feet.
8. As an RP-1 subdivision, the developer may deviate from the 100 foot width requirement.
9. Encourage the developer and the staff to include in the Deed Restrictions provisions of retention of the open look of the site through designing interior fences to be open and careful review of the rear of the homes where they face Lee Boulevard, and

WHEREAS, the applicant agrees to these stipulations, and

WHEREAS, the Council adds the stipulation that no blasting will be allowed during construction of the subdivision and if it is deemed necessary the developer must come to the City Council for approval,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from R-1 to RP-1, preliminary plat and preliminary site plan approval for Chartwell West with stipulations.

Adopted by the Governing Body this 16th day of April, 1990.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION
NO. 995

WHEREAS, Lee Allen Bledsoe was first employed by the City as a fire fighter on May 1, 1970; and

WHEREAS, Assistant Chief Bledsoe has progressed through the Fire Department, serving as a Fire Fighter, Lieutenant, Captain, and finally as Assistant Chief since March 1, 1984; and

WHEREAS, Assistant Chief Bledsoe has throughout his career demonstrated a deep commitment to the fire fighting profession; and

WHEREAS, Assistant Chief Bledsoe has demonstrated the same degree of commitment to his co-workers and the community, and has proven himself to be a capable and competent Fire Department administrator; and

WHEREAS, Assistant Chief Bledsoe has served faithfully, loyally, and honorably, and made valuable contributions to the City government and the welfare of the community;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Leawood commend and express its gratitude to him for vital services he has performed and his outstanding dedication to the City; and

BE IT FURTHER RESOLVED that the Governing Body extend to him sincere congratulations on his 20th Anniversary of uninterrupted service in the Leawood Fire Department.

Adopted by the Governing Body this seventh day of May, 1990.

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 996

The Leawood City Council has considered the request for final plat approval for Cherry Creek, Third Plat located at the southwest corner of 127th and Mission and hereby finds the following:

WHEREAS, the property is currently zoned R-1, Single Family Residential, and

WHEREAS, the applicant is requesting approval of a final plat in order to allow construction of 37 single family homes on 19 acres, and

WHEREAS, the preliminary plat contained 159 homes on 80 acres and this plat will bring the total number of platted lots to 151 lots on 73 acres, and

WHEREAS, there is still a small area that is not platted that is at the corner of 127th and Mission, and

WHEREAS, the Public Works elements must be approved by the Director of Public Works prior to recording the plat, and

WHEREAS, the following technical deficiencies exist on the plat:
1. The note detailing that tract "C" will be maintained by the Homes Association should be with the other notes on the right side of the plat.
2. The names of the Plan Commission Chairman, City Clerk and Mayor must be printed on the plat.
3. The right-of-way of Mission Road should reflect that it already exists.
4. Extend the right-of-way of Mission Road to the north, and

WHEREAS, the Plan Commission recommends approval of the final plat of Cherry Creek, Third Plat with the following stipulations:
1. A mud bond in the amount of $5000 be submitted.
2. All technical deficiencies be corrected prior to submission for recording, and

WHEREAS, the applicant agrees to these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Cherry Creek, Third Plat with stipulations.
Adopted by the Governing Body this 7th day of May, 1990.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 997

The Leawood City Council has considered the request for final plat approval of Highlands of Leawood, 4th Plat, located at approximately 127th and Birch and hereby finds the following:

WHEREAS, the property is currently zoned RP-1, Planned Single Family Residential, and

WHEREAS, the applicant is requesting approval of a revised final plat in order to replat 5 lots into 3, and

WHEREAS, Lot 151 contains 39,895 sq.ft. (.9 acre), Lot 152 contains 27,054 sq.ft. (.62 acre) and Lot 153 contains 20,701 sq.ft. (.47 acre), and

WHEREAS, all lot sizes contain an access and utility easement for the private streets, and

WHEREAS, the applicant desires to replat the lots in order to construct larger homes on the resulting lots, and

WHEREAS, the lots will be bound to the setbacks that were previously approved for the Highlands: 13 foot sideyard when it is a two story and 8 foot sideyard when it is a one and one-half story, ranch or the garage side of a two story structure, and

WHEREAS, the Plan Commission recommends approval of the request for a revised final plat with one stipulation:

1. A "mud bond" in the amount of $5000 is required prior to recording the plat, and

WHEREAS, the applicant agrees to this stipulation,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Highlands, 4th Plat with one stipulation.

Adopted by the Governing Body this 4th day of June, 1990.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 998

The Leawood City Council has considered the request for final plat approval for Chartwell West located at approximately 99th and Lee Boulevard and hereby finds the following:

WHEREAS, the Plan Commission has considered the request for approval of a final plat containing 8 lots on 4.7 acres, and

WHEREAS, the property is currently zoned RP-1, Planned Single Family Residential, Ordinance #1158 approved April 16, 1990, and

WHEREAS, the proposed use is single family homes, and

WHEREAS, a final site plan is required to be approved by the Plan Commission, and

WHEREAS, street and utility plans are required to be submitted to and approved by the Director of Public Works prior to submission for recording, and

WHEREAS, the surveyor has determined that the right-of-way for Lee Boulevard does not exist and the plat will dedicate 50 feet of right-of-way, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the request with the following stipulations:

1. A final site plan will be submitted to and approved by the Plan Commission prior to the release of any building permits.
2. This development will be charged for the additional capacity needed to compensate for draining the pond. This cost will be determined by the Director of Public Works and is payable before the final plat is recorded. The Director of Public Works will notify the developer of the cost and the method of payment.
3. There is to be restricted access on Lee Boulevard. The final plat is to be amended to reflect this change.
4. This property is within the Leawood Sewer system. The current hook up fee is $817.50 per house which is paid to Public Works prior to obtaining a building permit.
5. Street and utility plans are required to be submitted to and approved by the Director of Public Works. These must be approved prior to submission for recording.
6. The surveyor will do additional title work to determine if the right-of-way for Lee Boulevard exists and the width. The plat will reflect the right-of-way as it exists according to public records, and
WHEREAS, the applicant agrees to these stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat approval of Chartwell West with stipulations.

Adopted by the Governing Body this 2nd day of July, 1990.

(S E A L)  

Marcia Rinehart  
Mayor

Attest:  

Martha Heizer  
City Clerk
RESOLUTION NO. 999

A RESOLUTION DIRECTING THE CITY CLERK TO PUBLISH NOTICE OF PROPOSED ASSESSMENTS.

WHEREAS, the Governing Body of the City of Leawood, Kansas has previously ordered the following improvement within the City of Leawood:

Roe Avenue between 112th Street and 121st Street; and

WHEREAS, said improvement has now been completed and final costs of the project determined; and

WHEREAS, said costs are to be paid by assessments to property within previously formed improvement district; and

WHEREAS, assessments to individual properties have been determined;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that the City Clerk is hereby directed to publish a notice that the Governing Body will meet at 7:30 o'clock P.M. on the 6th day of August, 1990, at Leawood City Hall, 9615 Lee Boulevard, to consider proposed assessments for the cost of the aforementioned improvement.

The notice shall be published once not less than ten (10) days prior to such meeting of the Governing Body and shall state the date, time and place of such meeting, the general nature of the improvement, the cost, extent of the improvement district proposed to be assessed, and that written or oral objections will be considered at such hearing.

The City Clerk is further directed to mail to the owners of property liable to pay the assessments, at their last known post office address, a notice of the hearing and a statement of the cost proposed to be assessed against the land so owned and assessed.

Adopted by the Governing Body this 16th day of July, 1990.

(S.E.A.L.)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk
RESOLUTION NO. 1000

A RESOLUTION ESTABLISHING A COOPERATIVE CITY/COUNTY OFFICE PAPER RECYCLING PROGRAM AND COOPERATIVE PURCHASE OF RECYCLED COPIER PAPER.

WHEREAS, a number of solid waste landfills in the Kansas City metropolitan area are nearing capacity, and;

WHEREAS, local governments are concerned about the issue of solid waste and want to do their part to support recycling and to promote markets for goods produced from recycled materials, and;

WHEREAS, through cooperative recycling ventures, cities and counties have an opportunity to indicate to the public and to the business community that local governments want to take the lead in addressing the problem of solid waste management, and;

WHEREAS, Mid-America Regional Council's Regional Recycling Committee is coordinating a city/county office paper recycling program and a cooperative purchasing program for copier paper made with recycled fibers;

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

That the City of Leawood expresses its intent to participate in the MARC regional office recycling program and local government cooperative purchasing program for copier paper produced with recycled fiber content. Funds generated from the sale of the recovered paper, after paying costs for containers and promotional materials, will be maintained in a separate account at MARC. The use of these funds will be determined at a later date by the Regional Recycling Committee.

Approved by the Governing Body this 16th day of July, 1990.

(S E A L)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk