

Policy Resolution No. 1151

AFFIRMATIVE ACTION POLICY
City of Leawood, Kansas

I. Scope and Purpose

These guidelines are designed to provide direction for the City of Leawood, Kansas in the development and implementation of an affirmative action plan, the purpose of which is to provide equal employment opportunities for all prospective employees and to provide equal advancement opportunities for all current employees regardless of race, ethnicity, national origin, color, religion, sex, age, medical condition or disability. With the goal of nondiscrimination against any qualified individual in mind, the City embraces all applicable federal and state laws, including the following:

The Kansas Act Against Discrimination (K.S.A. 44-1001 et seq).

Kansas Civil Rights Act (as amended 1974) prohibiting discrimination toward the physically disabled.

Title VI of the Civil Rights Act (1964) providing that no person in the United States shall be excluded from participation, denied the benefits of, or be subjected to discrimination under any program or activity receiving financial assistance, including Federal Code of Regulations, Title 43, Part 17, Public Law 88352, Sections 601 and 602.

Section 109 of the Housing and Community Development Act (1974) providing that no person in the United States shall be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

Title VII of the Civil Rights Act (1964) prohibiting discrimination in employment on the basis of race, color, religion, national origin or sex.

Equal Pay Act (29 U.S.C. 206(d)) prohibiting discrimination in compensation on the basis of sex.

Title VIII of the Civil Rights Act (1968) providing for fair housing throughout the United States, prohibiting discrimination by refusal to sell, rent, negotiate, or otherwise make available, prohibiting discrimination in terms, conditions, and privileges; prohibiting discriminatory advertising, false representation, and block-busting, prohibiting discrimination in financing and membership in multiple-listing services and real estate brokers' organizations.

Age Discrimination in Employment Act (29 U.S.C. 621 et seq) providing that it is unlawful to discriminate against an individual (age 40 and older) in the terms and conditions of employment on the basis of age, unless age is a bona fide occupational qualification.

Executive Order 11063 requiring equal opportunity in housing and related facilities provided by Federal financial assistance.

AFFIRMATIVE ACTION POLICY
City of Leawood, Kansas

Executive Order 11246 as amended by Executive Order 11375 requiring nondiscrimination in employment under federally assisted contracts.

U.S. Department of the Interior, Bureau of Outdoor Recreations, and the Interior Office of Equal Opportunity, and Public Law 88-578 requiring no discrimination in the use of public facilities when Federal financial assistance is used.

Rehabilitation Act of 1973, Section 504 preventing discrimination against disabled persons in employment opportunities, facility accommodations, and program attendance by recipients of Federal financial assistance.

Public Law 101-336, the "Americans with Disabilities Act(ADA)" (1990) addressing discrimination against disabled individuals, individuals with a record of disability, or those regarded as having a disability in employment, accommodations, services, transportation and telecommunications.

Any act of discrimination by an employee or agent of the City of Leawood, Kansas, established and proven, shall be grounds for disciplinary action, including dismissal, in addition to any penalties imposed under any applicable law.

II. Advertising

All vacancies of the City of Leawood, Kansas employee positions will be advertised in the news media, primarily in newspapers distributed within the community; the City will also expand its recruitment sources per the recruiting clause of Policy Resolution No. 1150 "The Equal Employment Opportunity Policy/City of Leawood, Kansas". All advertising shall include notice that the City of Leawood is an Equal Opportunity Employer and the City will post, in conspicuous places, notices and other information identifying the City as an Equal Opportunity Employer. Advertising should assure potential applicants that they will be screened for employment consideration on a competitive basis without regard to race, ethnicity, national origin, color, religion, sex, age medical condition or disability.

III. Contracts Let by the City

Contracts let by the City of Leawood, Kansas shall contain the following requirements:

- (1) The contractor will not discriminate against any employee or applicant for employment because of race, ethnicity, national origin, color, religion, sex, age, medical condition or disability in matters of employment, upgrading, layoff, recruitment, compensation, and training/apprenticeship.
- (2) The contractor will comply with all provisions of Executive Order Nos. 11246 and 11063, and will comply with all rules, regulations, and relevant orders of the Labor Department and the City with respect to equal opportunity employment.
- (3) The contractor will furnish all information and reports required by the above mentioned agencies and will permit access to company books, records and accounts by these agencies to ascertain compliance with such rules and regulations.

AFFIRMATIVE ACTION POLICY
City of Leawood, Kansas

- (4) Such provisions are applicable to all sub-contractors, and the contractor will take action with respect to any sub-contractor as the above agencies direct in the enforcement of such provisions.
- (5) Non-compliance with the equal employment opportunity and non-discriminatory clauses of the contract is cause for termination or suspension of the contractor and any sub-contractor with which there is non-compliance.

Notices of equal employment provisions and their impact on contractors shall be posted in conspicuous places available to employees and applicants for employment. These requirements will be expressed in a pre-construction conference, which shall include representatives of the City of Leawood, Kansas, the contractor, and the sub-contractors. The Affirmative Action Plan shall be reviewed at this meeting as it relates to the work force involved in the contract.

IV. Grievances

This Affirmative Action Plan does not prohibit the rights of any Leawood City employee or resident to carry his or her grievance(s) to either or both the

Kansas Human Rights Commission
535 Kansas Avenue
Topeka, KS 66603

and/or the

Equal Employment Opportunity Commission (Federal)
911 Walnut
Kansas City, MO 64106.
1-800-669-4000 (voice)
1-800-800-3302 (TDD)

IVi. Personnel Grievance Procedure

If there is a concern or complaint against the City of Leawood concerning discrimination on the basis of race, ethnicity, national origin, color, religion, sex, age, medical condition or disability in employment practices, the following steps will be taken:

- (1) The grievance shall be submitted to the City of Leawood, Kansas for review and follow-up action per the regulations outlined in the Employee Manual, Section #8: Appeals, Grievances, and Investigations.
- (2) If the concern or complaint does not receive satisfactory solution, the complainant may contact the Kansas Human Rights Commission. The claimant has only six (6) months to file his or her grievance from the date of the alleged violation.
- (3) Review of files with a bearing on his or her case by claimant is allowed, provided the material is not confidential or where review is not prohibited by law.

AFFIRMATIVE ACTION POLICY
City of Leawood, Kansas

IV. Job Goals

The availability of City jobs will be filled in accordance with this Affirmative Action Plan.

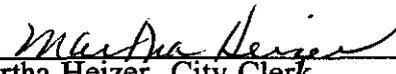
Adopted by the Governing Body this 7th day of February, 1994.



Marcia Rinehart, Mayor

(SEAL)

Attest:



Martha Heizer, City Clerk

aaeeoc.doc

Policy Resolution No. 1152

**AMERICANS WITH DISABILITIES ACT (PUBLIC LAW 101-336)
GRIEVANCE PROCEDURE POLICY
City of Leawood, Kansas**

I. Scope and Purpose

I-A.

The Governing Body of the City of Leawood, Kansas hereby declares it to be the policy of the City of Leawood, Kansas to comply with the Americans with Disabilities Act of 1990 (ADA) in order to eliminate discrimination against disabled individuals by making reasonable accommodations for such individuals in City employment opportunities, in City services, programs or activities, and in City buildings and facilities. Despite establishing clear and comprehensive prohibition of discrimination on the basis of disability, some individuals might still feel that the City has not complied with the intent or spirit of the Americans with Disabilities Act. Should such an individual feel there is cause for concern or complaint against the City of Leawood they have the right to initiate the following grievance procedures in an attempt to rectify the discriminatory situation.

I-Bi.

Nothing in this grievance procedure shall be construed to deny the rights of any Leawood City employee or resident to carry his or her grievance(s) to either or both the

Kansas Human Rights Commission
535 Kansas Avenue
Topeka, KS 66603

or the

Equal Employment Opportunity Commission (Federal)
911 Walnut
Kansas City, MO 64106.
1-800-669-4000 (voice)
1-800-800-3302 (TDD)

or to any other appropriate federal agency as designated by the ADA.

I-Bii.

Nor shall any part of this grievance procedure be construed as prohibiting a Leawood City employee or resident from seeking remedies available under any other applicable or appropriate anti-discrimination law or regulation.

I-Biii.

Filing a charge under this ADA grievance procedure does not prevent an injured worker from filing a worker's compensation claim. Exclusivity clauses in state worker's compensation laws bar all other civil remedies related to an injury that has been compensated by the worker's compensation system. However, these clauses do not prohibit a qualified individual with a disability from filing an ADA discrimination charge with the EEOC.

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE POLICY
City of Leawood, Kansas

I-C.

In accordance with Section 513 of the Americans with Disabilities Act, the City of Leawood recognizes that "where appropriate and to the extent authorized by law, the use of alternative means of dispute resolution, including settlement negotiations, conciliation, facilitation, mediation, factfinding, minitrials, and arbitration, is encouraged to resolve disputes arising under this Act."

This provision should not be construed as requiring an individual to seek one of these remedial solutions nor as dissuading him or her from filing a grievance with the City in order to rectify a discriminatory situation concerning City employment opportunities, City services, programs, or activities, or City buildings or facilities.

II. Employment Opportunities Grievance Procedure

II-A.

The Equal Employment Opportunity Policy of the City of Leawood provides for equal opportunity with respect to any term, condition or privilege of employment and advancement for all persons without regard to disability, where that person is otherwise qualified to perform essential job functions with reasonable accommodation.

II-Bi. Concerning Current Employees

If a currently employed individual feels there is a concern or complaint against the City of Leawood concerning discrimination against the disabled in employment, advancement, or related personnel matters, the grievance shall be submitted to the City of Leawood, Kansas for review and follow-up action per the regulations outlined in the Employee Manual, Section # 8: Appeals, Grievances, and Investigations. (This grievance procedure is in the process of being updated and modified and is subject to change with notice.)

- (1) **Informal/Oral Report.** An employee who has a grievance concerning ADA shall first present his or her grievance to his or her immediate supervisor verbally. A speech-impaired employee can make an informal report to his or her supervisor and a preliminary step.
- (2) **Formal/Written Report.** If the oral grievance presentation fails to resolve the ADA grievance, the employee may within three working days submit a formal, written grievance report to his/her immediate supervisor. Within three working days after receiving such grievance, the immediate supervisor shall furnish the employee with a written reply.
- (3) **Appeal to Department Head.** If the written reply to the ADA grievance is not satisfactory to the employee, (s)he may within ten working days after receiving the reply, submit an appeal in writing to his or her Department Head. The Department Head shall confer with the aggrieved employee before rendering a decision. Such decision shall be in writing and shall be delivered to the aggrieved employee within ten working days of the date on which the appeal was received by the Department Head.
- (4) **Appeal to the ADA Coordinator.** If the appeal to the Department Head fails to resolve the grievance, the employee may

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE POLICY

City of Leawood, Kansas

within five working days of receipt of decision on the appeal submit an appeal in writing to the ADA Coordinator for the City. Within 10 working days of the receipt of such an appeal, the ADA Coordinator shall hear matters pertinent to the grievance. The City ADA Coordinator shall forward one copy of the course of action (s)he intends to follow to the employee concerned and one to the department head.

(5) **Appeal to the EEOC and KHRC.** If the aggrieved employee still feels the ADA concern or complaint has not been satisfactorily solved (s)he may contact the Equal Employment Opportunity Commission or the Kansas Human Rights Commission to pursue remedies available. The claimant has only six months to file his or her grievance from the date of the alleged violation.

II-Bii. Concerning Prospective Employees

If there is a concern or complaint against the City of Leawood concerning discrimination against the disabled from an individual seeking employment with the City of Leawood, Kansas the grievance shall be submitted to the City for review and follow-up per the following regulations.

(1) **Appeal to the Department Head.** An individual seeking employment with the City who has a grievance concerning ADA shall first submit his or her grievance in writing within ten days of the employment decision to the Department Head of the department to which they were applying. The Department Head shall confer with the aggrieved individual before rendering a decision. Such decision shall be in writing and shall be delivered to the aggrieved individual within ten working days of the date on which the appeal was received by the Department Head.

(2) **Appeal to the ADA Coordinator.** If the appeal to the Department Head fails to resolve the grievance, the individual may within five working days of receipt of decision on the appeal submit an appeal in writing to the ADA Coordinator for the City. Within 10 working days of the receipt of such an appeal, the ADA Coordinator shall hear matters pertinent to the grievance. The City ADA Coordinator shall forward one copy of the course of action (s)he intends to follow to the aggrieved individual and one to the Department Head.

(3) **Appeal to the EEOC and KHRC.** If the aggrieved individual still feels the ADA concern or complaint has not been satisfactorily resolved (s)he may contact the Equal Employment Opportunity Commission or the Kansas Human Rights Commission. The claimant has only six months to file his or her grievance from the date of the alleged violation.

III. Services, Programs and Activities Grievance Procedure

III-A.

The City of Leawood seeks to insure that all services, programs, and activities sponsored by the City will comply with provisions for use by any qualified individual with a disability.

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE POLICY

City of Leawood, Kansas

No person shall be excluded from participation in City services, programs or activities if that person can reasonably be accommodated by modifying the rules, policies or practices of the City, by removing architectural, communication, or transportation barriers, by providing auxiliary services including interpreters, readers, and taped texts, by modifying equipment or devices or by other similar services and actions.

III-B.

If there is a concern or complaint against the City of Leawood concerning discrimination against the disabled in provision of City services, programs or activities, the grievance shall be submitted to the City of Leawood, Kansas for review and follow-up action per the following regulations.

(1) **Appeal to the ADA Coordinator.** An individual who has a grievance concerning ADA should first file that grievance with the City ADA Coordinator. Within ten working days of the receipt of such a grievance, the ADA Coordinator shall hear matters pertinent to the grievance. The City ADA Coordinator shall forward copies of the course of action (s)he intends to follow to the aggrieved individual.

(2) **Appeal to the KHRC.** If the complaint is not resolved to the satisfaction of the complainant, (s)he may file an grievance complaint with the Kansas Human Rights Commission. The complainant may, at any time within six months from the date of the alleged act of discrimination, file an additional grievance complaint with the appropriate federal agency as designated in the regulations implementing the ADA.

IV. Building and Facility Use Grievance Procedure.

IV-A.

The City of Leawood seeks to insure that all buildings and other facilities owned, leased or contracted by the City will comply with provisions for use by any qualified individual with a disability. No person shall be excluded from entrance or accessibility if that person can reasonably be accommodated by removing or modifying architectural or transportation barriers to the site. New facilities shall be constructed to provide ready access to disabled individuals, including those using wheelchairs, and existing facilities will be modified to comply with the provisions of the ADA as expeditiously as possible.

IV-B.

If there is a concern or complaint against the City of Leawood concerning discrimination against the disabled in entrance or accessibility to City buildings or facilities, the grievance shall be submitted to the City of Leawood, Kansas for review and follow-up action per the following regulations.

(1) **Appeal to the ADA Coordinator.** An individual who has a grievance concerning ADA should first file that grievance with the City ADA Coordinator. Within ten working days of the receipt of such a grievance, the ADA Coordinator shall hear matters pertinent to the grievance. The City ADA Coordinator shall forward copies of the course of action (s)he intends to follow to the aggrieved individual.

**AMERICANS WITH DISABILITIES ACT
GRIEVANCE FORM**

Mail to: ADA Coordinator
City of Leawood
9617 Lee Boulevard
Leawood, KS 66206

Date: _____

Name: _____

Address: _____

Phone: _____

Does your grievance concern

- ADA covered City employment opportunities?
- ADA covered City services, programs, or activities?
- ADA covered City buildings or facilities?

Explanation of Grievance (please be specific concerning dates and events):

Signature _____
(use additional pages if necessary)

For City Use Only

_____ Date Received

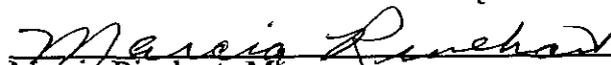
_____ Hearing date set (within 10 days of receipt)

Signature _____

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE POLICY
City of Leawood, Kansas

(2) Appeal to the KHRC. If the complaint is not resolved to the satisfaction of the complainant, (s)he may file a grievance complaint with the Kansas Human Rights Commission. The complainant may, at any time within six months from the date of the alleged act of discrimination, file an additional grievance complaint with the appropriate federal agency as designated in the regulations implementing the ADA.

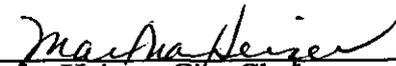
Adopted by the Governing Body this 7th day of February, 1994.



Marcja Rinehart, Mayor

(SEAL)

Attest:



Martha Heizer, City Clerk

aaeeoc.doc

2366498

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

*Amended
by Res.
1200*

160
1994 MAR -3 P 4: 34.6

RESOLUTION NO. 1153

SARA F. ULLMANN
REGISTER OF DEEDS

A RESOLUTION OF FINDING AS TO THE ADVISABILITY AND A RESOLUTION AUTHORIZING THE IMPROVEMENT AND CONSTRUCTION OF 155th STREET (BELL DRIVE) AND IRON HORSE DRIVE FROM MISSION ROAD TO THE IRON HORSE CLUBHOUSE AND IN IRON HORSE ESTATES, PURSUANT TO THE PROVISIONS OF K.S.A. 12-6a01 ET SEQ.

Pursuant to findings of advisability made by the Governing Body of the City of Leawood, Kansas.

WHEREAS, a petition has been filed with the City Clerk of the City of Leawood, Kansas, by the owners of a majority of the area sought to be included in the Improvement District described in said petition, proposing the construction of 155th Street (Bell Drive) and Iron Horse Drive from Mission Road to the Iron Horse Clubhouse and in Iron Horse Estates, within the City of Leawood, Kansas, as more specifically described hereinafter.

NOW THEREFORE, be it resolved by the Governing Body of the City of Leawood, Kansas, that the following findings as to the advisability of constructing said 155th Street (Bell Drive) and Iron Horse Drive from Mission Road to the Iron Horse Clubhouse and in Iron Horse Estates, as more specifically described hereinafter, are hereby made, to-wit:

Section 1. That it is necessary and in the public interest to make an improvement consisting of the following:

Construction of 155th Street (Bell Drive) and Iron Horse Drive from Mission Road to the Iron Horse Clubhouse and in Iron Horse Estates. The work shall be completed under the approval of the City of Leawood using City standards as they apply in concurrence to the Development of the Iron Horse Golf Course and Iron Horse Residential Subdivision. The work shall include new concrete curb and gutter, new walkways, new asphalt pavement of appropriate widths, islands, earthwork, storm sewers and their appurtenances, water and gas main extensions, underground electric conduit and service, street landscaping, project hardscapes adjacent roadways, and roadway lighting pertinent thereof and in conformance with the approved development plan on file with the City.

Section 2. The estimated or probable cost of the total improvement is One Million Six Hundred Forty Two Thousand Dollars (\$1,642,000).

1600
ck

Section 3. The Governing Body hereby further finds and finally determines that the proposed improvement district boundaries against which a portion of the costs of said improvement shall be assessed are hereby established and fixed as the following described property within Johnson County, Kansas:

Tracts B-4 and B-5 and property owned by the City of Leawood and abutting the proposed improvement as described in the attached Exhibit A which is incorporated into this Resolution.

Section 4. The extent of the proposed Improvement District to be assessed is all property located within Tracts B-4 and B-5 as described in the attached Exhibit A.

Section 5. The method of assessment of the share of costs apportioned to the improvement district shall be as follows:

All property located within Tracts B-4 and B-5 will be assessed on a square foot basis. Property owned by the City of Leawood and abutting the proposed improvement shall not be assessed. No public areas now existing or to be created by subdivision of property within the Improvement District, including, but not limited to, dedicated public streets and islands, will be assessed by this Improvement District. On subdivision of the property located within Tracts B-4 and B-5 areas dedicated to the public and areas conveyed for common use of property owners within said tracts will be excluded from further assessment for this improvement and any assessments imposed by this district upon property located within B-4 and B-5 which is subsequently dedicated to the public or conveyed for common use of property owners will be transferred and added on a pro rata square foot basis to the private lots or parcels created by subdivision of said tracts B-4 and B-5. In the event that the improvement is not completed within two years, the City may divide the improvement into phases and assess in the manner described in this petition for the portion of the work completed to date of the assessment hearing.

Section 6. The portion of the cost of the improvement to be assessed to Tracts B-4 and B-5 of the improvement district will be a percentage of the total cost of the improvement. The percentage to be assessed to Tracts B-4 and B-5 shall be determined by dividing the actual cost of construction of the portion of the improvement to be

constructed upon property located within Tracts B-4 and B-5 (including the cost of the improvements to be constructed between Tracts B-4 and B-5 and as approved by the City) by the actual cost of construction of the improvement. The portion of the cost of the improvement which is not assessed to the improvement district shall be assessed to the City at large. On the basis of estimated costs of construction of \$922,331.00 for the portion of the improvements constructed on and between tracts B-4 and B-5, it is estimated that 60% percent of the cost of the improvement shall be assessed to the improvement district and 40% percent of the cost shall be assessed to the City at large. In no event shall the cost to be assessed to the City at large exceed 95% of the cost of the improvement.

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

Section 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

Section 9. This resolution shall take effect after its passage and publication once in the official city newspaper.

Section 10. The City Clerk is directed to file a copy of this Resolution with the Register of Deeds of Johnson County, Kansas, within five days of the adoption of this resolution.

ADOPTED by the Governing Body this 7th day of February, 1994.



(S. E. A. L.)

Marcia Rinehart

Mayor
Marcia Rinehart

Attest:

Martha Heizer

City Clerk
Martha Heizer

-----OPEN ENC-----SERV-----of 13 93 11 18-----P05

March 8, 1993

Bell Tract B-4

A part of the South $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 9, Township 14, Range 25, City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of said Northwest $\frac{1}{4}$; thence S. 87°-25'-38" W. along the South line of said Northwest $\frac{1}{4}$ a distance of 495.13 feet; thence N. 2°-34'-22" W. a distance of 30.00 feet to the Point of Beginning; thence S. 87°-25'-38" W. a distance of 453.36 feet; thence N. 65°-41'-00" W. a distance of 386.44 feet; thence N. 32°-10'-07" W. a distance of 116.80 feet; thence N. 9°-34'-17" E. a distance of 723.03 feet; thence N. 24°-53'-00" E. a distance of 189.26 feet; thence N. 59°-00'-21" E. a distance of 181.97 feet; thence N. 73°-53'-31" E. a distance of 120.00 feet; thence S. 87°-33'-39" E. a distance of 400.92 feet; thence S. 41°-20'-43" E. a distance of 96.40 feet; thence S. 8°-02'-30" W. a distance of 528.40 feet; thence S. 3°-13'-52" E. a distance of 166.96 feet; thence S. 15°-25'-52" W. a distance of 185.17 feet; thence S. 1°-15'-13" E. a distance of 122.37 feet; thence S. 19°-08'-24" E. a distance of 123.95 feet; thence S. 2°-34'-22" E. a distance of 52.10 feet to the Point of Beginning, containing 21.78 acres, more or less.

April 13, 1993

Bell Tract B-5

A part of the Northwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of Section 9, Township 14, Range 25, City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of said Northwest $\frac{1}{4}$; thence S. 87°-25'-38" W. along the South line of said Northwest $\frac{1}{4}$ a distance of 294.66 feet; thence N. 2°-34'-22" W. a distance of 64.46 feet; thence N. 25°-53'-55" E. a distance of 325.72 feet; thence N. 6°-51'-24" E. a distance of 75.00 feet; thence N. 1°-21'-38" E. a distance of 200.00 feet; thence N. 16°-31'-05" W. a distance of 97.72 feet; thence N. 1°-21'-38" E. a distance of 90.00 feet; thence N. 35°-01'-07" E. a distance of 107.28 feet; thence N. 64°-00'-06" E. a distance of 100.77 feet; thence S. 75°-08'-01" E. a distance of 280.51 feet; thence S. 44°-22'-41" E. a distance of 117.24 feet; thence S. 37°-01'-41" E. a distance of 530.77 feet; thence N. 87°-26'-16" E. a distance of 480.97 feet; thence E. 2°-33'-06" E. a distance of 162.50 feet; thence S. 87°-26'-16" W. a distance of 20.00 feet; thence S. 2°-33'-06" E. a distance of 162.50 feet; thence S. 87°-26'-16" W. a distance of 1,134.06 feet to the Point of Beginning, containing 18.17 acres, more or less.

Exhibit A
p.1

XXXXXXXXXXXXXXXXXXXX
VOL 4262 PAGE 409



Exhibit A

P. 2

ORIGINAL COMPARED WITH RECORD

Ret-
City of Leawood
9617 Lee Blvd
Leawood, Ks. 66206

2366499 ✓

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

1994 MAR -3 P 4: 34.7

RESOLUTION NO. 1154

SARA F. ULLMANN
REGISTER OF DEEDS

A RESOLUTION OF FINDING AS TO THE ADVISABILITY AND A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY NECESSARY FOR THE CONSTRUCTION OF THE LEAWOOD PUBLIC GOLF COURSE, PURSUANT TO THE PROVISIONS OF K.S.A. 12-6a01 ET SEQ.

Pursuant to findings of advisability made by the Governing Body of the City of Leawood, Kansas.

WHEREAS, a petition has been filed with the City Clerk of the City of Leawood, Kansas, by the owners of a majority of the area sought to be included in the Improvement District described in said petition, proposing the acquisition of property necessary for the construction of the Leawood Public Golf Course, as more specifically described hereinafter.

NOW THEREFORE, be it resolved by the Governing Body of the City of Leawood, Kansas, that the following findings as to the advisability of acquiring property necessary for the construction of the Leawood Public Golf Course within the City of Leawood, Kansas, as more specifically described hereinafter, are hereby made, to-wit:

Section 1. That it is necessary and in the public interest to make an improvement consisting of the following:

Acquisition of Property necessary for the construction of the Leawood Public Golf Course.

Section 2. The estimated or probable cost of the total improvement is Six Hundred Fifty Thousand Dollars (\$650,000).

Section 3. That the Governing Body hereby further finds and finally determines that the boundaries of the improvement district against which a portion of the costs of said improvement shall be assessed are hereby established and fixed as the following described property within Johnson County, Kansas:

The proposed improvement district boundaries are the five tracts of ground identified as Tract B-1, B-2, B-3, B-4 and B-5 as described and depicted in the attached exhibit A which is incorporated in this Resolution.

Section 4. The extent of the proposed Improvement District to be assessed is all assessable property within the Improvement District.

Section 5. All assessable property within the Improvement District which is not excluded and is included within the descriptions of property set forth in Exhibit A will be assessed on a square foot basis. No public areas now existing or to be created by subdivision of property within the Improvement District, including, but not limited to, dedicated public streets and islands will be assessed by this Improvement District. On subdivision of the property, areas dedicated to the public will be excluded from further assessment for this improvement. Also on subdivision of the property, any assessments imposed upon property which is conveyed for the common use of the owners of property will be transferred to private parcels within the tract containing the common area. Any assessments imposed by this district upon areas subsequently dedicated to the public or conveyed for common use will be transferred and added on a pro rata square foot basis to the private lots or parcels created by subdivision within the tracts containing the areas so dedicated or conveyed. Furthermore on subdivision of the property, the owner of property within the Improvement District may, with the consent of all affected owners of property, spread the special assessments to the property to individual lots within the Improvement District in a manner as determined by the owner. The Owner of property will at the time of subdivision spread the assessment in a manner which requires lots bordering the golf course to be assessed more than those lots which do not border the golf course.

Section 6. One hundred percent (100%) of the cost is to be apportioned to the Improvement District.

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

Section 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

Section 9. This resolution shall take effect after its passage and publication once in the official city newspaper.

Section 10. The City Clerk is directed to file a copy of this Resolution with the Register of Deeds of Johnson County, Kansas, within five days of the adoption of this resolution.

ADOPTED by the Governing Body this 7th day of February, 1994.



Marcia Rinehart
Mayor
Marcia Rinehart

Attest:

Martha Heizer
City Clerk
Martha Heizer

XXXXXXXXXXXX

March 8, 1993

Bell Tract B-1

A part of the North 1/4 of the Northwest 1/4 of Section 9, Township 14, Range 25, City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of said Northwest 1/4; thence N. 87°-18'-10" E. along the North line of said Northwest 1/4 a distance of 1,417.73 feet; thence S. 17°-53'-12" W. a distance of 637.22 feet; thence S. 4°-17'-06" E. a distance of 181.49 feet; thence S. 88°-38'-48" W. a distance of 106.28 feet; thence N. 61°-36'-58" W. a distance of 1,032.04 feet; thence S. 87°-43'-19" W. a distance of 264.32 feet to a point on the West line of said Northwest 1/4; thence N. 2°-03'-42" W. along said West line a distance of 258.01 feet to the Point of Beginning, containing 15.30 acres, more or less.

April 1, 1993

Bell Tract B-2

A part of the North 1/4 of the Northwest 1/4 of Section 9, Township 14, Range 25, City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the West line of said Northwest 1/4, said point being 676.11 feet South of the Northwest corner of said Northwest 1/4; thence N. 87°-56'-18" E. a distance of 125.00 feet; thence S. 47°-20'-41" E. a distance of 683.73 feet; thence S. 61°-52'-08" E. a distance of 171.64 feet; thence S. 02°-38'-06" E. a distance of 75.00 feet to a point on the South line of the North 1/4 of the Northwest 1/4, said line being the North line of Brittany Woods First Plat; thence S. 87°-21'-54" W. along said North line of Brittany Woods First Plat, a distance of 760.00 feet to the Southwest corner of the North 1/4 of the Northwest 1/4; thence N. 02°-03'-42" W. along said West line a distance of 650.00 feet to the Point of Beginning, containing 6.80 acres, more or less.

April 13, 1993

Bell Tract B-3

A part of the North 1/4 of the Northwest 1/4 of Section 9, Township 14, Range 25, City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of said Northwest 1/4; thence S. 2°-01'-46" E. along the East line of said Northwest 1/4 a distance of 1,107.81 feet; thence N. 85°-43'-42" W. a distance of 268.93 feet; thence S. 26°-31'-00" W. a distance of 149.92 feet; thence N. 48°-36'-49" W. a distance of 58.83 feet; thence N. 58°-04'-49" W. a distance of 62.89 feet; thence N. 67°-19'-43" W. a distance of 85.31 feet; thence S. 89°-01'-22" W. a distance of 29.12 feet; thence S. 52°-01'-33" W. a distance of 66.00 feet; thence S. 25°-33'-16" W. a distance of 64.08 feet; thence N. 28°-33'-12" W. a distance of 813.72 feet; thence N. 2°-29'-26" W. a distance of 454.19 feet to a point on the North line of said Northwest 1/4; thence N. 87°-18'-10" E. along said North line a distance of 990.67 feet to the Point of Beginning, containing 22.83 acres, more or less.

XXXXXXXXXXXX

ORIGINAL COMPARED WITH RECORD

Ret -
City of Leawood

RESOLUTION NO. 1155

The Leawood City Council has considered the request for approval of the revised preliminary plat of Hazelwood located at approximately 119th and Pawnee and hereby finds the following:

WHEREAS, the property is zoned R-1, Ordinance No. 973, and

WHEREAS, the revised preliminary plat contains 41 lots on 30.43 acres for a density of 1.34 lots per acre, and

WHEREAS, the previously approved preliminary plat (1988) contained 32.89 acres divided into 74 lots with a density of 2.24 lots per acre, and

WHEREAS, a final plat was approved in 1987 but never recorded, and

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

1. The plat is limited to a maximum of 41 lots.
2. All streets are to be public.
3. During the first phase of development, if there is not a loop street system, no on-street parking will be allowed and the streets will be marked as such.
4. All 22' streets will restrict parking to only one side and will be marked as such.
5. Along with the required final plat the developer will submit a site plan that sets out for each lot the area that may be cleared and noting any trees that are 6" or greater caliper that will be cleared.
6. Along with the required final plat the developer will submit additional information that details fence locations and materials.
7. The final plat will note restricted access on the street side of lots that will not have driveways.
8. On the streets utilizing a 30' right-of-way, the 35' front setback will be increased to 39' so that these homes will have the same distance from the curb as those homes situated on streets with a right-of-way of 50'.
9. An area approximately 42' in width will be established as a landscape easement and a "no cut zone" that will also disallow any man-made structures on the rear side of any lots

that have double street frontage.

10. During consideration of the final plat the Plan Commission will consider widening the pavement on the north side of Lot 41 and the south side of Lot 40 to allow for on-street parking, and

WHEREAS, the developer/owner agrees to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat of Hazelwood with stipulations.

Adopted by the Governing Body this 7th day of March, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1156

The Leawood City Council has considered the request for approval of the revised preliminary plat of Nichols Estates located at approximately 151st and Nall and hereby finds the following:

WHEREAS, the property is zoned R-1, and

WHEREAS, the revised preliminary plat contains 249 lots on 135.4253 acres for a density of 1.84 units per acre, and

WHEREAS, the original R-1 preliminary plat, approved in 1988, contained .62 units per acre, and

WHEREAS, the reason for the change in the plat is that this property is now served by sewers, and

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

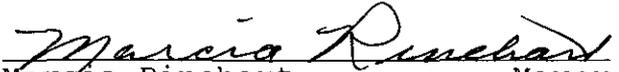
1. The development is limited to 249 single family homes that will be served by a sewer.
2. All streets within the subdivision will be public. Any plantings or statuary within the street right-of-way will be maintained by the developer or Homes Association.
3. The developer will be responsible for Park Impact fees in the amount of \$300 per dwelling unit to be paid at the time of application for final plat.
4. The developer will be responsible for a South Leawood transportation Impact Fee in the amount of \$468.75 per acre (\$625 X .75). This fee is to be paid at the time of approval of the final plat.
5. The developer is responsible for street improvements for Nall and 151st Street as per the subdivision regulations. At the current time the assessment is \$130 per front foot. This assessment is reevaluated each year. The developer will pay the fee that is in effect at the time that the final plat is approved by the Governing Body, if not developed by March 1, 1995.
6. Final site plan for the pool and entry monuments is required prior to release of any building permits for these structures.
7. All sidewalks will be installed as per street construction standards.
8. The developer will construct a street access to the north.

WHEREAS, the developer/owner agrees to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat of Nichols Estates with stipulations.

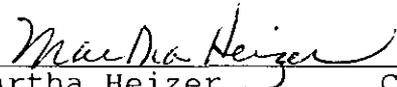
Adopted by the Governing Body this 7th day of March, 1994.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1157

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 Governing Body of the City of Leawood has reviewed and approved the submittal of 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. 44-90 and Resolution No. 088-91.

Adopted by the Governing Body this 7th Day of March, 1994.


Mayor Marcia Rinehart

ATTEST:


Martha Heizer, City Clerk

PARTICIPATING CITY _____

COMPLETE AND RETURN BY MARCH 18, 1994

County Assistance Road System

1995-1999



PRIORITY	PROJECT	PROPOSED START/FINISH	SCOPE OF PROJECT	EXISTING FACILITIES	A.D.T.'s		C.A.R.S. ELIGIBLE ESTIMATED COSTS	COMMISSIONER DISTRICT NO.	PROPOSED PERCENTAGES OF PARTICIPATION
					CURRENT YEAR	DESIGN YEAR			
Continuation Project	83rd Street; State Line Road to Mission Road.	1/1995 to 10/1995	Reconstruct to a 2-3 lane undivided collector standard; signalized intersection at Lee Blvd.; improve drainage conveyance and systems adjacent to roadway; construct sidewalk on each side.	Two lane undivided; noncontinuous sidewalk; limited capacity/level of service; inadequate drainage conveyance.	8500 (1988)	10,000 (2010)	1,146,600	3	JO.CO. 37.0% FEDERAL ___% CITY I 63.0% STATE ___% CITY II ___% OTHER ___%
Continuation Project	K-150; State Line Road to Nall Avenue	7/1994 to 11/1995	Four lane, divided arterial roadway; project to include landscaping enhancement aspects; construct signalized intersections at major north/south arterials	Two lane, undivided roadway; limited capacity.	-	-	-	3	JO.CO. 20.8% FEDERAL ___% CITY I 37.7% STATE 41.5% CITY II ___% OTHER ___%
1	College Boulevard & State Line Road to Roe Avenue	1/1995 to 11/1996	Four lane, undivided roadway between State Line Road and Roe Avenue; built to a secondary arterial standard; project includes a major bridge over Tomahawk Creek/Indian Creek confluence also includes extensive retaining walls	Currently no facility exists between State Line Road and Tomahawk Creek Parkway; two lane facility exists between Tomahawk Creek Parkway and El Monte.	-	-	2,028,000	3	JO.CO. 40.4% FEDERAL 40.9% CITY I 18.7% STATE ___% CITY II ___% OTHER ___%
2	Mission Road: I-435 to College Boulevard	7/1994 to 8/1995	Construct an alignment to match a bridge in 1992-93 and to replace a roadway that was closed because of a functionally and structurally obsolete bridge over Indian Creek; this alignment will link Tomahawk Creek Parkway to the south and existing Mission Road to the north.	No roadway on existing site; existing roadway closed because of a closed bridge.	11,388 (Roe to Nall)	23,900 (2014)	5,430,221	3	JO.CO. 37.0% FEDERAL ___% CITY I 60.0% STATE ___% CITY II ___% OTHER ___%
3	Mission Road: 103rd Street to I-435	1/1995 to 1/1996	Upgrade to a four lane undivided secondary arterial; matches proposed Mission Road alignments south of I-435 and north of 103rd Street, respectively	Two lane, dead end facility	Less Than 500	12,100 (2010)	594,890	3	JO.CO. 12.6% FEDERAL 50.3% CITY I 30.9% STATE ___% CITY II 3.0% OTHER ___%
4	Roe Avenue: 124th Street to 135th Street	1/1997 to 11/1997	Improve to a four-lane, secondary arterial standard; improve geometry.	Two lane facility without curb and gutter sections.	500	12,100 (2010)	350,000	3	JO.CO. 10.0% FEDERAL 80.0% CITY I 10.0% STATE ___% CITY II ___% OTHER ___%
5	Mission Road: 135th Street to 151st Street	1/1996 to 12/1997	Improve to 4-lane, secondary arterial standard; replace bridges/culverts at several locations.	Two lane facility without curb and gutter sections.	-	-	250,000	3	JO.CO. 24.8% FEDERAL ___% CITY I 25.2% STATE ___% CITY II ___% OTHER ___%
							2,643,732	3	JO.CO. ___% FEDERAL ___% CITY I ___% STATE ___% CITY II ___% OTHER ___%

PARTICIPATING CITY _____

County Assistance Road System 1995-1999

PRIORITY	PROJECT	PROPOSED START/FINISH	SCOPE OF PROJECT	EXISTING FACILITIES	A.D.T.'s		C.A.R.S. ELIGIBLE ESTIMATED COSTS	COMMISSIONER DISTRICT NO.	PROPOSED PERCENTAGES OF PARCIPTATION
					CURRENT YEAR	DESIGN YEAR			
Continuation Project	83rd Street; State Line Road to Mission Road	1/1995 to 10/1995	Reconstruct to a 2-3 lane undivided collector standard; signalized intersection at Lee Blvd.; improve drainage conveyance and systems adjacent to roadway; construct sidewalk on each side.	Two lane undivided; noncontinuous sidewalk; limited capacity/level of service; inadequate drainage conveyance.	8500 (1988)	10,000 (2010)	1,146,600	3	JO.CO. 37.0% FEDERAL ___% CITY I 63.0% STATE ___% CITY II ___% OTHER ___%
Continuation Project	K-150; State Line Road to Nall Avenue	7/1994 to 11/1995	Four lane, divided arterial roadway; project to include landscaping enhancement aspects; construct signalized intersections at major north/south arterials	Two lane, undivided roadway; limited capacity.	-	-	2,028,000	3	JO.CO. 20.8% FEDERAL ___% CITY I 37.7% STATE 41.5% CITY II ___% OTHER ___%
1	College Boulevard & State Line Road to Roe Avenue	1/1995 to 11/1996	Four lane, undivided roadway between State Line Road and Roe Avenue, built to a secondary arterial standard; project includes a major bridge over Tomahawk Creek/Indian Creek confluence also includes extensive retaining walls	Currently no facility exists between State Line Road and Tomahawk Creek Parkway; two lane facility exists between Tomahawk Creek Parkway and El Monte.	11,388 (1991 to 1994)	23,900 (2010)	3,744,769	3	JO.CO. 40.4% FEDERAL 40.9% CITY I 18.7% STATE ___% CITY II ___% OTHER ___%
2	Mission Road: I-435 to College Boulevard	7/1994 to 8/1995	Construct an alignment to match a bridge in 1992-93 and to replace a roadway that was closed because of a functionally and structurally obsolete bridge over Indian Creek; this alignment will link Tomahawk Creek Parkway to the south and existing Mission Road to the north.	No roadway on existing site; existing roadway closed because of a closed bridge.	Less Than 500	12,100 (2010)	594,890	3	JO.CO. 37.0% FEDERAL ___% CITY I 60.0% STATE ___% CITY II 3.0% OTHER ___%
3	Mission Road: 103rd Street to I-435	1/1995 to 1/1996	Upgrade to a four lane undivided secondary arterial; matches proposed Mission Road alignments south of I-435 and north of 103rd Street, respectively	Two lane, dead end facility	500	12,100 (2010)	350,000	3	JO.CO. 12.6% FEDERAL 50.1% CITY I 30.9% STATE ___% CITY II 6.2% OTHER ___%
4	Roe Avenue: 124th Street to 135th Street	1/1997 to 11/1997	Improve to a four-lane, secondary arterial standard; improve geometry.	Two lane facility without curb and gutter sections.	-	-	250,000	3	JO.CO. 10.0% FEDERAL 80.0% CITY I 10.0% STATE ___% CITY II ___% OTHER ___%
5	Mission Road: 135th Street to 151st Street	1/1996 to 12/1997	Improve to 4-lane, secondary arterial standard; replace bridges/culverts at several locations.	Two Lane facility without curb and gutter sections.	-	-	2,643,732	3	JO.CO. 24.8% FEDERAL ___% CITY I 75.2% STATE ___% CITY II ___% OTHER ___%
									JO.CO. ___% FEDERAL ___% CITY I ___% STATE ___% CITY II ___% OTHER ___%

RESOLUTION NO. 1158

**A RESOLUTION CONSENTING TO THE INCLUSION OF PROPERTY
WITHIN THE CITY LIMITS OF LEAWOOD, KANSAS IN THE
CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS**

WHEREAS, K.S.A. 19-27a05(b) and Charter Resolution 29-92 of Johnson County, Kansas provide that before any property within the City limits can be included within a Sewer District the inclusion thereof must be consented to by the City; and

WHEREAS, the owners of 100% of the property hereinafter described has petitioned the Board of County Commissioners of Johnson County, Kansas to enlarge CONSOLIDATED MAIN SEWER DISTRICT to include additional property within the City limits.

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

SECTION ONE: Consent to Inclusion in the Consolidated Main Sewer District. That the City of Leawood, Kansas hereby consents that the real estate described on Exhibit "A" attached hereto may be included in CONSOLIDATED MAIN SEWER DISTRICT, governed by Johnson County, Kansas.

SECTION TWO: Effective Date. This Resolution shall be effective upon adoption by the City Council.

ADOPTED BY THIS CITY COUNCIL this 7th day of March, 1994.


Marcia Rinehart, Mayor


Martha Heizer, City Clerk
Heizer

NORTH LINE NW 1/4.
SEC. 33-13-25

POINT OF COMMENCING
NE CORNER NW 1/4,
SEC. 33-13-25

CHURCH OF THE RESURRECTION

N87°51'49"E
1119.16'

TRUE POINT OF
BEGINNING OF
SUBJECT TRACT

S1°50'17"E 1831.94'

EAST LINE NW 1/4,
SEC. 33-13-25

ROE AVENUE S1°50'17"E 814.85'

77

76

75

74

136th ST.

73

62

138th TERR.

61

SE CORNER NW 1/4,
SEC. 33-13-25

SOUTH LINE NW 1/4,
SEC. 33-13-25

1119.16'
S87°51'49"W

UNPLATTED

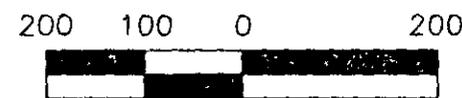
UNPLATTED

814.86'
N1°50'17"W

LEAWOOD MEADOWS
FOURTH PLAT



SCALE : 1" = 200'



JOB NO. 54178 | DATE: 1-8-94 | BY: TLN-rmkp

PLAT OF LEGAL DESCRIPTION FOR
ENLARGEMENT OF CONSOLIDATED M.S.D. AND
BLUE RIVER SEWER SUB-DISTRICT NO. 6.
AND CREATION OF L.S.D. NO. 8 OF
BLUE RIVER SEWER SUB-DISTRICT NO. 6
JOHNSON COUNTY, KANSAS

SHAFFER, KLINE & WARREN, P.A.
CIVIL ENGINEERS - LAND SURVEYORS
TRAFFIC & TRANSPORTATION ENGINEERING
LAND PLANNING - LANDSCAPE ARCHITECTURE
11100 W. 91st STREET, OVERLAND PARK, KANSAS 66214
OFFICE: 913-888-7800 FAX: 913-888-7868



MISSOURI OFFICE:
2940 Main Street, Kansas City, Missouri 64138
816/756-0444 FAX: 816/756-1753

Tuttle-Ayers-Woodward Co. founded 1865
A.C. Kirkwood & Associates founded 1947
Shafer, Kline & Warren, P.A. founded 1954

January 11, 1994

EXHIBIT A

LEGAL DESCRIPTION FOR
PROPOSED ENLARGEMENT TO CONSOLIDATED MAIN SEWER DISTRICT
AND BLUE RIVER SEWER SUB-DISTRICT NO. 6
AND CREATION OF LATERAL SEWER DISTRICT NO. 8
OF BLUE RIVER SEWER SUB-DISTRICT NO. 6
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

- Civil Engineers
- Electrical Engineers
- Mechanical Engineers
- Landscape Architects
- Land Surveyors
- Land Planners

All that part of the East 68 acres of the NW¼ of Section 33, 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 NW¼ of said Section 33; then S 1° 50' 17" E, along the East line of the NW¼ of said Section 33, a distance of 1831.94 feet; to a point 814.85 feet North of the Southeast corner thereof, said point also being the true point of beginning of subject tract; thence continuing S 1° 50' 17" E, along the East line of the NW¼ of Section 33, a distance of 814.85 feet, to the Southeast corner thereof; thence S 87° 51' 49" W, along the South line of the NW¼ of said Section 33, a distance of 1119.16 feet, to the Southwest corner of the East 68 acres of the NW¼ of said Section 33; thence N 1° 50' 17" W, along the West line of the East 68 acres of the NW¼ of said Section 33, a distance of 814.86 feet; thence N 87° 51' 49" E, a distance of 1119.16 feet, to the true point of beginning of subject tract.

The above described tract of land contains 20.936 gross acres, more or less.

By: 
Tex L. New KS-LS-491

Date: 1-11-94

LEGAL DESCRIPTION FOR
SECTION 33-13-25
Page Two

angle of 15° 40' 06", a distance of 522.28 feet, to a point of tangency; thence
N 87° 51' 30" E, along the centerline of proposed 137th Street, a distance of 200 feet,
to the true point of beginning of subject tract.

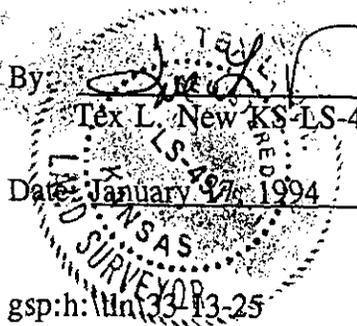
The above described tract of land contains 21.710 gross acres, more or less.

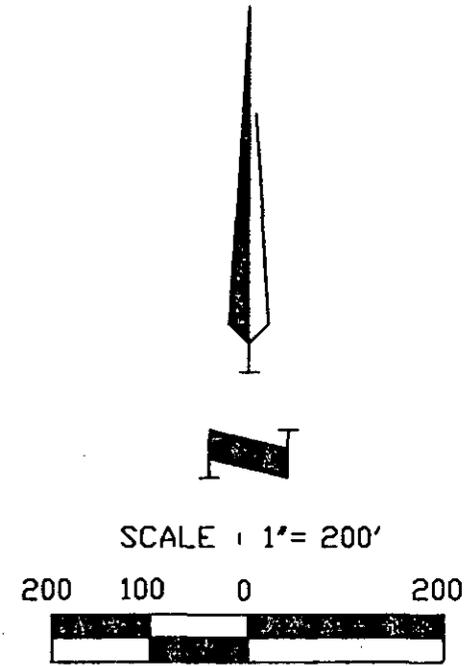
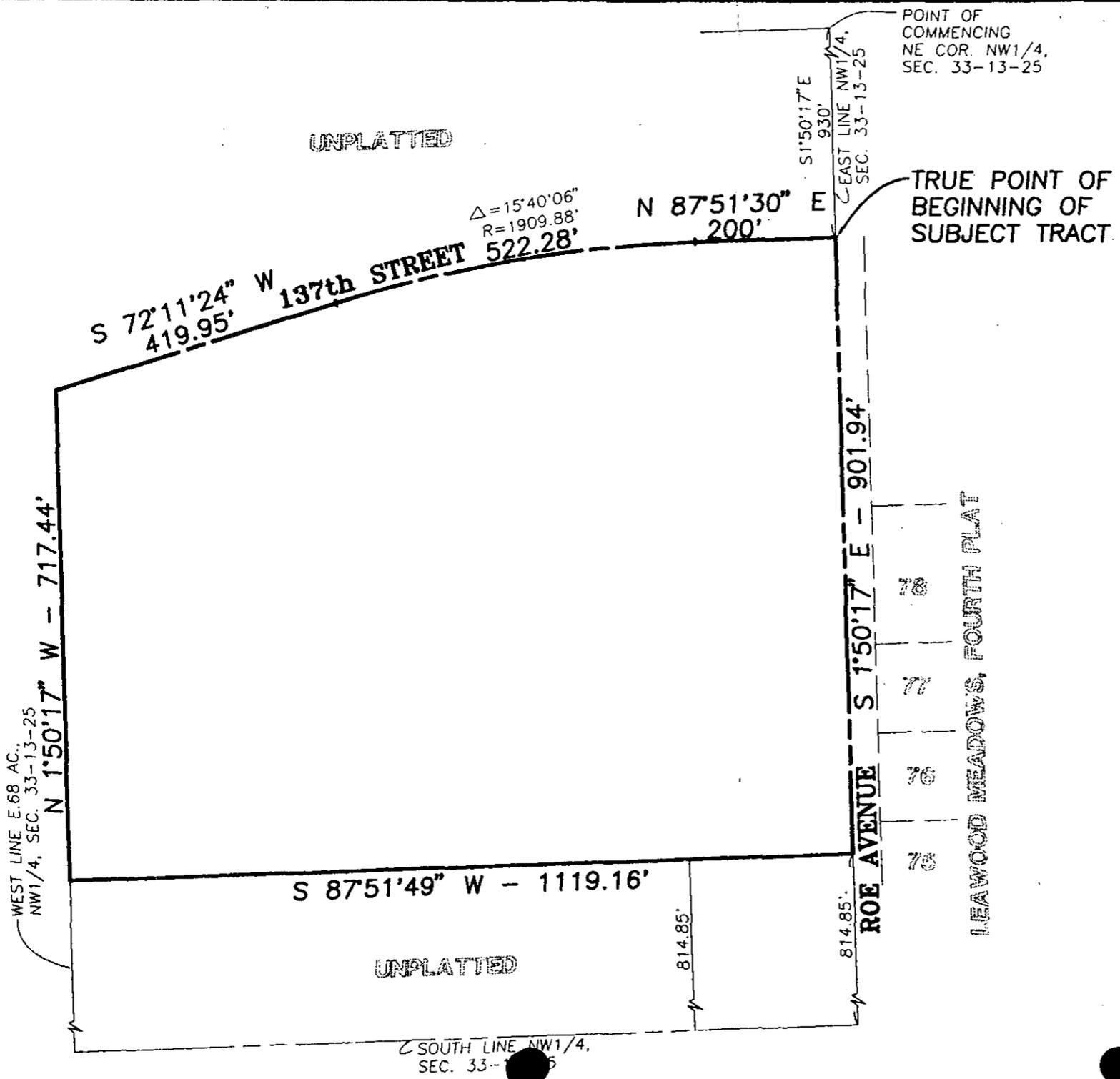
By: 

Tex L. New KS LS-491

Date: January 17, 1994

gsp:h:Ma 33-13-25





JOB NO. 54259	DATE: 1-13-94	BY: TLN-mkp
---------------	---------------	-------------

PLAT OF LEGAL DESCRIPTION FOR
ENLARGEMENT OF THE CONSOLIDATED M.S.D.,
BLUE RIVER SEWER SUB-DISTRICT NO. 6,
AND LATERAL SEWER DISTRICT NO. 8 OF
BLUE RIVER SEWER SUB-DISTRICT NO. 6
JOHNSON COUNTY, KANSAS

SHAFFER, KLINE & WARREN, P.A.
CIVIL ENGINEERS - LAND SURVEYORS
TRAFFIC & TRANSPORTATION ENGINEERING
LAND PLANNING - LANDSCAPE ARCHITECTURE
11100 W. 91st STREET, OVERLAND PARK, KANSAS 66214
OFFICE: 913-888-7800 FAX: 913-888-7868

RESOLUTION NO. 1159

The Leawood City Council has considered the request for approval of the final plat of WhiteHorse (preliminary plat was known as Nichols Estates) located at approximately 151st and Nall and hereby finds the following:

WHEREAS, the property is zoned R-1, and

WHEREAS, the final plat contains 50.7985 acres divided into 92 lots, and

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

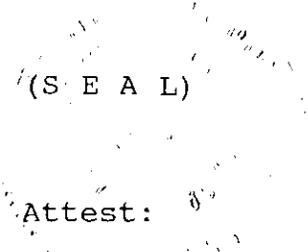
1. The development is limited to 92 single family homes.
2. All streets within the subdivision will be public. Any plantings or statuary within the street right-of-way will be maintained by the developer or Homes Association.
3. The developer will be responsible for Park Impact fees in the amount of \$300 per dwelling unit to be paid prior to recording the final plat. The fee totals \$27,600.
4. The developer will be responsible for a South Leawood Transportation Impact Fee in the amount of \$468.75 per acre (\$625 X .75). This fee is to be paid prior to recording the final plat. The fee totals \$23,811.79
5. The developer is responsible for street improvements for Nall as per the subdivision regulations. At the current time the assessment is \$130 per front foot which would total \$65,647.40. The amount of \$130 per front foot is guaranteed until March 1, 1995. If the plat is not recorded before that date the developer will pay the amount that is in effect at the time of recording.
6. Final site plan for the pool and entry monuments is required prior to release of any building permits for these structures.
7. All sidewalks are to be installed as per street construction standards.
8. The plat is to be modified to allow for street access to the north.

WHEREAS, the developer/owner agrees to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of WhiteHorse with stipulations.

Adopted by the Governing Body this 21st day of March, 1994.

(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

**A RESOLUTION RELATING TO BENEFITS
OBTAINABLE BY CITIES UNDER THE TRANSPORTATION
ENHANCEMENT PROGRAM FUNDED BY THE INTERMODAL
SURFACE TRANSPORTATION EFFICIENCY ACT (ISTEA)**

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

That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of Leawood, Kansas, Agreement No. 28-94 between the City and the Kansas Department of Transportation, giving the Secretary of Transportation of the State of Kansas authority to act for the City, and in its place and stead, to obtain for the City such benefits as are obtainable under the program of the Transportation Enhancement Intermodal Surface Transportation Efficiency Act, and obtain the benefits of such legislation for the City on the terms and conditions set forth in such agreement as may be prepared and approved by the Secretary of Transportation for the improvement at the intersection of Mission Road with 89th Street and known as Project No. 46 N-0043-01.

Passed by the (Council) (~~Commission~~) this 21st day of March, 19 94

(Approved) (Signed) Marcia Rinehart, Mayor

(SEAL)

ATTEST: Martina Heizer
City Clerk

RESOLUTION NO. 1161

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO ESTABLISH CRITERIA FOR EVALUATION OF CONTRACTORS AND SUBCONTRACTORS FOR THE PURPOSE OF DETERMINING RESPONSIBLE BIDDERS FOR CONSTRUCTION PROJECTS OF THE CITY.

Whereas the City of Leawood regularly enters into contracts for the construction of various public works projects within the City;

Whereas, it is the policy of the Governing Body to award City construction contracts to the lowest responsible bidder;

Whereas it is the desire of the Governing Body to see that contractors and subcontractors performing work for the City provide a full measure of value in exchange for funds expended by the City and that in furtherance of this objective, construction projects of the City are awarded to and performed by responsible contractors;

Whereas the Governing Body has determined that all contractors performing construction projects under contract with the City should be evaluated at the conclusion of their work;

Whereas the Governing Body has determined that a procedure should be established to evaluate contractor performance so as to assist the Director of Public Works in determination of responsible bidders for City projects;

Whereas the Governing Body has determined that it will consider evaluations of prior construction work of contractors and subcontractors in determining lowest responsible bidders for City construction projects and that solicitation of bids will be made only to responsible contractors as determined by the Director of Public Works based on review of evaluations of prior work for the City;

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

Section 1. **Evaluation of Contractors and Subcontractors Authorized.** That the Governing Body of the City of Leawood does hereby authorize the Director of Public Works of the City to prepare and provide to the Governing Body evaluations of the work of all contractors and subcontractors performing work under contract with the City.

Section 2. **Criteria for Evaluation Established.** In the evaluation of contractors, the Director of Public Works shall consider the following criteria:

- A. Completion of construction within the allotted time and within budget.
- B. Consistency of work effort of the Contractor or Subcontractor.

- C. Quality of work performed by the Contractor or Subcontractor, including, but not limited to the workmanship of the work in use.
- D. Damages and repair of any damages to public and private property occurring during the course of construction and off the site of construction and
- E. Traffic control in work zones under construction by Contractor or Subcontractor.
- F. Ability of the Contractor or Subcontractor to communicate and work with residents of the City.
- G. Cooperation of the Contractor or Subcontractor with City staff, including but not limited to, time period a contractor takes to respond to a request of the project manager, construction inspector or the Director of Public Works.
- H. Final restoration and clean-up by Contractor or Subcontractor.
- I. Maintenance of the construction site during construction so as to minimize collection of mud and other materials which may be unsightly or create hazards to the public;
- J. Responsiveness to correction of "punch list" items.
- K. Responsiveness to a direct request from the Public Works Direct in matters where the contractor is required to take action to insure the safety of the public.
- L. Fairness and appropriate use of requests for change orders during the course of construction.
- M. Safety on the jobsite during the course of construction.

Section 3. Notification of evaluation to be included in contract documents. All contract documents prepared by the City or design professionals performing work for the City shall contain provisions notifying bidders that work performed by the City will be evaluated and that said evaluations will be considered by the City in determining responsible bidders for future City projects.

Section 4. Evaluation Procedure. During the course of construction, the Director of Public Works shall monitor the contractor's work and prepare interim evaluations of the contractor's compliance with this resolution. Interim evaluations shall be provided to the Contractor. On completion of the contractor's work the Director of Public Works shall prepare a final evaluation of the contractor's compliance with this resolution. On completion of and prior to submitting the final evaluation to the governing body, the Director of Public Works shall provide a copy of the final evaluation to the Contractor or Subcontractor for review and comment. On receipt of the Contractor's comments, the Director of Public Works may revise the final evaluation and shall provide a copy of the revised final evaluation to the Contractor. Any contractor or Subcontractor disputing the final evaluation may appeal the evaluation to the Governing Body within thirty (30) days of notification of the final evaluation. On review and after consideration of such information as the Governing Body shall determine to be necessary to a fair review of the final

evaluation and consistent with the requirements of due process, the final evaluation may be modified in a manner consistent with the findings of the Governing Body.

Section 5. Final Evaluations to be Considered in Connection with Solicitation of Bids for Contracts. It is hereby established as the policy of the City that the Director of Public Works, in soliciting bids for construction projects shall consider said evaluation of prior work performed by a contractor or subcontractor and shall not request bids from such contractor for a period of one (1) year from the date of such unsatisfactory evaluation.

Section 6. Director of Public Works Authorized to Prepare Additional Forms and Written Procedures. The Director of Public Works is authorized to prepare such additional written forms and procedures as in his or her judgment are necessary to effectuate the intent of this resolution.

Section 7. Take Effect. That this resolution shall take effect and be in force from the date of passage by the Governing Body and approval by the Mayor.

PASSED by the Council the 21st day of March, 1994.

APPROVED by the Mayor the 21st day of March, 1994.

(S E A L)


MARCIA RINEHART, Mayor

ATTEST:


MARTHA HEIZER, City Clerk

APPROVED AS TO FORM:

RICHARD S. WETZLER, City Attorney

RESOLUTION NO. 1162

The Leawood City Council has considered the request for revised preliminary site plan and preliminary plat approval of Town Center Plaza, located at 119th Street between Roe Avenue and Nall Avenue and hereby finds the following:

WHEREAS, the preliminary site plan and preliminary plat contain 71.51 acres to be in ten lots, and

WHEREAS, the Plan Commission has considered the request for the revised preliminary site plan and preliminary plat of Town Center Plaza including 639,000 square feet of retail shopping area plus nine pad sites, and

WHEREAS, this property is zoned SD - Special Development. The sub-district is SD(C-R) leaving the remaining acreage north of 117th Street as sub-district SD(O), and

WHEREAS, the Plan Commission recommends approval of the revised preliminary site plan and preliminary plat of Town Center Plaza with the following stipulations:

1. The sign concept is to be submitted and approved as part of the initial final site plan.
2. Drainage plan is to be submitted and approved by the Public Works Department.
3. The service lane is to continue between Outlot 3 and Outlot 4.
4. The sidewalks will be considered to provide access from adjacent properties, i.e., across 119th Street and Nall Avenue to the center.
5. The sidewalks will be reviewed at final development plan approval.
6. The sidewalks for handicap should be considered to provide convenient and safe travel through the parking lot to the main buildings.
7. On the east side of Outlot 4, eliminate the 2 southerly access drives, that are approximately 58' north of 119th Street.
8. Between Outlots 2 and 3, eliminate or move to the north, the 2 access drives off of the full access drive.
9. The detailed landscape plans are to be submitted at final site plan review.
10. All outlots will require final site plan review by the Plan Commission.
11. Participation in the following traffic improvements is required:

- a) Provide full turning lane on north side of 119th Street between Nall and Roe Avenue.
- b) Provide additional right turn lanes at access drives as needed and as specified in the traffic report prepared by JBM.
- c) Participate in the following signals:
 - 1) 25% - Town Center Drive and Roe Avenue
 - 2) 50% - Full access on 119th Street across from Hawthorne Plaza
 - 3) 25% - 117th Street and Nall Avenue
 - 4) 50% - Full access on 119th Street between Hawthorne Apartments and Nursing Home, when warranted.
- d) Other traffic improvements specified in the traffic study prepared by JBM and agreed to by the Developer.
- e) Reconfigure the intersection on Roe Avenue across from main entrance to Camelot Court as specified by JBM as an alternative to a traffic signal.

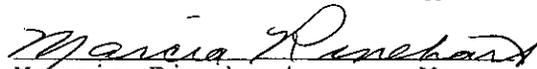
12. 117th Street is to be realigned where it joins Town Center Drive to align with west entrance to the City Hall parking lot.

WHEREAS, the developers/owners agree to these stipulations,

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

Adopted by the Governing Body this 4th day of April, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1163

The Leawood City Council has considered the request for approval of preliminary plat and site plan of Hallbrook Farms 7th Plat located at approximately 112th and Brookwood and hereby finds the following:

WHEREAS, this proposal will allow construction of 82 single family homes on 76.24 acres, a density of .93 dwellings per acre, and

WHEREAS, the 1993 Master Plan indicates this property as Low Density Residential, and

WHEREAS, this is the final phase of the subdivision, which provides the second entry to the subdivision, and

WHEREAS, the Plan Commission does hereby recommend approval of the request for preliminary plat and site plan with the following stipulations:

1. The plat is limited to a maximum of 82 single family homes.
2. The side yards are to be 15'.
3. Lots 29, 30 and 31 in Block 1 may only have access from Brookwood. Lots 36, 37 and 38 of Block 3 may have access from the cul-de-sac street only.
4. There must be a connection to College Boulevard before any homes are granted certificate of occupancy.
5. The last section of Overbrook must be constructed to provide access to the clubhouse. This connection is to be made and completed prior to building permits being issued.
6. A new haul road connection to State Line Road at 115th Street must be added as previously discussed with the staff. This connection is to be made and completed prior to building permits being issued.
7. Medians are to be irrigated and maintained by the Homes Association.
8. Street lighting to be approved by the Director of Public Works and maintained by the Homes Association.
9. Deed Restrictions must be submitted and recorded prior to issuance of any building permits.
10. Construction will be allowed to begin, however, a signed agreement with the City addressing the design and funding for an approval of College Boulevard improvements should be completed prior to home construction or some other contingency plan approved.

WHEREAS, the developers/owners agree to these stipulations,

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

Adopted by the Governing Body this 4th day of April,
1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

**A RESOLUTION RELATING TO STATE AID
FOR THE IMPROVEMENT OF CITY CONNECTING LINKS
ON THE STATE HIGHWAY SYSTEM**

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

That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of Leawood, Kansas, Agreement No. 40-94 between the City and the Kansas Department of Transportation, giving the Secretary of Transportation of the State of Kansas authority to act for the City, and in its place and stead, to obtain for the City the benefits of State Aid and obtain the benefits of such legislation for the City on the terms and conditions set forth in such agreement as may be prepared and approved by the Secretary of Transportation and requesting and authorizing the Secretary of Transportation of the State of Kansas to undertake and complete the work for the improvement of 119th Street in the City designated as a city connecting link on the State Highway System and known as Project No. 46-N-0038-01.

Passed by the (Council) (~~Commission~~) this 4th day of April, 1994

(Approved) (Signed) Marcia Reinhardt, Mayor

(SEAL)

ATTEST: Marcia Reinhardt
City Clerk

CITY OF LEAWOOD, KANSAS
9617 LEE BOULEVARD
LEAWOOD, KANSAS 66211

RESOLUTION NO. 1165

A RESOLUTION ENDORSING THE ENVIRONMENTAL EXCELLENCE CAMPAIGN AND DIRECTING THE CITY STAFF TO WORK CLOSELY WITH BRIDGING THE GAP, INC. IN THIS METROPOLITAN EFFORT TO ENCOURAGE ENVIRONMENTALLY RESPONSIBLE EDUCATION AND COMMUNITY ACTION CONSISTENT WITH APPLICABLE FEDERAL AND STATE GUIDELINES.

WHEREAS, the City of Leawood recognizes the need for the reduction of solid waste and recognizes the importance of energy and resource conservation;

WHEREAS, environmental education and community action are universally acknowledged as critical components of waste and energy reduction strategies;

WHEREAS, THE ENVIRONMENTAL EXCELLENCE CAMPAIGN is a metropolitan community action and education effort designed to encourage waste and energy reduction;

WHEREAS, THE ENVIRONMENTAL EXCELLENCE CAMPAIGN was created by Bridging the Gap, Inc., a not-for-profit corporation, funded in part by a grant from Kansas City, Missouri and the MARC Solid Waste Management District and is endorsed by the Mid-America Regional Council;

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

The Governing Body of the City of Leawood endorses THE ENVIRONMENTAL EXCELLENCE CAMPAIGN and encourages City staff to actively promote the CAMPAIGN wherever reasonably practical to do so;

BE IT FURTHER RESOLVED by the Governing Body of the City of Leawood that the City of Leawood agrees to participate in THE ENVIRONMENTAL EXCELLENCE CAMPAIGN and to recycle at least one material, to increase purchases of recycled products wherever possible to do so, to display the CAMPAIGN logo, to encourage

participation by Leawood businesses and residents, and to take such additional steps as may be possible to move the City of Leawood toward *ENVIRONMENTAL EXCELLENCE*; and

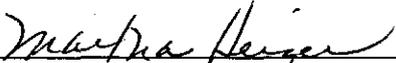
that the City Administrator, or his designee, is directed to coordinate the efforts of the City of Leawood with THE ENVIRONMENTAL EXCELLENCE CAMPAIGN and to periodically report to the Governing Body the efforts of the City and the CAMPAIGN as may from time to time be appropriate.

PASSED AND APPROVED BY THE CITY OF LEAWOOD, KANSAS on the 18th
day of April, 1994.



Marcia Rinehart, Mayor

Attest:



Martha Heizer, City Clerk

CITY OF LEAWOOD

RESOLUTION NO. 1166

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

ADOPTED by the Governing Body this 2nd day of May, 1994.

APPROVED AND SIGNED by the Mayor this 2nd day of May, 1994.

City of Leawood, Kansas


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk

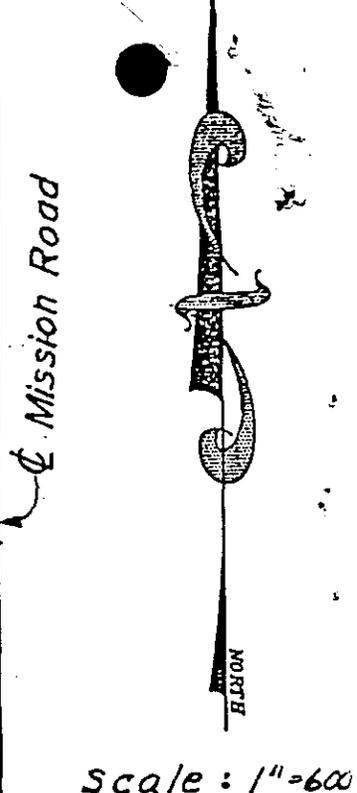
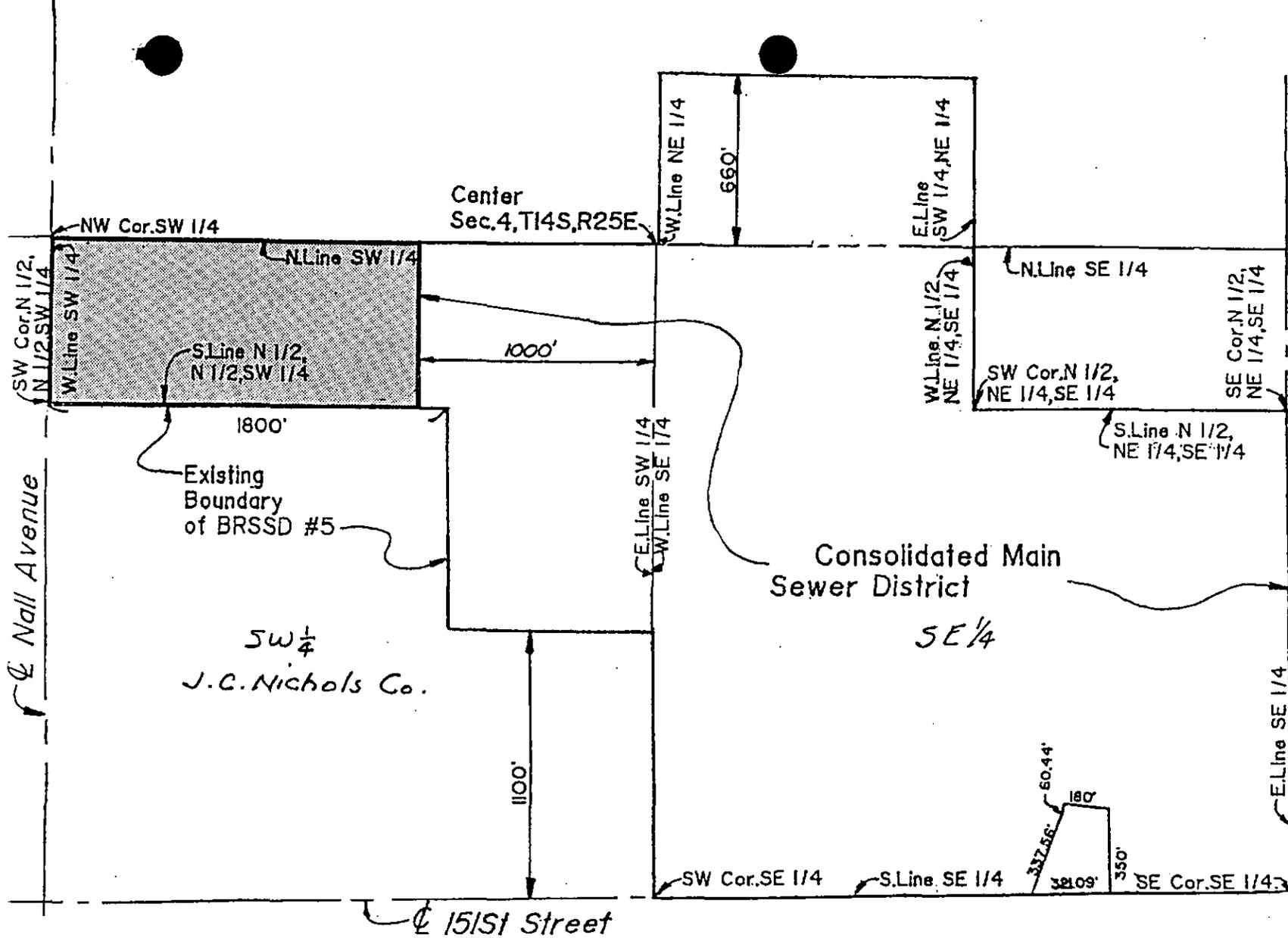


EXHIBIT "A"

J.C. NICHOLS COMPANY

310 Ward Parkway
Kansas City, MO 64112

RESOLUTION NO. 1167

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 State Line Road from 123rd Street to 135th Street in accordance with plans on file with the Director of Public Works of the City of Leawood, which plans are identified as State Line Road, Phase III.

WHEREAS the City has to the date of this resolution not been able to obtain all right of ways and easements necessary for the construction of said project;

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 State Line Road;

That the Director of Public Works is hereby authorized and directed to obtain a survey and description of the lands and interests 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 May,

1994.

(S E A L)

Marcia Rinehart
Mayor

ATTEST:

Marta Heizer
City Clerk

Approved as to form:

Richard S. Wetzler
Richard S. Wetzler, City Attorney

RESOLUTION NO. 1168

The Leawood City Council has considered the request for final plat approval of Hazelwood, 1st Plat located at approximately 119th and Pawnee 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 8.0119 acres with 10 lots, and

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

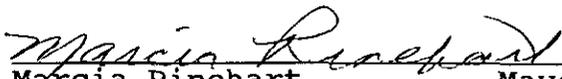
1. All technical deficiencies must be corrected prior to submitting recording copies.
2. All previous stipulations from preliminary plat approval are incorporated by reference.
3. The street connection between Hazelwood and Tomahawk Creek Estates shall be coordinated with the Director of Public Works.
4. All landscape islands shall be maintained by the homes association/developer in lieu thereof.
5. The deed restrictions shall be filed with staff prior to recording the plat.

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 Hazelwood, 1st Plat with stipulations.

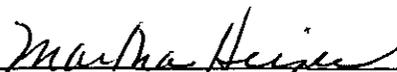
Adopted by the Governing Body this 16th day of May, 1994.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1169

The Leawood City Council has considered the request for rezoning from AG, Agriculture, to RP-3, Planned Apartment Residential, preliminary plat and site plan, and Master Development Plan map amendment approval for Tomahawk Creek Apartments, located at approximately 117th and Tomahawk Creek Parkway and hereby finds the following:

WHEREAS, the entire development includes 360 apartment units on 34.1 acres for a density of 10.5 units per acre, and

WHEREAS, there are 10 units per building for a total of 36 buildings, and

WHEREAS, the plan indicates 216 garage spaces, 216 tandem spaces and 300 parking spaces for a total of 732 on-site parking, and

WHEREAS, a storm drainage channel which cuts through the site will have a concrete floor and natural rock or manufactured block sides, and

WHEREAS, a portion of the property is shown in the 100 year floodplain, and

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

1. 115th Street is required to be constructed to provide for a secondary access to the site. The developer is responsible to work out an agreement with the adjoining property owner for the construction prior to final plan approval.
2. The secondary access from 115th Street shall be required to provide for daily resident usage not just for emergency police and fire access.
3. A 12'-0" biking/hiking trail easement shall be provided on the southern side of the property to connect Tomahawk Creek Parkway to the tunnel under Roe Avenue. Although this development is responsible for only that portion that crosses the property.
4. The access gates shall be coordinated with the fire department to provide acceptable access.
5. A detailed landscape plan shall be submitted at application for final development plan approval. All such areas are to be irrigated.
6. Final grading and drainage plans shall be submitted and approved by Public Works prior to final plan approval.
7. Tandem parking shall be allowed on a trial basis. If staff later determines that sufficient parking does not exist, the developer agrees to work with the Planning staff on developing and installing additional parking on site.
8. A signage plan is to be submitted at final plan application.
9. All interior drives are private and shall be maintained by the developer.

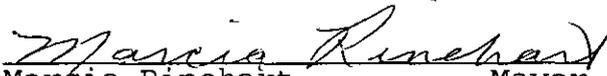
10. The developer agrees to the terms established by the City's Rental Inspection Program.
11. The minimum sized units shall be as indicated under Site Plan above, and
12. The developer agrees to install sidewalks along Tomahawk Creek Parkway the entire length of the property.

WHEREAS, the applicant agrees to these stipulations,

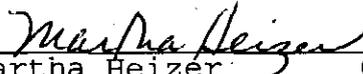
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from AG, Agriculture, to RP-3, Planned Apartment House Residential, preliminary site plan and preliminary plat, and Master Plan map amendment approval for Tomahawk Creek Apartments with stipulations.

Adopted by the Governing Body this 16th day of May, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

the record.

4586 ORDINANCE NO. 1412 ADOPTING AN AMENDMENT TO THE 1993 MASTER DEVELOPMENT PLAN MAP - for Tomahawk Creek Apartments, redesignating a tract approximately 34.1 acres in size at the northwest corner of 117th & Tomahawk Creek Parkway (the Morgan property), from Office to Medium Density Residential-Apartments: The ordinance was considered and passed on motion of LaHue, seconded by Clawson. On roll call, the vote was: Yeas---LaHue, Clawson, Giblin, Moore, Dunn, Patterson. Nays---Rasmussen.

RESOLUTION NO. 1170 - Be it resolved that the Plan Commission consider reviewing the area between Roe and Tomahawk Creek Parkway and 115th St. to College Boulevard, including any necessity for rezoning. Adopted unanimously on motion of Rasmussen, seconded by Clawson.

4662 ORDINANCE NO. 1413 REZONING PROPERTY (TOMAHAWK CREEK APARTMENTS) LOCATED AT APPROXIMATELY 117TH AND TOMAHAWK CREEK PARKWAY FROM AG (AGRICULTURAL) TO RP-3 (PLANNED APARTMENT RESIDENTIAL): The ordinance was considered and passed on motion of Moore, seconded by LaHue. On roll call, the vote was: Yeas---LaHue, Clawson, Giblin, Moore, Dunn, Patterson. Nays---Rasmussen.

4683 REQUEST FOR A SPECIAL USE PERMIT FOR A PRESCHOOL - LORD OF LIFE LUTHERAN CHURCH, 135TH AND CHADWICK: On motion of LaHue, seconded by Dunn, Council unanimously approved a permit with stipulations.

4721 ORDINANCE NO. 1414 REZONING PROPERTY (PATRICIAN WOODS, TENTH PLAT) LOCATED AT APPROXIMATELY 126TH AND NALL AVENUE FROM RP-4 (PLANNED CLUSTER RESIDENTIAL) TO REC (PLANNED RECREATION) - City property intended for recreational purposes (formerly owned by Wallace McKee): The ordinance was considered and passed on motion of LaHue, seconded by Clawson. On roll call, the vote was: Yeas---LaHue, Clawson, Giblin, Moore, Dunn, Rasmussen, Patterson. Nays---None.

4742 MAYOR'S REPORT: The Council received a petition signed by residents who object to the James Branch stormwater improvement project - High Dr. and Sagamore Rd., 97th St. to 98th St.

4797 DISCUSSION OF PRIVATE STREETS: Two issues discussed at work sessions received informal consensus - 1) consideration of the concept of a private street's becoming a public street on a case-by-case basis, and 2) a directive to the City Attorney to reaffirm the City's position regarding Patrician Woods and Pembroke Court plats. The Mayor suggested the Council take official action on these items to give some direction about the private street issue.

Councilmember Dunn moved that consideration of the concept of private streets becoming public streets be made on a case-by-case basis, seconded by Patterson. The criteria for acceptance as a public street prepared by staff will be considered by Council, but Council can elect to remove criteria, to allow a variance. Councilmember LaHue felt this discussion was premature. He thought there was going to be a meeting with residents. He was not in favor of a case-by-case, individual, ba-

RESOLUTION NO. 1171

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:

The acquisition of Property necessary for the construction of the Leawood Public Golf Course.

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 7:00 o'clock P.M. on the 6th day of June, 1994, 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.

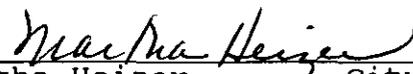
Adopted by the Governing Body this 16th day of May, 1994.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1172

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:

The construction of Town Center Drive in the City of Leawood, Johnson County, Kansas, connecting Nall Avenue in the vicinity of 115th Street and Roe Avenue in the vicinity of 117th Street.

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 7:00 o'clock P.M. on the 6th day of June, 1994, 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.

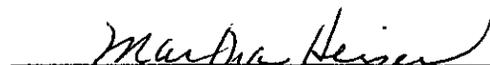
The City Clerk is further directed to mail to the owners of property liable to pay the assessments, at their last known post office address, a notice of the hearing and a statement of the cost proposed to be assessed against the land so owned and assessed.

Adopted by the Governing Body this 16th day of May, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1173

WHEREAS, the Omnibus Budget Reconciliation Act of 1993 authorized the creation of urban and rural Empowerment Zones; and

WHEREAS, one Empowerment Zone must be located in a bi-state area with up to 50,000 people in 20 square miles; and

WHEREAS, central city portions of Kansas City, Missouri, and Kansas City, Kansas, meet the demographic guidelines for Empowerment Zone designation; and

WHEREAS, the Urban Core Report prepared by the Mid-America Regional Council provides a framework for cooperative action on urban revitalization; and

WHEREAS, the recently released FOCUS KC Policy Plan provides a citizen-based strategic policy framework that supports the Empowerment Zone application process; and

WHEREAS, Empowerment Zone designation offers the opportunity for neighborhood revitalization, increased economic activity, and a higher level of family self-sufficiency for a significant number of Kansas and Missouri residents;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, that the City hereby expresses its intent to support a bi-state Empowerment Zone application by the City of Kansas City, Missouri, and the City of Kansas City, Kansas, to be submitted to the Department of Housing and Urban Development no later than June 30, 1994; and

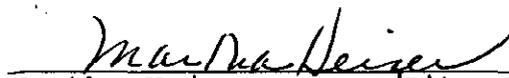
BE IT FURTHER RESOLVED that the City hereby expresses its intent to encourage support and cooperation in the preparation of the Empowerment Zone application by other affected public bodies, including federal, county and state governments.

Adopted by the Governing Body this 6th day of June, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1174

The Leawood City Council has considered the request for revised preliminary site plan to allow a sit down restaurant located at approximately 119th and Roe and hereby finds the following:

WHEREAS, the property is zoned CP-1, Planned Neighborhood Retail, and

WHEREAS, the preliminary and final site plan is for a restaurant of 5,500 square feet to be located on Lot 7 of Camelot Court, and

WHEREAS, the exterior of the building will be brown blend brick to match the main shopping center with the roof a dark gray concrete tile to match Valley View Bank building to the west, and

WHEREAS, the applicant is proposing signs on the east and west walls with a monument sign in front, and

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

1. Final landscape plans shall be submitted at a later date for staff approval, and before a certificate of occupancy is granted.
2. Final drainage plans and other utility plans shall be approved by the Director of Public Works.
3. No access shall be granted to 119th Street directly from the pad site.
4. Ceramic tiles shall be used in place of the wood accents due to maintenance concerns.
5. The alternate brick submitted on the sample board must be used in place of the painted brick.
6. The striped awning is to be canvas material and is to be color coordinated with the existing awnings in the plaza, i.e. green should match the Paddy O'Quigley's awning.
7. The roof material is to be the dark gray concrete tile to match the roof of Valley View Bank.
8. The developer of Camelot Court or a representative must sign off approval of the signs as required by the approved sign criteria. No sign permits will be granted without this signature.
9. No flags are to be used on the building facade.
10. The neon stringer at the top of the facade is to be

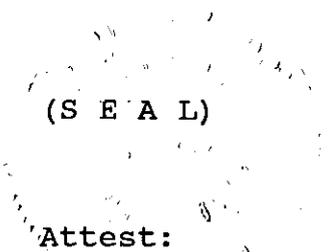
completely covered to only allow a soft glow.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the ^{revised} preliminary site plan of Tony Roma's Restaurant, with stipulations.

Adopted by the Governing Body this 6th day of June, 1994.

(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1175

The Leawood City Council has considered the request for approval of the revised final plat of Leawood Commons, located at Town Center Drive and Nall, and hereby finds the following:

WHEREAS, the preliminary plat and plan and final plat and plan were approved in 1990 but the final plat was never recorded, and

WHEREAS, the property is zoned CP-0, with lot one zoned CP-1, and

WHEREAS, the site access is by a private drive that bisects the property north to south, and

WHEREAS, the plat contains 14 lots and 5 tracts on 16.4 acres, and

WHEREAS, Tracts D & E have been designed for a detention pond to accommodate extreme water flow during heavy rain, and

WHEREAS, the site maintains a 40 foot front yard setback from Nall,

NOW, THEREFORE BE IT RESOLVED that the Plan Commission does hereby recommend approval of the revised final plat of Leawood Commons with the following stipulations:

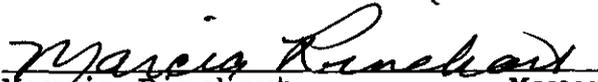
1. The owner/developer is required to pay for 1/8th of the signalization of the intersection of Town Center Drive and Nall Avenue, which is currently \$15,000. A one year letter of credit may be submitted in lieu of cash. Said payment is to be made prior to final plat recording.
2. A bond is to be submitted and accepted by the City prior to recording the plat for the cost of installation of the pine trees along Nall Avenue.
3. Prior to recording the plat, the developer is to submit Homes Association Declarations and Declaration of Restrictions to Leawood Commons to the staff for review and comment.
4. Prior to recording the plat, the vacation of Rosewood is to be complete. This may involve the replat of Lot 19, Block 9, Leawood Country Manor, 8th Plat. If a replat is required, the developer of Leawood Commons is to do this.

5. East boundary trees shall be a minimum of 12' in height at planting as indicated at the public hearing for the preliminary development plan.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for approval of the revised final plat of Leawood Commons with stipulations.

Adopted by the Governing Body this 20th day of June, 1994.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1176

The Leawood City Council has considered the request for approval of rezoning from AG to RP-3, preliminary plan, preliminary plat, and Master Plan Map amendment, for Leawood Park Place, located at College and Tomahawk Creek Parkway and hereby finds the following:

WHEREAS, the applicant is requesting approval to construct 432 apartment units in 36 buildings, totaling 369,648 square feet of building area, and

WHEREAS, the site area is 35.335 acres providing 12.26 units per acre, and

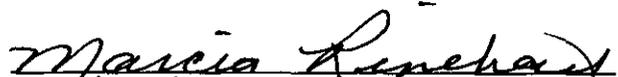
WHEREAS, the Plan Commission held a public hearing on this application, and

WHEREAS, the Plan Commission has considered the application and hereby recommends denial of the application by a vote of 5-0-1 (abstention) for the following reasons: danger of flooding; applying density credits doesn't imply apartments; opposed to amending the Master Plan to allow apartments; density; and lack of access during high water.

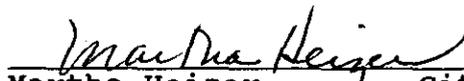
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby deny the request for approval of rezoning from AG to RP-3, preliminary plan, preliminary plat, and Master Plan Map amendment, for Leawood Park Place, located at College and Tomahawk Creek Parkway.

Adopted by the Governing Body this 20th day of June, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1177

The Leawood City Council has considered the request for rezoning from AG to RP-1, Preliminary Plat and Plan for Bridgewood, located at 132nd and Roe, and hereby finds the following:

WHEREAS, the Master Development Plan shows this area to be Medium Density Residential - Detached, and

WHEREAS, The preliminary plat and plan contain 74 lots on 40.5 acres for a density of 1.8 units/acre, and

WHEREAS, the property to the north and east are zoned RP-1, and the property to the south is zoned SD, and

WHEREAS, the Plan Commission held a public hearing on this application, and

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

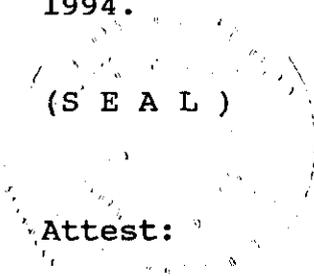
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from AG to RP-1, Preliminary Plat and Plan for Bridgewood, located at 132nd and Roe, with the following stipulations of approval:

1. The street connection between Carriage Crossing (to the north) and Wynnewood (to the west) shall be coordinated with the Director of Public Works.
2. Lots 1, 68, 69, and 74 will be restricted from having access off of Roe Avenue.
3. Tracts "A" thru "H" will be owned and maintained by the homes association/developer in lieu thereof.
4. The plat is limited to a maximum of 74 lots.
5. All streets are to be public.
6. Bridge plans shall be submitted and approved by Public Works.
7. The property is responsible for a Park Impact Fee of \$300 per dwelling unit for a total of \$22,200, collected prior to final plat approval.

8. The developer is responsible for street improvements for Roe Avenue as per the subdivision regulations. At the current time the assessment is \$130 per front foot. This assessment is reevaluated each year. The developer will pay the fee that is in effect at the time that the final plat is approved by the Governing Body, if not developed by March 1, 1995.

Adopted by the Governing Body this 20th day of June, 1994.

(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1178

The Leawood City Council has considered the request for final plat approval of Patio Homes at Hallbrook, Second Plat located at approximately 115th and Overbrook and hereby finds the following:

WHEREAS, the area of the plat is currently golf course property, and

WHEREAS, the golf course is giving the land to the adjoining property owners, and

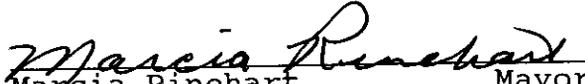
WHEREAS, the area contains approximately 0.8 acres, and

WHEREAS, tract 5-A will be maintained by the Homes Association, and

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Patio Homes at Hallbrook, Second Plat with no stipulations.

Adopted by the Governing Body this 5th day of July, 1994.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1179

The Leawood City Council has considered the request for final plat approval of Town Center Plaza located at the northwest corner of 119th and Roe and hereby finds the following:

WHEREAS, the final plat divides the site into 10 lots, and

WHEREAS, nine of the lots are to accommodate the pad sites and Lot 10 is for the main part of the shopping center, and

WHEREAS, the Plan Commission approved the final site plan at their meeting June 28, 1994, and

WHEREAS, the final plat has no technical deficiencies, and

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

1. Participation in the following traffic improvements is required. All funds must be received or construction of improvements commenced prior to release of any building permits on the property.

a) Provide additional continuous right turn lane of Roe Avenue and 119th Street and right turn lanes at access drives as needed and as specified in the traffic report prepared by JBM.

b) Participate in the following signals:

1) 25% - Town Center Drive and Roe Avenue

2) 50% - Full access on 119th Street across from Hawthorne Plaza

3) 25% - 117th Street and Nall Avenue

4) 50% - Full access on 119th Street between Hawthorne Apartments and Nursing Home, when warranted.

c) Reconfigure the intersection on Roe Avenue across from main entrance to Camelot Court as specified by JBM as an alternative to a traffic signal.

2. Remaining two lanes of Town Center Drive are to be improved from 117th Street to Nall Avenue. Third party is responsible to construct, but agreement is required prior to any construction activity on Town Center Plaza commencing, 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 Town Center Plaza with stipulations.

Adopted by the Governing Body this 5th day of July, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1180

The Leawood City Council has considered the request for Final Plat approval of Bridgewood, located at 132nd and Roe, and hereby finds the following:

WHEREAS, the preliminary plat contains 74 lots on 40.5 acres for a density of 1.8 units/acre, and

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

1. All tracts will be owned and maintained by the homes association or developer.
2. The plat is limited to a maximum of 74 lots.
3. All streets are to be public.
4. The property is responsible for a Park Impact Fee of \$300 per dwelling unit for a total of \$22,200, collected prior to final plat approval.
5. The developer is responsible for street improvements for Roe Avenue as per the subdivision regulations. At the current time the assessment is \$130 per front foot. This assessment is reevaluated each year. The developer will pay the fee that is in effect at the time that the final plat is approved by the Governing Body, if not developed by March 1, 1995. The plat indicates 1328.91 feet of frontage on Roe. Based on \$130 per foot this fee will be \$172,758.30.

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 Bridgewood, located at 132nd and Roe, with stipulations.

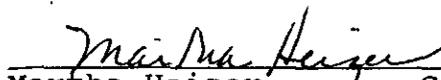
Adopted by the Governing Body this 5th day of July, 1994.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1181

The Leawood City Council has considered the request for approval of final plat of Hallbrook Farms Seventh Plat located at approximately 112th and Brookwood and hereby finds the following:

WHEREAS, this proposal will allow construction of 82 single family homes on 76.24 acres, a density of .93 dwellings per acre, and

WHEREAS, the 1993 Master Plan indicates this property as Low Density Residential, and

WHEREAS, this is the final phase of the subdivision, which provides the second entry to the subdivision, and

WHEREAS, the Plan Commission recommends approval of the request for final plat with the following stipulations:

1. The plat is limited to a maximum of 82 single family homes.
2. The side yards are to be 15'.
3. Lots 8, 9, and 10, in Block 4 may only have access from Brookwood. Lots 6, 7, and 8 of Block 5 may have access from 111th Terrace only.
4. Deed Restrictions must be submitted and recorded prior to issuance of any building permits.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat with stipulations.

Adopted by the Governing Body this 5th day of July, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1182

A RESOLUTION RELATING TO BENEFITS
OBTAINABLE BY CITIES UNDER THE TRANSPORTATION
ENHANCEMENT PROGRAM FUNDED BY THE INTERMODAL
SURFACE TRANSPORTATION EFFICIENCY ACT (ISTEA)

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

That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of Leawood, Kansas, Agreement No. 110-94 between the City and Kansas Department of Transportation, giving the Secretary of Transportation of the State of Kansas authority to act for the City, and in its place and stead, to obtain of the City such benefits as are obtainable under the program of the Transportation enhancement Intermodal Surface Transportation Efficiency Act, and obtain the benefits of such legislation for the City on the terms and condition set forth in such agreement as may be prepared and approved by the Secretary of Transportation for the of College Boulevard; from Tomahawk Creek Bridge to Stateline Road and known as Project No. 46 N-0056-01.

Passed by the (Council) (~~Commission~~) this 5th day of July, 1994

(Approved) (Signed) Marcia Rinehart, Mayor

(SEAL)

ATTEST:

Marta Heizer

City Clerk

RESOLUTION NO. 1183

A RESOLUTION AUTHORIZING THE SALE OF \$8,300,000 GENERAL OBLIGATION BONDS OF THE CITY OF LEAWOOD, KANSAS, TO PROVIDE FUNDS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS WITHIN SAID CITY, INCLUDING ACQUIRING PARK LAND AND MAKING IMPROVEMENTS THERETO BY CONSTRUCTING A PUBLIC MUNICIPAL GOLF COURSE AND RELATED FACILITIES WITHIN SAID CITY AND MAKING IMPROVEMENTS TO CERTAIN ROADS AND BRIDGES WITHIN THE 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 PRESCRIBED BY LAW.

WHEREAS, pursuant to K.S.A. 12-685, et seq., as amended, and other provisions of the laws of the State of Kansas (the "State") applicable thereto, by proceedings duly had the governing body of the City has heretofore authorized the construction of improvements to Mission Road from 103rd Street to College Boulevard including necessary appurtenances, as authorized by Ordinance No. 1204 (the "Mission Road Improvement"); and

WHEREAS, the Mission Road Improvement has been completed and the governing body of the City hereby finds and determines that the total cost thereof including construction financing and related expenses is not less than \$402,422.00 to be paid by the City at large; and

WHEREAS, pursuant to K.S.A. 12-6a01, et seq., as amended, and other provisions of the laws of the State applicable thereto, by proceedings duly had the governing body of the City has heretofore authorized construction of improvements to Town Center Drive including necessary appurtenances, as authorized by Resolution No. 1063 (the "Town Center Drive Improvement"); and

WHEREAS, all legal requirements pertaining to the Town Center Drive Improvement have been complied with, and the governing body of the City now finds and determines that the total cost of the Town Center Drive Improvement including construction financing and related expenses is not less than \$994,000.00 with \$559,013.00 of the cost to be paid by the owners of the property within the City benefitted by the Town Center Drive Improvement and \$434,987.00 of the cost to be paid by the City at large; and

WHEREAS, pursuant to K.S.A. 12-6a01, et seq., as amended, and other provisions of the laws of the State applicable thereto, by proceedings duly had the governing body of the City has authorized acquisition of park land in the vicinity of 151st Street and Nall Avenue, as authorized by Resolution No. 1154 (the "Park Land Improvement"); and

WHEREAS, all legal requirements pertaining to the Park Land Improvement have been complied with, and the governing body of the City now finds and determines that the total cost of the Park Land Improvement including construction financing and related expenses is not less than \$653,578.00 with the entire cost to be paid by the owners of the property within the City benefitted by the Park Land Improvement; and

WHEREAS, pursuant to K.S.A. 12-1301, et seq., and other provisions of the laws of the State applicable thereto, by proceedings duly had, the governing body of the City called a special question election to be held in the City on February 7, 1992, for the purpose of submitting to the qualified voters of said City the following question:

"Shall the following be adopted?

Shall the City of Leawood issue its general obligation bonds pursuant to K.S.A. 12-1302 in an amount not to exceed \$6,250,000 for the purpose of paying the cost of acquiring park land in the vicinity of 151st Street and Nall Avenue and making improvements thereto by constructing a public municipal golf course and related facilities?";

and

WHEREAS, said election was duly conducted and held in accordance with law and the returns of said election duly verified, the results thereof being that more than a majority of the qualified voters voting at said election voted in favor of the question and the issuance of said bonds for the purpose aforesaid, the vote at said election on said question having been found and determined to be 2,696 votes in favor of said question and the issuance of such bonds and 1,682 votes against said question; and

WHEREAS, preliminary plans and cost estimates have been prepared, and the governing body of the City now finds and determines that the total cost of acquisition of said park land and construction of said public municipal golf course (the "Public Golf Course Project"), including necessary construction financing and related expenses is not less than \$6,250,000.00; and

WHEREAS, the governing body hereby finds and determines that it is necessary and desirable at this time that the City offer for sale its general obligation bonds for the purpose of providing funds to pay the cost of the aforesaid Mission Road Improvement, the Town Center Improvement, the Park Land Improvement and the Public Golf Course Project (collectively, the "City Improvement Projects");

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 offer for public sale in the manner required by law, the general obligation bonds of the City in the aggregate principal amount of not to exceed \$8,300,000.00, for the purpose of financing the costs of the above-described City Improvement Projects pursuant to the law and the general obligation bond authority provided by the laws of the State of Kansas. The amount of said bonds to be offered for sale shall be determined by reducing the total sum of \$8,300,000.00 by the aggregate amount of assessments prepaid on or prior to July 8, 1994 by property owners benefitted by the Town Center Drive Improvement and the Park Land Improvement.

Section Two: That the official Notice of Sale shall be substantially in the following form, provided that published notice of sale may be in abbreviated form incorporating the terms of the official Notice of Sale by reference:

NOTICE OF BOND SALE
\$8,300,000
GENERAL OBLIGATION IMPROVEMENT BONDS
SERIES 1994-A
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 11:00 a.m. local time on Monday, August 1, 1994, 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 certain public improvement projects 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. local time on such date.

The Bonds will be issued as a single series designated General Obligation Improvement Bonds, Series 1994-A, in the aggregate principal amount of \$8,300,000. The Bonds will consist of fully registered bonds without coupons in the denominations of \$5,000 and any integral multiple thereof, will be dated August 15, 1994, and will mature serially on September 1 of each year, as follows:

Series 1994-A Bonds

<u>Maturity</u>	<u>Amount</u>	<u>Maturity</u>	<u>Amount</u>
1995	\$170,000	2006	\$375,000
1996	165,000	2007	395,000
1997	350,000	2008	410,000
1998	360,000	2009	425,000
1999	365,000	2010	355,000
2000	370,000	2011	375,000
2001	380,000	2012	400,000
2002	390,000	2013	420,000
2003	400,000	2014	445,000
2004	415,000	2015	470,000
2005	365,000	2016	500,000

A bidder may elect to have all or a portion of the Bonds issued as term bonds scheduled to mature in 2016 and subject to mandatory redemption requirements consistent with the schedule of serial maturities set forth above, subject to the following conditions: Serial Bonds selected for conversion to Term Bonds with mandatory redemption requirements shall be chosen in inverse order of maturity, beginning with Bonds scheduled to mature in 2015; and all Bonds selected as Term Bonds shall bear the same rate of interest. Not less than all Bonds of the same serial maturity shall be converted to term bonds with mandatory redemption requirements. A bidder shall make such an election by completing the applicable paragraph on the Official Bid Form.

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 September 1, 1995.

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, in the City of 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 will be issued in fully registered certificated form only.

At the option of the City, Bonds maturing on September 1, 2002, and thereafter will be subject to redemption and payment prior to maturity, on September 1, 2001, and on any interest payment date thereafter, in whole or in part (in integral multiples of \$5,000 within a single maturity) selected by the City in its sole discretion at the redemption price of 100% of the principal amount

so redeemed, plus accrued interest to the date fixed for redemption, without premium.

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 and to the manager or managers of the underwriting account making the successful bid, said notice to be mailed at least 45 days prior to the redemption date. The State Treasurer of Kansas will send notice of redemption by ordinary mail to the registered owners of said Bonds, 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 obligations of the City 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 certain improvements financed with the proceeds of the Bonds 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, with the balance payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all 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: Each interest rate specified shall be in an even multiple of 1/8th of 1% or 1/20th of 1%, and the same rate shall apply to all Bonds of the same maturity. No rate shall exceed the most recent 20 bond index, as published in MuniWeek (formerly 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%. The City requires and the successful bidder agrees as a condition to the acceptance of such bid and closing by the City that Bonds maturing on or after September 1, 2001 shall be initially reoffered by the successful bidder at prices equal to or greater than par.

One bid shall be submitted for all Bonds herein-before 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 right to waive minor irregularities and to reject any or all bids.

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 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 Smith, Gill, Fisher & Butts, a professional corporation, 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 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.

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 will be delivered to the purchaser on or about August 17, 1994, 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 else-where at the expense of the purchaser. 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 23,426. The 1993 assessed valuation of all taxable tangible property within the City of Leawood, Kansas is \$241,011,951, including motor vehicle valuation of \$38,362,172. The total general obligation bonded indebtedness of Leawood, Kansas, at the date hereof, including the issue of bonds herein offered for sale, is \$23,646,000. The City of Leawood has temporary notes outstanding in the total amount of \$12,200,000, of which \$5,500,000 will be redeemed and cancelled from the proceeds of the Bonds herein offered for sale, prepayments of tax assessments and other available funds of the City.

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 from Mark Twain Public Finance Division, 106 West 11th Street, Suite 130, P.O. Box 419445, Kansas City, Missouri 64141-6445, (816) 421-4440 or George K. Baum & Company, 12 Wyandotte Plaza, 120 West 12th Street, Kansas City, Missouri 64105, (816) 474-1100, the City's financial advisors.

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 \$8,300,000 General Obligation Improvement Bonds, Series 1994-A, Leawood, Johnson County, Kansas." Bids may also be delivered to the said officer at City Hall, Leawood, Kansas, at or immediately prior to 11:00 a.m. on the sale date.

DATED at Leawood, Kansas, this 11th day of July, 1994.

HARRY MALNICOF,
City Finance Director

The Director of Finance is hereby authorized to modify the amounts maturing in the several years as set forth in the foregoing Notice of Sale as necessary and appropriate to take account of or reduction in the aggregate amount of bonds offered for sale as a result of prepayment of assessments as hereinbefore provided.

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

Section Four: The Director of Finance is authorized and directed to cause to be prepared a preliminary official statement, and to cause said preliminary official statement, the notice of bond sale and form for proposals 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 City Improvement Projects 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;

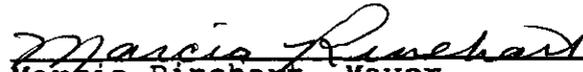
(b) The amount of tax-exempt obligations (other than private activity bonds) taken into account in accordance with the provisions of Section 265(b)(3)(B) which the City reasonably anticipates will be issued during the calendar year 1994 does not exceed \$10,000,000.

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.

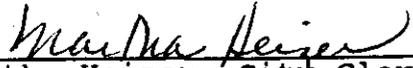
PASSED by the Governing Body this 5th day of
July, 1994.

SIGNED by the Mayor this 5th day of July, 1994.



Marcia Rinehart, Mayor

ATTEST:



Martha Heizer, City Clerk

EXHIBIT A

OFFICIAL BID FORM

OF

THE CITY OF LEAWOOD, KANSAS

AUGUST 1, 1994

TO THE CITY OF LEAWOOD, KANSAS:

For \$8,300,000 principal amount of General Obligation Improvement Bonds, Series 1994-A, of the City of Leawood, Kansas, to be dated August 15, 1994, as described in your Notice of Bond Sale, dated July 11, 1994, said bonds to bear interest as follows:

SERIES 1994-A BONDS

<u>Maturity</u>	<u>Amount</u>	<u>Interest Rate Per Annum</u>	<u>Maturity</u>	<u>Amount</u>	<u>Interest Rate Per Annum</u>
1995	\$170,000	_____%	2006	\$375,000	_____%
1996	165,000	_____	2007	395,000	_____
1997	350,000	_____	2008	410,000	_____
1998	360,000	_____	2009	425,000	_____
1999	365,000	_____	2010	355,000	_____
2000	370,000	_____	2011	375,000	_____
2001	380,000	_____	2012	400,000	_____
2002	390,000	_____	2013	420,000	_____
2003	400,000	_____	2014	445,000	_____
2004	415,000	_____	2015	470,000	_____
2005	365,000	_____	2016	500,000	_____

We hereby elect to have \$_____ principal amount of the Bonds shown above to mature in the years _____ to 2016 issued as term bonds scheduled to mature in 2016 and subject to mandatory redemption requirements in amounts and at the times shown above; all Bonds selected as term bonds shall bear the same rate of interest.

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

The following information is provided on the basis of this bid:

Total interest cost to maturity on the rates specified above.....\$ _____

Total premium.....\$ _____

Net interest cost.....\$ _____

Average annual net interest rate..... _____ %

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 \$166,000.00 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)
 Phone Number (____) ____-____

Account Members:

The City hereby agrees to deliver or cause to be delivered to you, within seven business days of the date of this Agreement, a reasonable number of copies of the final Official Statement of the City setting forth, among other matters, information concerning the City and the Bonds that is complete and accurate as of the date of the delivery to you of the final Official Statement.

Pursuant to action duly taken by the Governing Body of the City of Leawood, Kansas, the above proposal is hereby accepted this _____ day of _____, 1994.

THE CITY OF LEAWOOD, KANSAS

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, 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, Leawood, Johnson County, Kansas, sealed at or prior to 11:00 A.M. local time, on Monday, August 1, 1994, or delivered to said officer at City Hall in Leawood, Kansas at or immediately prior to that time on said date.)

RESOLUTION NO. 1184

The Leawood City Council has considered the request for rezoning from AG to CP-0 and CP-1, preliminary plat and preliminary plan approval for Town Center Business Park located at approximately 117th and Roe, and hereby finds the following:

WHEREAS, the property under consideration contains the westerly 18.5 acres of a tract bounded by 115th Street on the north, 117th Street on the south, Roe Avenue on the west and Tomahawk Creek Parkway on the east, and

WHEREAS, the applicant is requesting approval to construct 12 office/retail buildings on 18.5 acres with the maximum building area proposed is 127,020 sq. ft., and

WHEREAS, the Plan Commission held a public hearing on the application, and

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

1. 115th Street is required to be constructed to provide the main access to the north quadrant. The developer is responsible to work out an agreement with the adjoining property owner to the north for the construction of 115th Street prior to final plan approval.
2. A 12' easement and grading for biking/hiking trail shall be provided along the creek bed to connect the tunnel under Roe Avenue with the trail proposed with the apartments. The developer is responsible for coordinating the adjoining trail easement to the east and west.
3. The proposed median break on Roe Avenue, south of 115th, will be allowed per the JBM traffic study.
4. A detailed landscape plan shall be submitted at application for final development plan approval. All such areas are to be irrigated.
5. Final grading and drainage plans shall be submitted and approved by Public Works prior to final plan approval.
6. A comprehensive signage plan is to be submitted at final plan application.
7. All interior drives are private and shall be maintained by the developer. Roads connecting to 115th Street and to Roe Avenue are public.
8. The maximum square footage shall be 127,020 as shown on the proposed plans.

9. Parking requirements shall be reviewed with each plan submittal.
10. The developer shall be responsible for 50% of the signalization of 115th Street and Roe Avenue and 25% of the signalization of 117th and Roe Avenue.
11. Each building will be submitted and reviewed by the Plan Commission for final approval.
12. Outside amplified sound prohibited on any lot.
13. All buildings shall have attached trash enclosures using the same wall finishes as used on building exterior.
14. Lot 6 is to be authorized as retail, and at such time that a restaurant might be proposed for Lot 6, an engineering report on odor control would be submitted with the final plan.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from AG to CP-O and CP-1, preliminary plat and preliminary plan approval for Town Center Business Park with stipulations.

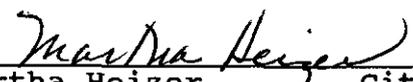
Adopted by the Governing Body this 18th day of July, 1994.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1185

The Leawood City Council has considered the request for final plat approval of Leawood Country Manor, 11th Plat, located at 114th and Rosewood and hereby finds the following:

WHEREAS, the land being replatted is the east half of Rosewood south of 114th Place, and

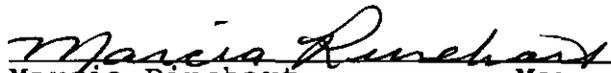
WHEREAS, the west half was replatted as a portion of Leawood Commons, and

WHEREAS, the Plan Commission has reviewed the plat and recommends approval with no stipulations,

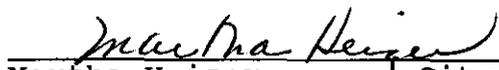
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Leawood Country Manor, 11th Plat with no stipulations.

Adopted by the Governing Body this 1st day of August, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1186

The Leawood City Council has considered the request for approval of a preliminary site plan for Hallmark Showcase at Camelot Court, and hereby finds the following:

WHEREAS, the property is zoned CP-1, and

WHEREAS, the proposed building contains 6000 square feet, and

WHEREAS, the proposed building is a red brick construction with a concrete tile roof to match the bank and Tony Roma's, and

WHEREAS, the signage is on the south and north of the building and will be limited to 5% of the facade, and

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

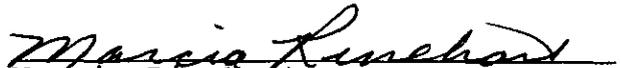
1. The landscaping shall be complete before a final occupancy is granted.
2. Special architectural treatment to the south wall is required to present a finished face to 119th Street.
3. Additional landscaping is required on the south side of the building and on the west side of the parking lot.

WHEREAS, the developers/owners agree to these stipulations,

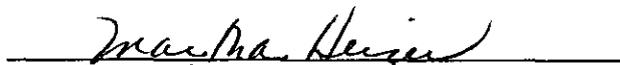
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary site plan for Hallmark Showcase at Camelot Court with stipulations.

Adopted by the Governing Body this 1st day of August, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1187

The Leawood City Council has considered the request for approval of a revised preliminary plat to be known as Steeplechase, located at the southeast corner of 143rd and Mission, and hereby finds the following:

WHEREAS, the property is zoned R-1, Ordinance No. 981, effective May 8, 1989, and

WHEREAS, the preliminary plat contains 264 single family homes on 137.9065 acres for a density of 1.9 d.u./acre, and

WHEREAS, this plat to be known as Steeplechase is a revision of the plat previously known as Hillsboro, and

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

1. The plat is limited to a maximum of 264 single family lots.
2. All streets are to be public.
3. The property is responsible for street improvements, per separate agreement in keeping with the subdivision regulations.
4. All tracts will be maintained by the Steeplechase Homes Association.
5. A final site plan is required for the pool and cabana, entry feature, and landscaping, and

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat of Steeplechase with stipulations.

Adopted by the Governing Body this 1st day of August, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1188

The Leawood City Council has considered the request for rezoning from CP-0 to CP-2 and final site plan approval for George's Imports at 8011 State Line Road and hereby finds the following:

WHEREAS, this is on a strip of land on the east side of State Line Road that is within the City of Leawood, and

WHEREAS, this piece of property is approximately 22' wide at the north end, approximately 34' wide at the south end and approximately 285', north to south, and

WHEREAS, the adjacent property in Kansas City, Missouri is zoned retail and has been used for retail for at least 20 years, and

WHEREAS, the rezoning to CP-2 is necessary as the property will be reopened as a car dealership, and

WHEREAS, the final site plan consists of a 10'-0" landscaping strip along State Line Road,

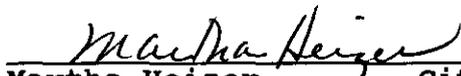
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final site plan and rezoning from CP-0 to CP-2 with the stipulation that all landscaping shall be installed before operation begin including the additional winter foliage plants.

Adopted by the Governing Body this 15th day of August, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1189

The Leawood City Council has considered the request for final plat approval for Steeplechase located at the southeast corner of 143rd and Mission and hereby finds the following:

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

WHEREAS, the plat contains 110 lots on 64.57 acres for a density of 1.7 lots per acre, and

WHEREAS, the first plat also contains Tracts A, C and D which are landscape areas at the end of the cul-de-sac, and

WHEREAS, Tract "B" is a drainage easement and a utility easement which houses a creek, trees and a small amount floodplain on the south, and

WHEREAS, a final site plan is required for the entry monuments, pool, landscape areas, and medians and

WHEREAS, although this is an R-1 zoning, it was zoned when the minimum lot size in R-1 was 12,000 square feet; therefore, 12,000 square feet will be the minimum lot size, and

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

1. A final site plan for the pool, cabana, and entry monuments must be submitted and approved by the Plan commission prior to the release of any building permits for this plat.
2. All technical deficiencies must be corrected prior to submitting recording copies.
3. The property is responsible for street improvements, per separate agreement in keeping with the subdivision regulations.
4. Lots must meet the current R-1 requirement of 15' sideyards, 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 Steeplechase with stipulations.

Adopted by the Governing Body this 6th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1190

The Leawood City Council has considered the request for approval of the final site plan for the clubhouse at the Iron Horse Golf Course and hereby finds the following:

WHEREAS, the clubhouse is located north of Bell Drive, at the north end of the parking lot, and

WHEREAS, the design of the clubhouse is reminiscent of a train station, and

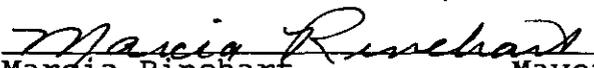
WHEREAS, the cart storage will be underneath and on the east side of the building with the pro shop, restrooms and dining area on the main floor, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval with no stipulations.

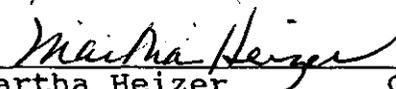
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final site plan of the clubhouse at the Iron Horse Golf Course with no stipulations.

Adopted by the Governing Body this 6th day of September, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1191

The Leawood City Council has considered the request for rezoning from CP-0 to CP-1 and revised preliminary site plan approval for Commerce Bank to be located on Lot 1, Leawood Commons, and hereby finds the following:

WHEREAS, the proposed use is a bank containing 14,932 square feet on 2 floors, including basement, and

WHEREAS, The Governing Body approved the rezoning from CP-0 to CP-1 (Ordinance No. 12229) and a preliminary site plan for a bank on this lot June 17, 1991 (Resolution No. 1027) but the rezoning was not published as the final plat was never recorded, and

WHEREAS, the rezoning is once again under consideration, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the request for rezoning from CP-0 to CP-1 and revised preliminary site plan approval for Commerce Bank to be located on Lot 1, Leawood Commons with the following stipulation:

1. Prior to release of a building permit, Sign Development Standards for Leawood Commons must be approved by the Plan Commission.
2. Prior to release of a building permit, Design Guidelines for Leawood Commons must be approved by the Plan Commission.
3. As there is no approved Sign Development Standards, the staff is not recommending approval at this time for any of the signs on the site.
4. Site improvements, as discussed at the preliminary site plan, must be installed prior to release of a building permit for this lot.
5. The development is limited to two story bank facility containing 14,932 square feet on 2 floors, plus basement.
6. The trees along Nall are to be installed according to "Street Tree" standards as to location, species, and quantity. Landscaping will be reviewed in greater detail on submission of a final site plan.
7. At the time of final site plan submission, exact colors and samples of materials will be required.
8. All perimeter plantings except those adjacent to Nall and Town Center Drive are to be installed in the first phase of development.

Page 2
Resolution No. 1191

9. Trash collection is to be only between the hours of 7 a.m. and 10 p.m.
10. All alarms installed shall be silent.
11. Prior to publishing the ordinance rezoning Lot 1 of Leawood Commons from CP-0 to CP-1, the plat must be recorded.

WHEREAS, the developer/applicant agrees to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the rezoning from CP-0 to CP-1 and revised preliminary site plan approval for Commerce Bank to be located on Lot 1, Leawood Commons, with stipulations.

Adopted by the Governing Body this 19th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer by Fran Kesler City Clerk

RESOLUTION NO. 1192

The Leawood City Council has considered the request for approval of the Special Use Permit, preliminary plat and preliminary site plan for Sterling House of Leawood, located at approximately 127th and State Line, and hereby finds the following:

WHEREAS, the site contains 4.52 acres and is currently zoned AG, agriculture, and

WHEREAS, the development will include two residential buildings containing 19,781 square feet and 20,230 square feet, and

WHEREAS, the residential care facility is licensed under Kansas Department of Social and Rehabilitation Services and is not a group home, and

WHEREAS, the proposed use is compatible with the Master Development Plan, and

WHEREAS, the Plan Commission held a public hearing on the application, and

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

1. An impact fee in the amount of .10 per square foot must be paid at the time of application for a building permit.
2. The special use permit is limited to an assisted living community designation. The permit is valid as long as the use of the facility is maintained.
3. The parking is temporarily approved. If the amount of parking becomes a problem, the applicant agrees to provide more parking to the satisfaction of the planning staff.
4. Final site plan approval is required prior to application for a building permit.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for Special Use Permit, preliminary plat and preliminary site plan approval for Sterling House to be located at approximately 127th and State Line Road with stipulations.

Adopted by the Governing Body this 19th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer by Fran Kessler City Clerk

RESOLUTION NO. 1193

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 Nall Avenue.

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 No. L100

Right-of-Way

Parcel No. 1

All that part of Lot 144, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 144; thence N 87° 51' 24" E along the existing Southerly Right-of-Way of 127th Street and the North line of said Lot 144 a distance of 54.96 feet; thence along said Right-of-Way and said North line of said Lot 144 on a curve to the right, said curve having an initial tangent bearing of N 87° 51' 24" E, a deflection angle of 15° 33' 47", a radius of 270.00 feet, and an arc length of 73.34 feet, to a point of reverse curvature; thence along the said Right-of-Way line and the North line of said Lot 144 on a curve to the left, said curve having an initial tangent bearing of S 76° 34' 49" E, a deflection angle of 5° 19' 18", a radius of 330.00 feet, and an arc length of 30.65 feet, to the Northeast corner of the said Lot 144; thence N 89° 57' 51" W a distance of 115.13 feet; thence S 39° 24' 01" W a distance of 63.54 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 144; thence N 02° 13' 23" W along said Right-of-Way and said West line of said Lot 144 a distance of 59.92 feet to the point of beginning; said parcel of land containing 2,557 square feet, more or less.

Tract No. L100

Temporary Construction Easement

Parcel No. 1

All that part of Lot 144, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northeast corner of

the said Lot 144; thence S 19° 33' 00" E along the East line of said Lot 144 a distance of 12.12 feet; thence S 84° 58' 41" W a distance of 107.22 feet; thence S 40° 01' 59" W a distance of 35.34 feet; thence S 02° 13' 23" E along a line parallel to the West line of said Lot 144 a distance of 42.58 feet to the South line of said Lot 144; thence N 63° 17' 39" W along said South line of said Lot 144 a distance of 34.28 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 144; thence N 02° 13' 23" W along the said Right-of-Way and the West line of the said Lot 144 a distance of 26.00 feet; thence N 39° 24' 02" E a distance of 63.54 feet; thence S 89° 57' 51" E a distance of 115.13 feet to the point of beginning; said parcel of land containing 3,976 square feet, more or less.

Tract No. L100

Permanent Drainage Easement

Parcel No. 1

All that part of Lot 144, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Northwest corner of the said Lot 144; thence S 02° 13' 23" W along the West lot line of said Lot 144 a distance of 15.00 feet; thence N 87° 51' 24" E a distance of 15.00 feet, to the true point of beginning; thence continuing N 87° 51' 24" E along a line parallel to the North line of said Lot 144 a distance of 24.96 feet; thence along a curve to the right, said curve having an initial tangent bearing of N 87° 51' 24" E, a deflection angle of 1° 59' 51", a radius of 240.00 feet, and an arc length of 8.37 feet; thence S 46° 05' 07" W a distance of 44.63 feet; thence N 2° 13' 23" W a distance of 29.88 feet to the true point of beginning; said parcel of land containing 499 square feet, more or less.

Tract No. L101

Temporary Construction Easement

Parcel No. 1

All that part of Lot 143, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 143; thence S 63° 17' 39" E along the North line of said Lot 143 a distance of 34.28 feet; thence S 2° 13' 23" E a distance of 7.42 feet; thence S 87° 46' 37" W a distance of 10.00 feet; thence S 02° 13' 23" E along a line parallel to the West line of said Lot 143 a distance of 151.22 feet to the South line of said Lot 143; thence S 69° 10' 20" W along the said South line of said Lot 143 a distance of 21.10 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 143; thence N 02° 13' 23" W

along the said Right-of-Way and the West line of the said Lot 143 a distance of 181.95 feet to the point of beginning; said parcel of land containing 3,563 square feet, more or less.

Tract No. L102

Temporary Construction Easement

Parcel No. 1

All that part of Lot 142, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Westerly corner of the said Lot 142; thence N 69° 10' 20" E along the North line of said Lot 142 a distance of 21.10 feet; thence S 02° 13' 23" E a distance of 17.05 feet to the South line of Lot 142; thence N 64° 55' 39" W along said South line of said Lot 142 a distance of 22.51 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and to the point of beginning; said parcel of land containing 171 square feet, more or less.

Tract No. L103

Temporary Construction Easement

Parcel No. 1

All that part of Lot 141, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 141; thence S 64° 55' 39" E along the North line of said Lot 141 a distance of 31.51 feet; thence S 07° 40' 14" W a distance of 104.76 feet to the South line of said Lot 141; thence N 72° 09' 18" W along said South line of said Lot 141 a distance of 10.65 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 141; thence N 02° 13' 23" W along the said Right-of-Way and the West line of the said Lot 141 a distance of 114.00 feet to the point of beginning; said parcel of land containing 2,145 square feet, more or less.

Tract No. L104

Temporary Construction Easement

Parcel No. 1

All that part of Lot 140, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 10.00 feet of said Lot 140; said parcel of land containing 1,178 square feet, more or less.

Tract No. L105

Temporary Construction Easement

Parcel No. 1

All that part of Lot 139, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas,

described as follows: the West 10.00 feet of said Lot 139;
said parcel of land containing 945 square feet, more or less.

Tract No. L106

Temporary Construction Easement

Parcel No. 1

All that part of Lot 138, HIGHLANDS OF LEAWOOD, SECOND PLAT,
a subdivision in the City of Leawood, Johnson County, Kansas,
described as follows: the West 10.00 feet of said Lot 138;
said parcel of land containing 974 square feet, more or less.

Tract No. L107

Temporary Construction Easement

Parcel No. 1

All that part of Lot 153, HIGHLANDS OF LEAWOOD, SECOND PLAT,
a subdivision in the City of Leawood, Johnson County, Kansas,
described as follows: the West 15.00 feet of said Lot 153;
said parcel of land containing 2,205 square feet, more or
less.

Tract No. L108

Temporary Construction Easement

Parcel No. 1

All that part of Lot 152, HIGHLANDS OF LEAWOOD, SECOND PLAT,
a subdivision in the City of Leawood, Johnson County, Kansas,
described as follows: the West 20.00 feet of said Lot 152;
said parcel of land containing 4,453 square feet, more or
less.

Tract No. L109

Temporary Construction Easement

Parcel No. 1

All that part of Lot 151, HIGHLANDS OF LEAWOOD, SECOND PLAT,
a subdivision in the City of Leawood, Johnson County, Kansas,
described as follows: the West 20.00 feet of said Lot 151;
said parcel of land containing 1,251 square feet, more or
less.

Tract No. L110

Temporary Construction Easement

Parcel No. 1

All that part of Lot 132, HIGHLANDS OF LEAWOOD, SECOND PLAT,
a subdivision in the City of Leawood, Johnson County, Kansas,
described as follows: the West 20.00 feet of said Lot 132;
said parcel of land containing 3,518 square feet, more or
less.

Tract No. L111

Temporary Construction Easement

Parcel No. 1

All that part of Lot 131, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 20.00 feet of said Lot 131; said parcel of land containing 941 square feet, more or less.

Tract No. L113

Temporary Construction Easement

Parcel No. 1

All that part of Lot 145, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 145; thence N 87° 48' 01" E along the North line of said Lot 145 a distance of 15.00 feet; thence S 00° 40' 02" E a distance of 184.18 feet; thence S 77° 37' 38" E a distance of 39.08 feet to a point on the existing Northerly Right-of-Way of 129th Terrace and the South line of said Lot 145; thence along said Right-of-Way and said South line of said Lot 145 on a curve to the right, said curve having an initial tangent bearing of S 82° 57' 09" W, a deflection angle of 04° 49' 29", a radius of 568.58 feet, and an arc length of 47.88 feet, to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 145; thence N 02° 13' 23" W along said Right-of-Way and the West line of said Lot 145 a distance of 195.98 feet to the point of beginning; said parcel of land containing 2,650 square feet, more or less.

Tract No. L115

Temporary Construction Easement

Parcel No. 1

All that part of Lot 146, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 146; thence along the existing Southerly Right-of-Way and North line of said Lot 146 on a curve to the left, said curve having an initial tangent bearing of N 87° 46' 37" E, a deflection angle of 04° 49' 29", a radius of 618.58 feet, and an arc length of 52.09 feet; thence S 61° 57' 51" W a distance of 46.69 feet; thence S 02° 13' 23" E along a line parallel to the West line of said Lot 146 a distance of 101.18 feet to the South line of said Lot 146; thence S 83° 53' 11" W along said South line of said Lot 146 a distance of 10.02 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 146; thence N 02° 13' 23" W along said Right-of-Way and West line of said Lot 146 a distance of 120.00 feet to the point of beginning; said parcel of land containing 1,570 square feet, more or less.

Tract No. L116

Temporary Construction Easement

Parcel No. 1

All that part of Lot 162, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 10.00 feet of said Lot 162, said parcel of land containing 45 square feet, more or less.

Tract No. L117

Permanent Drainage Easement

Parcel No. 1

All that part of Lot 163, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Northwest corner of said Lot 163; thence S 02° 13' 23" E along the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 163 a distance of 45.50 feet; thence N 87° 46' 37" E a distance of 20.00 feet to the true point of beginning; thence continuing N 87° 46' 37" E a distance of 22.59 feet; thence S 58° 33' 24" W a distance of 25.88 feet; thence N 02° 13' 23" W along a line parallel to the West line of said Lot 163 a distance of 12.63 feet to the true point of beginning; said parcel of land containing 143 square feet, more or less.

Tract No. L117

Temporary Construction Easement

Parcel No. 1

All that part of Lot 163, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 163; thence S 52° 14' 20" E along the North line of said Lot 163 a distance of 58.73 feet; thence S 20° 51' 29" W a distance of 76.52 feet; thence S 02° 13' 23" E along a line parallel to the West line of said Lot 163 a distance of 70.65 feet to the South line of said Lot 163; thence S 74° 37' 30" W along said South line of said Lot 163 a distance of 15.40 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 163; thence N 02° 13' 23" W along said Right-of-Way and West line of said Lot 163 a distance of 182.29 feet to the point of beginning; said parcel of land containing 4,047 square feet, more or less.

Tract No. L118

Temporary Construction Easement

Parcel No. 1

All that part of Lot 164, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 15.00 feet of said Lot 164;

said parcel of land containing 1,911 square feet, more or less.

Tract No. L121

Temporary Construction Easement

Parcel No. 1

All that part of Lot 173, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 173; thence N 87° 46' 37" E along the North line of said Lot 173 a distance of 15.00 feet; thence S 03° 28' 37" W a distance of 100.69 feet; thence S 62° 44' 10" E a distance of 40.25 feet to a point on the Northerly Right-of-Way of 130th Terrace and the South line of said Lot 173; thence S 87° 46' 37" W along said Right-of-Way and said South line of said Lot 173 a distance of 40.04 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 173; thence N 02° 13' 23" W along said Right-of-Way and West line of said Lot 173 a distance of 120.00 feet to the point of beginning; said parcel of land containing 1,448 square feet, more or less.

Tract No. L122

Temporary Construction Easement

Parcel No. 1

All that part of Lot 194, CARRIAGE CROSSING, FOURTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 194; thence N 87° 46' 37" E along the Southerly Right-of-Way of 130th Terrace and North line of said Lot 194 a distance of 39.96 feet; thence S 02° 10' 25" E a distance of 10.08 feet; thence S 76° 13' 02" W a distance of 25.47 feet; thence S 02° 13' 23" E along a line parallel to the West line of said Lot 194 a distance of 248.55 feet to the South line of said Lot 194; thence S 65° 06' 15" W along said South line of said Lot 194 a distance of 16.26 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 194; thence N 02° 13' 23" W along said Right-of-Way and West line of said Lot 194 a distance of 270.00 feet to the point of beginning; said parcel of land containing 4,318 square feet, more or less.

Tract No. L123

Temporary Construction Easement

Parcel No. 1

All that part of Lot 193, CARRIAGE CROSSING, FOURTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 15.00 feet of said Lot 193;

said parcel of land containing 2,514 square feet, more or less.

Tract No. L124

Temporary Construction Easement

Parcel No. 1

All that part of Lot 192, CARRIAGE CROSSING, FOURTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 15.00 feet of said Lot 192; said parcel of land containing 112 square feet, more or less.

Tract No. L85

Right-of-Way

Parcel No. 1

All that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 21; thence N 01° 46' 51" W, along the West line of said $\frac{1}{4}$ Section, a distance of 1000.00 feet; thence N 87° 51' 24" E a distance of 20.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the true point of beginning; thence N 01° 46' 51" W along a line parallel to the West line of said $\frac{1}{4}$ Section a distance of 332.33 feet to the City Limits Line of Overland Park and Leawood, Kansas; thence N 87° 50' 14" E along said City Limits Line a distance of 40.00 feet; thence S 01° 46' 51" E along a line parallel to the West line of said $\frac{1}{4}$ Section a distance of 540.87 feet to a point on the existing Easterly Right-of-Way of Nall Avenue; thence N 09° 58' 30" W along said Right-of-Way a distance of 210.49 feet; thence S 87° 51' 24" W along said Right-of-Way line a distance of 10.00 feet to the true point of beginning; said parcel of land containing 16,421 square feet more or less.

Parcel No. 2

All that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 21; thence N 01° 46' 51" W, along the West line of said $\frac{1}{4}$ Section, a distance of 633.25 feet; thence N 88° 13' 09" E a distance of 66.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the true point of beginning; thence S 01° 46' 52" E a distance of 108.25 feet; thence S 01° 46' 51" E along a line parallel to the West line of said $\frac{1}{4}$ Section a distance of 75.00 feet; thence S 05° 03' 43" W a distance of 50.36 feet; thence S 01° 46' 51" E a distance of 121.04 feet; thence S 87° 51' 24" W a distance of 10.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue; thence N 01°

46' 51" W along said Right-of-Way a distance of 57.14 feet; thence N 01° 18' 02" E along said Right-of-Way a distance of 297.65 feet to the true point of beginning; said parcel of land containing 2,415 square feet, more or less.

Tract No. L85

Temporary Construction Easement

Parcel No. 1

All that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 21; thence N 01° 46' 51" W, along the West line of said $\frac{1}{4}$ Section, a distance of 770.00 feet; thence N 88° 13' 09" E a distance of 63.16 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and to the true point of beginning; thence N 09° 58' 30" W along said Right-of-Way a distance of 22.14 feet; thence N 01° 46' 51" W along a line parallel to the West line of said $\frac{1}{4}$ Section a distance of 540.87 feet to the City Limits Line of Overland Park and Leawood, Kansas; thence N 87° 50' 14" E along said City Limits Line a distance of 17.18 feet; thence S 07° 24' 41" E a distance of 334.51 feet; thence S 12° 15' 20" W a distance of 103.08 feet; thence S 08° 21' 46" E a distance of 130.86 feet; thence S 88° 13' 09" W a distance of 36.84 feet to the true point of beginning; said parcel of land containing 19,122 square feet, more or less.

Parcel No. 2

All that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 21; thence N 01° 46' 51" W, along the West line of said $\frac{1}{4}$ Section, a distance of 610.00 feet; thence N 88° 13' 09" E a distance of 66.00 feet to the true point of beginning; thence N 46° 47' 46" E a distance of 45.34 feet; thence S 01° 46' 51" E along a line parallel to the West line of the said $\frac{1}{4}$ Section a distance of 80.00 feet; thence N 88° 13' 09" E a distance of 65.00 feet; thence S 35° 28' 15" E a distance of 36.06 feet; thence S 41° 22' 18" W a distance of 109.66 feet; thence S 09° 47' 25" W a distance of 16.24 feet to the Northwest line of Lot 3, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas; thence S 49° 56' 18" W along said Northwest line of said Lot 3 a distance of 14.96 feet to the Northwest corner of said Lot 3; thence S 11° 42' 47" W along the West line of said Lot 3 a distance of 150.00 feet to the Southwest corner of said Lot 3; thence N 01° 46' 51" W along a line parallel to the West line of said

¼ Section a distance of 121.04 feet; thence N 05° 03' 43" W a distance of 50.36 feet; thence N 01° 46' 51" W a distance of 75.00 feet; thence N 01° 46' 52" W a distance of 85.00 feet to the true point of beginning; said parcel of land containing 15,551 square feet, more or less.

Tract No. L85

Permanent Drainage Easement

Parcel No. 1

All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46' 51" W, along the West line of said ¼ Section, a distance of 791.92 feet; thence N 88° 13' 09" E a distance of 60.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and to the true point of beginning; thence S 63° 03' 44" E a distance of 45.61 feet; thence N 88° 13' 09" E a distance of 75.00 feet; thence S 01° 46' 51" E along a line parallel to the West line of said ¼ Section a distance of 70.00 feet; thence S 49° 33' 34" W a distance of 96.05 feet; thence S 25° 49' 57" W a distance of 73.36 feet; thence N 01° 46' 52" W a distance of 58.25 feet; thence N 01° 47' 43" W along said Right-of-Way a distance of 34.19 feet to the Southwest corner of the existing Permanent Drainage Easement East of Nall Avenue; thence N 61° 39' 15" E along the South Line of said Permanent Drainage Easement a distance of 33.55 feet; thence N 01° 46' 51" W along the East line of said Permanent Drainage Easement a distance of 68.00 feet; thence S 87° 51' 24" W along said Permanent Drainage Easement a distance of 30.00 feet to a point on said Right-of-Way line; thence N 09° 58' 30" W along said Right-of-Way a distance of 42.09 feet to the true point of beginning; said parcel of land containing 11,195 square feet, more or less.

Tract No. L87

Temporary Construction Easement

Parcel No. 1

All that part of Lot 3, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 3; thence N 49° 56' 18" E along the Northwest line of the said Lot 3 a distance of 14.96 feet; thence S 09° 47' 25" W a distance of 158.25 feet to the South line of said Lot 3; thence S 87° 51' 24" W along said South line of said Lot 3 a distance of 15.00 feet to the Southwest corner of said Lot 3; thence N 11° 42' 47" E along the West line of said Lot 3 a distance of 150.00 feet to the point of beginning; said parcel of land containing 1,855 square feet, more or less.

Tract No. L88

Temporary Construction Easement

Parcel No. 1

All that part of Lot 2, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 2; thence N 87° 51' 24" E along the North line of the said Lot 2 a distance of 15.00 feet; thence S 05° 41' 53" E a distance of 109.92 feet to the South line of said Lot 2; thence S 87° 51' 24" W along said South line of said Lot 2 a distance of 22.51 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 2; thence N 01° 46' 51" W along said Right-of-Way and West line of said Lot 2 a distance of 109.71 feet to the point of beginning; said parcel of land containing 2,058 square feet, more or less.

Tract No. L89

Right-of-Way

Parcel No. 1

All that part of Lot 1, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Southwest corner of said Lot 1; thence N 01° 46' 51" W along the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 1 a distance of 34.62 feet; thence S 63° 05' 52" E a distance of 56.27 feet; thence S 81° 01' 53" E a distance of 63.82 feet to a point on the existing Northerly Right-of-Way of 127th Street and the South line of said Lot 1; thence along said Right-of-Way and said South line of said Lot 1 on a curve to the left, said curve having an initial tangent bearing of N 82° 09' 25" W, a deflection angle of 09° 59' 11", a radius of 330.00 feet, and an arc length of 57.52 feet, to a point of tangency; thence S 87° 51' 24" W along said Right-of-Way and said South line of said Lot 1 a distance of 54.81 feet to the point of beginning; said parcel of land containing 1,202 square feet, more or less.

Tract No. L89

Temporary Construction Easement

Parcel No. 1

All that part of Lot 1, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 1; thence N 87° 51' 24" E along the North line of said Lot 1 a distance of 22.51 feet; thence S 05° 41' 53" E a distance of 109.65 feet; thence S 77° 29' 14" E a distance of 113.31 feet to the East line of said Lot 1; thence S 02° 08' 36" E along the East line of said Lot 1 a distance of 11.90

feet to a point on the existing Northerly Right-of-Way of 127th Street and the Southeast corner of said Lot 1; thence along said Right-of-Way and the South line of said Lot 1 on a curve to the left, said curve having an initial bearing of N 77° 13' 01" W, a deflection angle of 04° 56' 24", a radius of 330.00 feet, and an arc length of 28.45 feet, to a point of tangency; thence N 81° 01' 53" W a distance of 63.82 feet; thence N 63° 05' 53" W a distance of 56.27 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 1; thence N 01° 46' 51" W along said Right-of-Way and said West line of said Lot 1 a distance of 104.25 feet to the point of beginning; said parcel of land containing 4,525 square feet, more or less.

Tract No. L90

Temporary Construction Easement

Parcel No. 1

All that part of Tract C, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Southeast corner of said Tract C; thence along the existing Northerly Right-of-Way of 127th Street and the South line of said Tract C on a curve to the right, said curve having an initial tangent bearing of N 86° 37' 02" W, a deflection angle of 10° 02' 19", a radius of 270.00 feet, and an arc length of 47.31 feet, to a point of reverse curvature; thence along said Right-of-Way and said South line of said Tract C on a curve to the left, said curve having an initial tangent bearing of N 76° 34' 44" W, a deflection angle of 0° 38' 20", a radius of 330.00 feet, and an arc length of 3.68 feet, to the Southwest corner of said Tract C; thence N 02° 08' 36" W along the West line of said Tract C a distance of 17.59 feet; thence N 87° 48' 24" E a distance of 50.00 feet to the East line of said Tract C; thence S 02° 08' 36" E along the said East line of said Tract C a distance of 27.25 feet to the point of beginning; said parcel of land containing 1,161 square feet, more or less.

Tract No. L94

Temporary Construction Easement

Parcel No. 1

All that part of Tract C, LEAWOOD FOREST ESTATES, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Southwest corner of said Tract C; thence N 02° 08' 36" W along the West line of said Tract C a distance of 20.75 feet; thence S 63° 05' 12" E a distance of 45.30 feet to a point on the existing Northerly Right-of-Way of 127th Street and the South line of said Tract C; thence S 87° 51' 24" W along said Right-of-Way and said South line of said Tract C a distance of 13.62 feet to a point

of curvature; thence on a curve to the right, said curve having an initial tangent bearing of S 87° 51' 24" W, a deflection angle of 05° 31' 20", a radius of 270.00 feet, and an arc length of 26.02 feet, to the point of beginning; said tract of land containing 425 square feet, more or less.

Tract No. L99

Temporary Construction Easement

Parcel No. 1

All that part of Lot 145, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 145; thence along the existing Southerly Right-of-Way of 127th Street and North line of said Lot 145 on a curve to the left, said curve having an initial tangent bearing of S 81° 32' 19" E, a deflection angle of 06° 18' 57", a radius of 330.00 feet, and an arc length of 36.38 feet; thence S 75° 55' 57" W a distance of 33.14 feet to the West line of said Lot 99; thence N 19° 33' 00" W along said West line of said Lot 99 a distance of 12.12 feet to the point of beginning; said parcel of land containing 188 square feet, 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 Nall Avenue

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 19th DAY OF September,
1994.

(S E A L)

Marcia Reinhart
Mayor

ATTEST:

Martha Heizer
City Clerk

CITY OF LEAWOOD

RESOLUTION NO. 1194

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

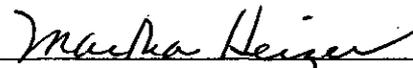
ADOPTED by the Governing Body this 19th day of September, 1994.

APPROVED AND SIGNED by the Mayor this 6th day of October, 1994.

City of Leawood, Kansas


Marcia Rinehart, Mayor

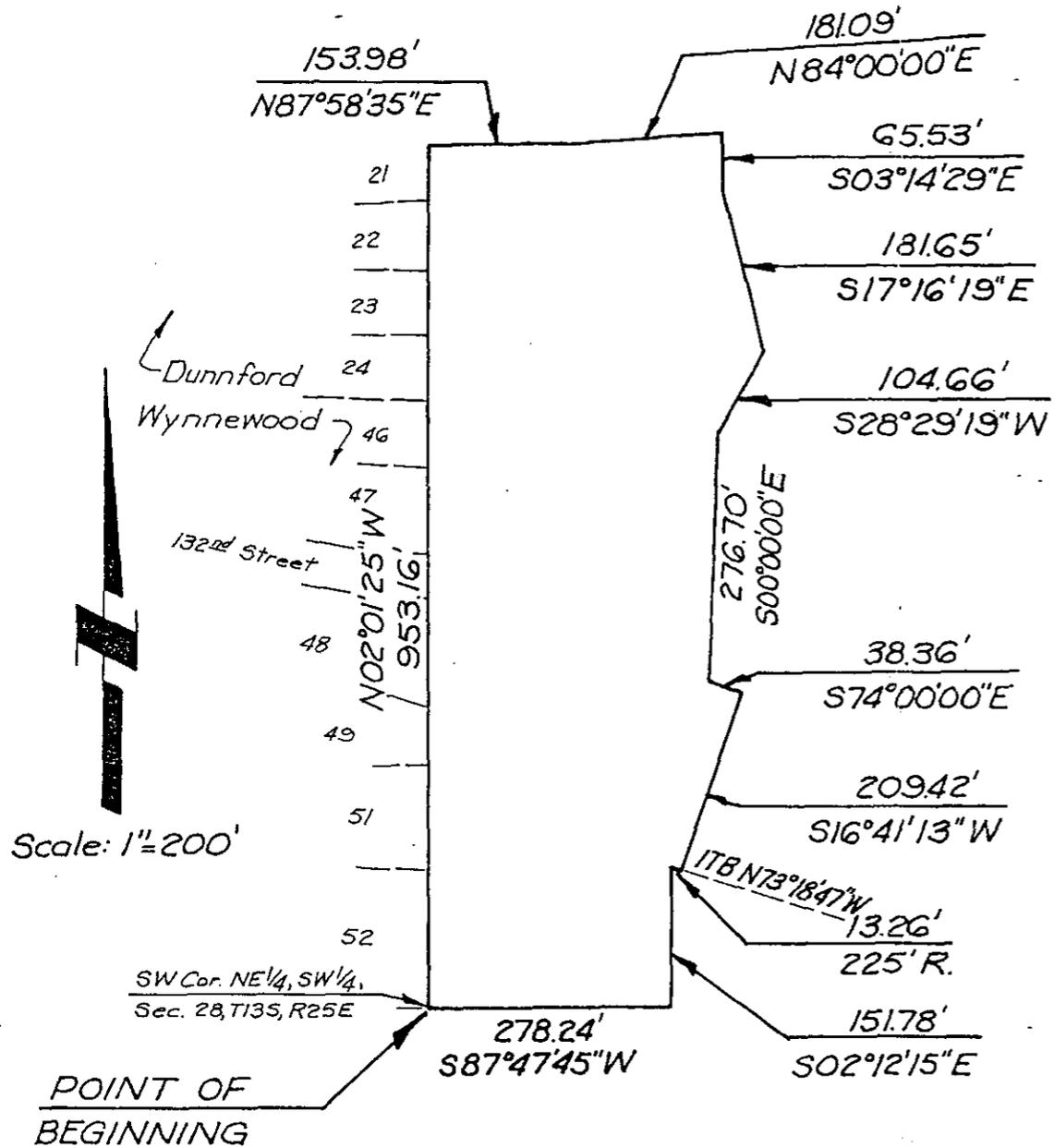
ATTEST:



Martha Heizer, City Clerk

APPROVED AS TO FORM:

Proposed Enlargement to
Consolidated Main Sewer District



Beginning at the Southwest Corner of the NE 1/4 of the SW 1/4 of Section 28, T13S, R25E, said point also being the Southeast Corner of Lot 52, WYNNEWOOD, a subdivision in the City of Overland Park, Johnson County, Kansas; thence N 02°01'25" W, along the West line of the NE 1/4 of said SW 1/4, a distance of 953.16 feet to a point on the East line of Lot 21, DUNNFORD, a subdivision in the City of Overland Park, Johnson County, Kansas; thence N 87°58'35" E a distance of 153.98 feet; thence N 84°00'00" E a distance of 181.09 feet; thence S 03°14'29" E a distance of 65.53 feet; thence S 17°16'19" E a distance of 181.65 feet; thence S 28°29'19" W a distance of 104.66 feet; thence S 00°00'00" E a distance of 276.70 feet; thence S 74°00'00" E a distance of 38.36 feet; thence S 16°41'13" W a distance of 209.42 feet; thence Northwesterly, along a curve to the right having an initial tangent bearing of N 73°18'47" W and a radius of 225.00 feet, for a distance of 13.26 feet; thence S 02°12'15" E a distance of 151.78 feet to the South line of the NE 1/4 of said SW 1/4; thence S 87°47'45" W, along the South line of the NE 1/4 of said SW 1/4, a distance of 278.24 feet to the Point of Beginning, containing 7.198 acres, more or less.

Exhibit "A"

PAYNE & BROCKWAY P.A. ENGINEERS OLATHE, KANSAS	
Date	8/26/14

RESOLUTION NO. 1195

The Leawood City Council has considered the request for revised plat approval of Tomahawk Creek Estates, located at approximately 116th and Pawnee and hereby finds the following:

WHEREAS, the proposed revised final plat contains 19 lots, one less than the original final plat, and

WHEREAS, the plat contains Tracts A through F, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval with no stipulations, and

WHEREAS, the developers/owners agree to these stipulations,

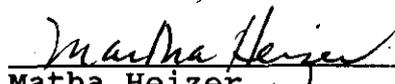
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised final plat of tomahawk Creek Estates with no stipulations.

Adopted by the Governing Body this 3rd day of October, 1984.

(S E A L)


Marcia Rinchart Mayor

Attest


Matha Heizer City Clerk

RESOLUTION NO. 1196

The Leawood City Council has considered the request for final plat approval of Sterling of Leawood, located at approximately 127th and State Line Road 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 2.72 acres to be included in one lot, and

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

1. A Park Impact Fee in the amount of .10 per square foot must be paid at the time of application for a building permit.
2. The parking is temporarily approved. If the amount of parking becomes a problem, the applicant agrees to provide more parking to the satisfaction of the planning staff.
3. The right-of-way for the improvement of State Line Road is to be shown on the plat.
4. A letter is to be submitted from the installer of the vinyl siding stating that the installer is approved by the manufacturer.

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 Sterling of Leawood with stipulations.

Adopted by the Governing Body this 17th day of October, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1197

The Leawood City Council has considered the request for rezoning from R-1 to RP-4, preliminary site plan and preliminary plat approval for Leawood Terrace located at approximately 131st and Pembroke and hereby finds the following:

WHEREAS, the preliminary plat/plan contains 18 lots on 4.6 acres for a density of 3.9 units/acre, and

WHEREAS, the street proposed is a public street, and

WHEREAS, the Plan Commission held a public hearing on the application,

WHEREAS, the Plan Commission has reviewed the application and recommended approval with stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby deny the request for rezoning from R-1 to RP-4, preliminary site plan and preliminary plat for Leawood Terrace based on the following reasons:

1. It is premature to rezone this property at this time.
2. The Council is not in favor of down-zoning.
3. This reason could have a negative impact on property values of surrounding property.
4. The Council has concerns about the traffic to be generated by RP-4 development.
5. The RP-4 is not the most appropriate use for this property.

Adopted by the Governing Body this 17th day of October, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1198

The Leawood City Council has considered the request for preliminary site plan approval for Houlihan's at Town Center Plaza and hereby finds the following:

WHEREAS, the proposed restaurant is to be located on Lot 3, Town Center Plaza which is on 119th Street, halfway between Roe and Nall, and

WHEREAS, the proposed restaurant contains 5711 square feet, and

WHEREAS, the building is oriented with the main entrance on the south side and service entrance on the north, and

WHEREAS, the exterior of the building will be brick with black canvas awnings with maroon and yellow stripes, and

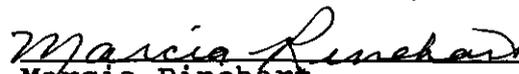
WHEREAS, the Plan Commission has reviewed the application and recommends the following stipulations of approval:

1. Drainage and other utility plans shall be approved by the Director of Public Works.
2. No access shall be granted to 119th Street directly from the site.
3. All landscaping shall be installed prior to issuance of a certificate of occupancy.
4. Footings and foundation for any part of the main building of the shopping center shall be commenced before a building permit for the padsite will be issued.
5. Signs to be reviewed by the Plan Commission at a later date.
6. All development is subject to the developer's approval.
7. Parking lot landscaping and streetscape is subject to the approved parking lot landscape concept.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary site plan for Houlihan's at Town Center Plaza with stipulations.

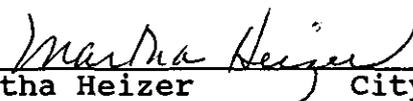
Adopted by the Governing Body this 17th day of October, 1994.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1199

The Leawood City Council has considered the request for preliminary site plan approval for Bristol at Town Center Plaza and hereby finds the following:

WHEREAS, the proposed restaurant is to be located on Lot 5, Town Center Plaza which is at the corner of 119th and Nall, and

WHEREAS, the proposed restaurant contains 8701 square feet, and

WHEREAS, the building is oriented with the main entrance on the south side and service entrance on the north, and

WHEREAS, the exterior of the building will be dryvit with a sandblast texture, precast stone cornice on the vertical columns, building base will be limestone with a variety of green and blue 3/4" tile used around the entry with brown anodized storefront framing, and

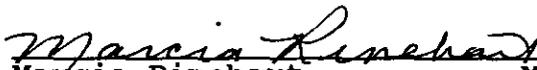
WHEREAS, the Plan Commission has reviewed the application and recommends the following stipulations of approval:

1. Drainage and other utility plans shall be approved by the Director of Public Works.
2. No access shall be granted to 119th Street or Nall Avenue directly from the site.
3. All landscaping shall be installed prior to issuance of a certificate of occupancy.
4. Footings and foundation for any part of the main building of the shopping center shall be commenced before a building permit for the padsite will be issued.
5. Signs to be reviewed by the Plan Commission at a later date.
6. All development is subject to the developer's approval.
7. Parking lot landscaping and streetscape is subject to the approved parking lot landscape concept.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary site plan for Bristol at Town Center Plaza with stipulations.

Adopted by the Governing Body this 17th day of October, 1994.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

2446192

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

RESOLUTION NO. 1200

1994 NOV 14 P 2: 11.6

SARA F. ULLMANN
REGISTER OF DEEDS

A RESOLUTION AMENDING RESOLUTION NO. 1153 AND FINDING AS TO THE ADVISABILITY AND A RESOLUTION AUTHORIZING THE IMPROVEMENT AND CONSTRUCTION OF 155th STREET (BELL DRIVE) AND IRON HORSE DRIVE FROM MISSION ROAD TO THE IRON HORSE CLUBHOUSE AND IN IRON HORSE ESTATES, PURSUANT TO THE PROVISIONS OF K.S.A. 12-6a01 ET SEQ.

Pursuant to findings of advisability made by the Governing Body of the City of Leawood, Kansas.

WHEREAS, a amended petition has been filed with the City Clerk of the City of Leawood, Kansas, by the owners of a majority of the area sought to be included in the Improvement District described in said petition, proposing the construction of 155th Street (Bell Drive) and Iron Horse Drive from Mission Road to the Iron Horse Clubhouse and in Iron Horse Estates, within the City of Leawood, Kansas, as more specifically described hereinafter.

NOW THEREFORE, be it resolved by the Governing Body of the City of Leawood, Kansas, that the following findings as to the advisability of constructing said 155th Street (Bell Drive) and Iron Horse Drive from Mission Road to the Iron Horse Clubhouse and in Iron Horse Estates, as more specifically described hereinafter, are hereby made, to-wit:

Section 1. That it is necessary and in the public interest to make an improvement consisting of the following:

Construction of 155th Street (Bell Drive) and Iron Horse Drive from Mission Road to the Iron Horse Clubhouse and in Iron Horse Estates. The work shall be completed under the approval of the City of Leawood using City standards as they apply in concurrence to the Development of the Iron Horse Golf Course and Iron Horse Residential Subdivision. The work shall include new concrete curb and gutter, new walkways, new asphalt pavement of appropriate widths, islands, earthwork, storm sewers and their appurtenances, water and gas main extensions, underground electric conduit and service, street landscaping, project hardscapes, adjacent roadways, roadway lighting, parking facilities and lighting pertinent thereof and in conformance with the approved development plan on file with the City.

1600 CK

Section 2. The estimated or probable cost of the total improvement is One Million Eight Hundred Ninety Two Thousand Dollars (\$1,892,000.00).

Section 3. The Governing Body hereby further finds and finally determines that the proposed improvement district boundaries against which a portion of the costs of said improvement shall be assessed are hereby established and fixed as the following described property within Johnson County, Kansas:

Tracts B-4 and B-5 and property owned by the City of Leawood and abutting the proposed improvement as described in the attached Exhibit A which is incorporated into this Resolution.

Section 4. The extent of the proposed Improvement District to be assessed is all property located within Tracts B-4 and B-5 as described in the attached Exhibit A.

Section 5. The method of assessment of the share of costs apportioned to the improvement district shall be as follows:

All property located within Tracts B-4 and B-5 will be assessed on a square foot basis. Property owned by the City of Leawood and abutting the proposed improvement shall not be assessed. No public areas now existing or to be created by subdivision of property within the Improvement District, including, but not limited to, dedicated public streets and islands, will be assessed by this Improvement District. On subdivision of the property located within Tracts B-4 and B-5 areas dedicated to the public and areas conveyed for common use of property owners within said tracts will be excluded from further assessment for this improvement and any assessments imposed by this district upon property located within B-4 and B-5 which is subsequently dedicated to the public or conveyed for common use of property owners will be transferred and added on a pro rata square foot basis to the private lots or parcels created by subdivision of said tracts B-4 and B-5. In the event that the improvement is not completed within two years, the City may divide the improvement into phases and assess in the manner described in this petition for the portion of the work completed to date of the assessment hearing.

Section 6. The portion of the cost of the improvement to be assessed to Tracts B-4 and B-5 of the improvement

district will be a percentage of the total cost of the improvement. The percentage to be assessed to Tracts B-4 and B-5 shall be determined by dividing the actual cost of construction of the portion of the improvement to be constructed upon property located within Tracts B-4 and B-5 (including the cost of the improvements to be constructed between Tracts B-4 and B-5 and as approved by the City) by the actual cost of construction of the improvement. The portion of the cost of the improvement which is not assessed to the improvement district shall be assessed to the City at large. On the basis of estimated costs of construction of \$922,331.00 for the portion of the improvements constructed on and between tracts B-4 and B-5, it is estimated that 49% percent of the cost of the improvement shall be assessed to the improvement district and 51% percent of the cost shall be assessed to the City at large. In no event shall the cost to be assessed to the City at large exceed 95% of the cost of the improvement.

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

Section 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

Section 9. This resolution shall take effect after its passage and publication once in the official city newspaper.

Section 10. The City Clerk is directed to file a copy of this Resolution with the Register of Deeds of Johnson County, Kansas, within five days of the adoption of this resolution.

ADOPTED by the Governing Body this 17th day of October, 1994.

Marcia Rinehart
Marcia Rinehart, Mayor

Attest:

Martha Heizer
City Clerk

Approved as to Form:

[Signature]
City Attorney

CERTIFICATE

State of Kansas
County of Johnson
City of Leawood

I, Martha Heizer, the City Clerk of the City of Leawood, Kansas, hereby certify that the above and foregoing and attached Exhibit A (pages 1 & 2) is the original of Resolution No. 1200.

In testimony whereof, I have hereunto signed my name and affixed the seal of said City this 26th day of October, 1994.

(S E A L)

Martha Heizer

Bell Tract B-4

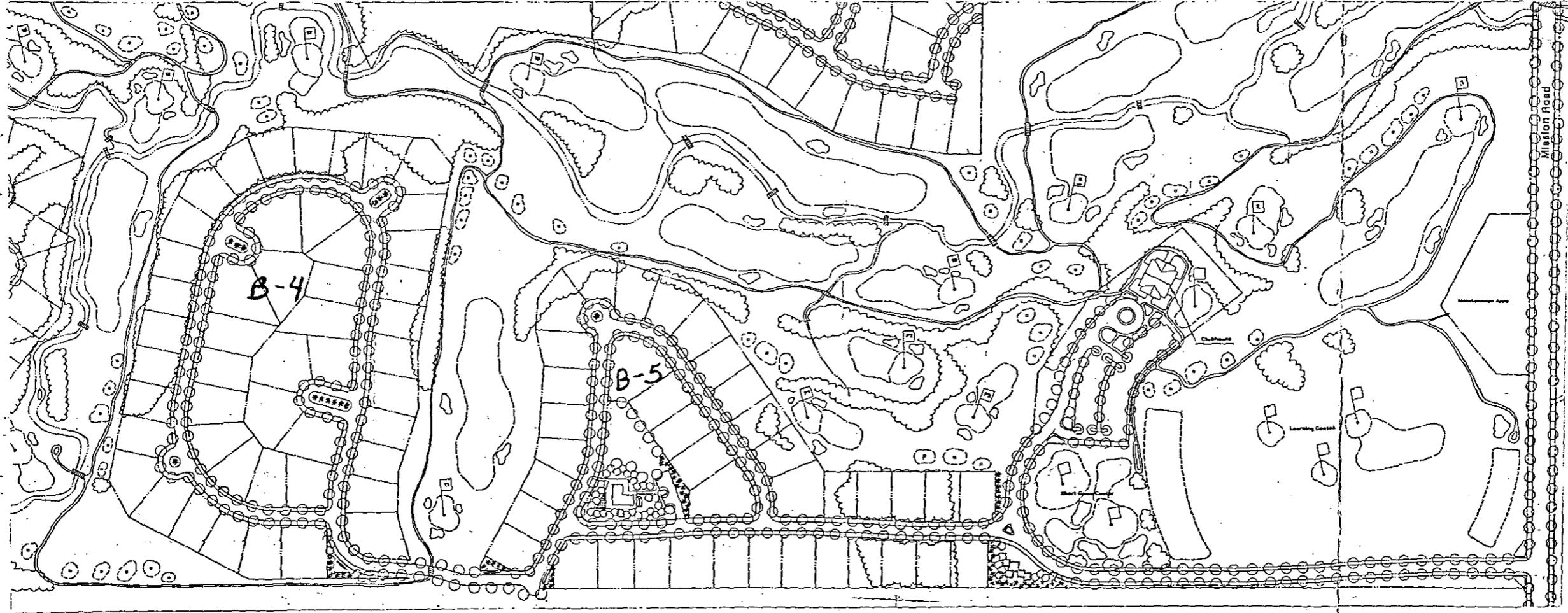
March 8, 1993

A part of the South 1/2 of the Northwest 1/2 of Section 9, Township 14, Range 25, City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of said Northwest 1/4; thence S. 87 -25'-38" W. along the South line of said Northwest 1/4 a distance of 495.13 feet; thence N. 2 -34'-22" W. a distance of 30.00 feet to the Point of Beginning; thence S. 87 -25'-38" W. a distance of 453.36 feet; thence N. 65 -41'-00" W. a distance of 386.44 feet; thence N. 32 -10'-07" W. a distance of 116.80 feet; thence N. 9 -34'-17" E. a distance of 723.03 feet; thence N. 24 -53'-00" E. a distance of 189.26 feet; thence N. 59 -00'-21" E. a distance of 181.97 feet; thence N. 73 -53'-31" E. a distance of 120.00 feet; thence S. 87 -33'-39" E. a distance of 400.92 feet; thence S. 41 -20'-43" E. a distance of 96.40 feet; thence S. 8 -02'-30" W. a distance of 528.40 feet; thence S. 3 -13'-52" E. a distance of 166.96 feet; thence S. 15 -25'-52" W. a distance of 185.17 feet; thence S. 1 -15'-13" E. a distance of 122.37 feet; thence S. 19 -08'-24" E. a distance of 123.95 feet; thence S. 2 -34'-22" E. a distance of 52.10 feet to the Point of Beginning, containing 21.78 acres, more or less.

Bell Tract B-5

April 13, 1993

A part of the Northwest 1/4 and the Northeast 1/4 of Section 9, Township 14, Range 25, City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of said Northwest 1/4; thence S. 87 -25'-38" W. along the South line of said Northwest 1/4 a distance of 294.66 feet; thence N. 2 -34'-22" W. a distance of 64.46 feet; thence N. 25 -53'-55" E. a distance of 325.72 feet; thence N. 6 -51'-24" E. a distance of 75.00 feet; thence N. 1 -21'-38" E. a distance of 200.00 feet; thence N. 16 -31'-05" W. a distance of 97.72 feet; thence N. 1 -21'-38" E. a distance of 90.00 feet; thence N. 35 -01'-07" E. a distance of 107.28 feet; thence N. 64 -00'-06" E. a distance of 100.77 feet; thence S 75 -08'-01" E. a distance of 280.51 feet; thence S. 44 -22'-41" E. a distance of 117.24 feet; thence S. 37 -01'-41" E. a distance of 530.77 feet; thence N. 87 -26'-16" E. a distance of 480.97 feet; thence S. 2 -33'-06" E. a distance of 162.50 feet; thence S. 87 -26'-16" W. a distance of 20.00 feet; thence S. 2 -33'-06" E. a distance of 162.50 feet; thence S. 87 -26'-16" W. a distance of 1,134.06 feet to the Point of Beginning, containing 18.17 acres, more or less.



Ret-
City of Leawood
4800 Town Center Dr.
Leawood, Ks. 66211

RESOLUTION NO. 1201

The Leawood City Council has considered the request for final plat approval for Worthington Second Plat located at approximately 143rd and Roe and hereby finds the following:

WHEREAS, the plat contains 79 single family lots on 44.983 acres,

WHEREAS, the streets in the subdivision are to be public with the medians to be maintained by the Homes Association, and

WHEREAS, the final plat as submitted is complete, and

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

1. The final plat is limited to 79 single family homes.
2. This property is responsible for a Park Impact Fee of \$300 per dwelling unit for a total of \$23,700 to be collected prior to recording the final plat.
3. The South Leawood Transportation Impact Fee is \$318.75 per acre X 44.983 acres equalling \$14,338.33 to be collected prior to recording the final plat.
4. This subdivision is responsible for \$130 for the frontage of Roe (1485.54 X 130 = \$193,120.20) and 143rd Street (1288.21 X 130 = \$167,467.30) collected prior to recording the final plat.
5. Add a note on the west side of Roe stating that unplatted property north of Timbers' Edge is in Overland Park and noting Worthington to the north.
6. Change the corner lots so that there is a minimum setback of 22.5'.
7. Add a landscape easement along Roe, 30' wide, and a landscape easement 25' wide, on 143rd Street, 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 Worthington Second Plat with stipulations.

Adopted by the Governing Body this 7th day of November,
~~1993-1994.~~

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1202

The Leawood City Council has considered the request for revised preliminary plat approval of Hazelwood, located at 119th and Pawnee and hereby finds the following:

WHEREAS, the original plat was approved with 41 lots on 30.43 acres in January 1994, and

WHEREAS, the revised preliminary plat consists of 40 lots, and

WHEREAS, the revised plat is necessary as a cul-de-sac on the east side of Pawnee was replaced by a 20' access easement, and

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

1. The plat is limited to a maximum of 40 lots.
2. All streets are to be public.
3. During the first phase of development, if there is not a loop street system, no on-street parking will be allowed and the streets will be marked as such.
4. All 22' streets will restrict parking to only one side and will be marked as such.
5. Along with the required final plat the developer will submit a site plan that sets out for each lot the area that may be cleared and noting any trees that are 6" or greater caliper that will be cleared.
6. Along with the required final plat the developer will submit additional information that details fence locations and materials.
7. The final plat will note restricted access on the street side of lots that will not have driveways.
8. On the streets utilizing a 30' right-of-way, the 35' front setback will be increased to 39' so that these homes will have the same distance from the curb as those homes situated on streets with a right-of-way of 50'.
9. An area approximately 42' in width will be established as a "no cut zone" that will also disallow any man-made structures on the rear side of any lots that have double street frontage, and

WHEREAS, the developer/owner agrees to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat of Hazelwood with stipulations.

Adopted by the Governing Body this 7th day of Nov. 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1203

The Leawood City Council has considered the request for final plat approval of Hazelwood, 1st Plat located at approximately 119th and Pawnee and hereby finds the following:

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

WHEREAS, the plat contains 8.0119 acres with 10 lots, and

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

1. All technical deficiencies must be corrected prior to submitting recording copies.
2. All previous stipulations from preliminary plat approval are incorporated by reference.
3. The street connection between Hazelwood and Tomahawk Creek Estates shall be coordinated with the Director of Public Works.
4. All landscape islands shall be maintained by the homes association/developer in lieu thereof.
5. The deed restrictions shall be filed with staff prior to recording the plat.

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 Hazelwood, 1st Plat with stipulations.

Adopted by the Governing Body this 7th day of Nov., 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1204

The Leawood City Council has considered the request for approval of a revised preliminary plat and plan for Bridgewood, located at 132nd and Roe, and hereby finds the following:

WHEREAS, the revised preliminary plat contains 70 lots on 40.5 acres for a density of 1.73 units/acre, and

WHEREAS, the previously approved preliminary plat contained 74 lots, and

WHEREAS, the property is zoned RP-1, and

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

1. The street connection between Carriage Crossing (to the north) and Wynnewood (to the west) shall be coordinated with the Director of Public Works.
2. Lots 1, 64, 65, and 70 will be restricted from having access off of Roe Avenue.
3. All tracts will be owned and maintained by the homes association/developer.
4. The plat is limited to a maximum of 70 lots.
5. All streets are to be public.
6. Bridge plans shall be submitted and approved by Public Works.
7. The property is responsible for a Park Impact Fee of \$300 per dwelling unit for a total of \$22,200, collected prior to final plat approval.
8. The developer is responsible for street improvements for Roe Avenue as per the subdivision regulations. At the current time the assessment is \$130 per front foot. This assessment is reevaluated each year. The developer will pay the fee that is in effect at the time that the final plat is approved by the Governing Body, if not developed by March 1, 1995.

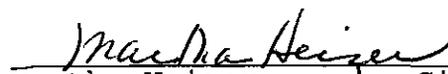
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for approval of a revised preliminary plat and plan for Bridgewood, located at 132nd and Roe, with stipulations.

Adopted by the Governing Body this 7th day of November, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1205

The Leawood City Council has considered the request for approval of a final plat for Bridgewood, located at 132nd and Roe, and hereby finds the following:

WHEREAS, the final plat contains 70 lots on 40.5 acres for a density of 1.73 units/acre, and

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

1. All tracts will be owned and maintained by the homes association or developer.
2. The plat is limited to a maximum of 70 lots.
3. All streets are to be public.
4. The property is responsible for a Park Impact Fee of \$300 per dwelling unit for a total of \$21,000, collected prior to final plat approval.
5. The developer is responsible for street improvements for Roe Avenue as per the subdivision regulations. At the current time the assessment is \$130 per front foot. This assessment is reevaluated each year. The developer will pay the fee that is in effect at the time that the final plat is approved by the Governing Body, if not developed by March 1, 1995. The plat indicates 1328.91 feet of frontage on Roe. Based on \$130 per foot this fee will be \$172,758.30.

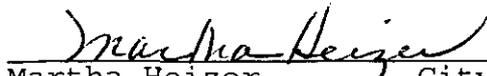
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Bridgewood, located at 132nd and Roe, with stipulations.

Adopted by the Governing Body this 7th day of November, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

AUTHORITY TO AWARD CONTRACT
COMMITMENT OF COUNTY/CITY FUNDS

2 Copies to County/City
Project Number 46 U-1401-01
STP-U140(101)
Johnson County; City of Leawood

Date: October 26, 1994

WHEREAS bids were received at Topeka, Kansas on October 19, 1994 for the performance of work covered by plans on the above numbered project, and

WHEREAS the bidder and the low bid or bids on work covered by this project were:

CONTRACTOR	ADDRESS	TYPE OF WORK	AMOUNT
APAC Kansas, Inc.	Box 23910 Overland Park, KS	Grading and Bit. Surfacing	\$1,713,001.75

WHEREAS bids are considered satisfactory and have been recommended by the Secretary of Transportation of the State of Kansas, hereinafter referred to as the SECRETARY, for consideration and acceptance of the work on this project as covered by such bid or bids.

An estimated 20% of Bid plus 15%
for construction engineering and contingencies = \$393,990

BE IT FURTHER RESOLVED that County/City funds in the amount of \$393,990 which are required for the matching of Federal funds to complete this work are hereby pledged by the County/City to be remitted to the Chief of Fiscal Services of the Secretary of Transportation of the State of Kansas on or before December 8, 1994 for use by the SECRETARY in making payments for construction work and engineering on the above designated project.

Adopted this 21st day of November, 1994, at Leawood, Kansas

Recommended for Approval:

~~BOARD OF COUNTY COMMISSIONERS/MAYOR~~

Terry S. Uhl
County/City Engineer

Marcia Reinhart Chairman/Mayor

Attest:

_____, Member

(SEAL)

_____, Member

Maura Heizer
County/City Clerk

RESOLUTION NO. 1207

A RESOLUTION OF THE CITY OF LEAWOOD, KANSAS, CONCERNING THE RIGHTS OF VICTIMS OF ORDINANCE VIOLATIONS; AND DELINEATING THE RIGHTS OF VICTIMS OF ORDINANCE VIOLATIONS; ESTABLISHING PROCEDURES FOR ASSURING THE RIGHTS OF VICTIMS OF ORDINANCE VIOLATION.

WHEREAS, the governing body of the City of Leawood deems it to be in the best interest of the City to ensure the fair and compassionate treatment of victims of certain offenses; and

WHEREAS, the governing body of the city deems it to be in the best interest of the city to increase the effectiveness of the municipal court system by affording victims of certain ordinance violations certain basic rights and considerations; and

WHEREAS, effective July 1, 1993, subsection (d) of section 1 of 1993 House Bill No. 2459 requires the governing body to adopt policies which, at a minimum, afford certain rights to victims of violations of those ordinances which prohibit acts or omissions which are prohibited by articles 33 through 36 of Chapter 21 of the Kansas Statutes Annotated.

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

SECTION 1. Definitions. As used in this resolution, and for no other purpose:

1. "Ordinance Violation" means any act or omission charged in the leawood Municipal Court as being in violation of the following sections of the Public Offense Code of the City of Leawood:

Section 2.2	Conspiracy
Section 3.1	Battery
Section 3.2	Battery against a Law Enforcement Officer
Section 3.2.1	Vehicular battery
Section 3.2.2	Sexual battery
Section 3.3	Assault
Section 3.4	Assault of a Law Enforcement Officer
Section 3.5	Unlawful interference with Firefighter
Section 3.6	Unlawful restraint
Section 3.7	Mistreatment of confined person

Section 4.1	Lewd, lascivious behavior
Section 4.3	Prostitution
Section 4.4	Promoting prostitution
Section 4.5	Patronizing a prostitute
Section 5.1	Contributing to a child's misconduct or deprivation
Section 5.2	Furnishing alcoholic liquor to a minor
Section 5.3	Furnishing cereal malt beverage to a minor
Section 5.4	Endangering a child

2. "Public Hearing" means the arraignment or preliminary hearing, any hearing on any dispositive motion, the trial, the sentencing hearing, any trial *de novo* in the Johnson County District Court, oral argument in the Appellate Courts of this state, any sentence modification hearing, any probation or parole application hearing, any probation or parole revocation hearing, any diversion revocation hearing and any expungement hearing.

3. "Victim" means any person who suffers direct or threatened physical, emotional or financial harm as the result of the commission or attempted commission of an ordinance violation against such person.

4. "Victims' family" means a spouse, surviving spouse, children, or parents.

SECTION 2. Rights Afforded to Victims of Ordinance Violations. Victims of ordinance violations shall have the rights enumerated in K.S.A. 74-7333 and any amendments thereto.

SECTION 3. Notification of Public Hearing. The victim of an ordinance violation or the victims' family shall be notified in writing or orally of the right to be present at any public hearing where the accused or the convicted person has the right to appear and be heard. Notification shall be made to any victim of the ordinance violation who is alive and whose address is known to the city attorney or to the county or district attorney or, if the victim is deceased, to the victim's family if the family's address is known to the city attorney or the county or district attorney.

SECTION 4. Termination of Victim's Rights by Dismissal or Acquittal. After the final termination of a criminal prosecution by dismissal with prejudice or acquittal, a person who has received notice and the right to be present and heard is no longer entitled to such rights.

SECTION 5. Waiver of Victim's Rights. At any point in time, the City, through its officers or employees, may solicit from and accept from a victim a written

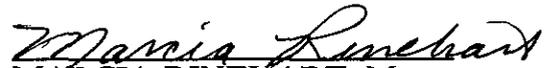
waiver of the notification and other rights accruing to that victim pursuant to this resolution.

SECTION 6. No Basis for Setting Aside a Decision is Created. Nothing in this resolution shall be construed to authorize the municipal court to set aside or to void a finding of guilty or not guilty or an acceptance of a plea of guilty or *nolo contendere* or to set aside any sentence imposed in any case, or to invalidate any other decision, agreement or disposition of the municipal court in any case on the ground that one or more victims were not afforded a right or rights given to them by this resolution or by the Kansas Statutes.

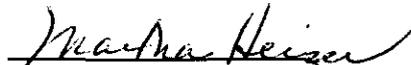
SECTION 7. Resolution Retroactive to July 1, 1993. This resolution will apply to cases involving ordinance violations occurring on or after July 1, 1993.

PASSED AND APPROVED BY THE CITY OF LEAWOOD, KANSAS on the 21st day of Nov., 1994

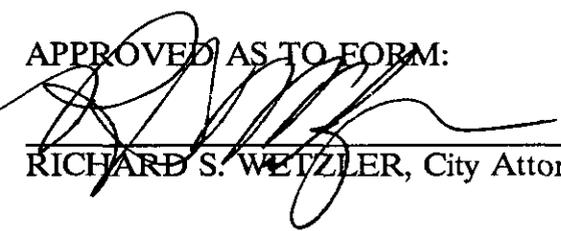
(SEAL)


MARCIA RINEHART, Mayor

ATTEST:


MARTHA HEIZER, City Clerk

APPROVED AS TO FORM:


RICHARD S. WETZLER, City Attorney

CITY OF LEAWOOD

RESOLUTION NO. 1208

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

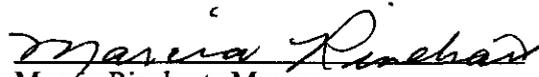
WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

ADOPTED by the Governing Body this 21 day of November, 1994. ..

APPROVED AND SIGNED by the Mayor this 21 day of November, 1994.

City of Leawood, Kansas


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk



October 3, 1994

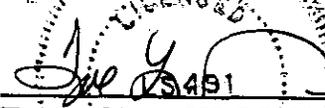
LEGAL DESCRIPTION FOR
PROPOSED ENLARGEMENT TO CONSOLIDATED BLUE RIVER
SEWER SUB-DISTRICT NO. 2
PART OF S½, NE¼, SECTION 34-13-25
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

All that part of the S½ of the NE¼ of Section 34, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of the NE¼ of said Section 34; thence N 1° 59' 26" W, along the East line of the S½ of the NE¼ of said Section 34, a distance of 1329.63 feet, to the Northeast corner thereof; thence S 87° 43' 46" W, along the North line of the S½ of the NE¼ of said Section 34, a distance of 1663.91 feet, to the true point of beginning of subject tract, said point also being 990 feet East of the West line of the S½ of the NE¼ of said Section 34; thence S 1° 58' 55" E, along a line 990 feet East of and parallel to the West line of the S½ of the NE¼ of said Section 34, a distance of 782.33 feet; thence N 43° 42' W, a distance of 339.62 feet; thence N 36° 22' E, a distance of 173.98 feet; thence N 0° 22' W, a distance of 392 feet, to a point on the North line of the S½ of the NE¼ of said Section 34; thence N 87° 43' 46" E, along the North line of the S½ of the NE¼ of said Section 34, a distance of 107.01 feet, to the true point of beginning of subject tract.

- Civil Engineers
- Electrical Engineers
- Mechanical Engineers
- Landscape Architects
- Land Surveyors
- Land Planners

The above described tract of land contains 2.209 gross acres, more or less.

By:


 Tex L. New, KS LS:491
 October 3, 1994
 LAND SURVEYOR

Shafer, Kline & Warren, P.A.
Kansas City, Missouri
816/756-0444
FAX: 816/756-1763

Hamilton & Associates, Inc.
Macon, Missouri
816/385-6441
FAX: 816/385-6614

UNPLATTED

NORTH LINE S1/2, NE1/4,
SEC. 34-13-25

POINT OF BEGINNING
OF SUBJECT TRACT

N 87°43'46" E
107.01'

S87°43'46" W - 1663.91'

WEST LINE S1/2, NE1/4,
SEC. 34-13-25

UNPLATTED

N 0°22' W
392'

LEAWOOD FALLS,
SIXTH PLAT

BLINDER
STREET

N36°22'E
173.98'

N45°42'W
990'

UNPLATTED

339.62'

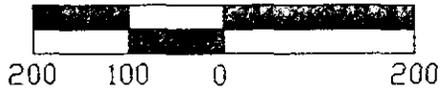
EAST LINE S1/2, NE1/4,
SEC. 34-13-25

1329.63' W
N 1°59'26" W

POINT OF COMMENCING
SE CORNER NE 1/4
SEC 34-13-25



SCALE: 1" = 200'



JOB NO. 54066 DATE 9-26-94 BY TLN/bgj

**PLAT & LEGAL DESCRIPTION FOR
ENLARGEMENT TO CONSOLIDATED
BLUE RIVER SEWER SUB-DIST. NO. 2
CITY OF LEAWOOD, JO. CO., KANSAS**



SHAFER, KLINE & WARREN, P.A.

CIVIL ENGINEERS - LAND SURVEYORS

TRAFFIC ENGINEERS - LAND PLANNING

LANDSCAPE ARCHITECTURE

11100 W. 91st STREET, OVERLAND PARK, KANSAS 66214
OFFICE: 913-888-7800 FAX 913-888-7868

CITY OF LEAWOOD

RESOLUTION NO. 1209

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

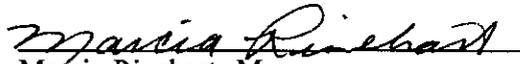
WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

ADOPTED by the Governing Body this 21 day of November, 1994.

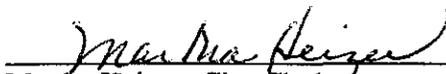
APPROVED AND SIGNED by the Mayor this 21 day of November, 1994:

City of Leawood, Kansas



Marcia Rinehart, Mayor

ATTEST:



Martha Heizer, City Clerk

RESOLUTION NO. 1210

The Leawood City Council has considered the request for approval of a revised preliminary plat and revised preliminary site plan for The Lakes of Leawood (formerly known as Tomahawk Creek Apartments) located at approximately 117th and Tomahawk Creek Parkway and hereby finds the following:

WHEREAS, the applicant is requesting approval to construct 356 apartment units on 34.1 acres for a density of 10.44 units per acre, and

WHEREAS, the previously approved plan had 360 units on 34.1 acres for a density of 10.5 units per acre, and

WHEREAS, the buildings are divided into 12-unit apt. buildings and 8-unit apt. buildings, and

WHEREAS, access to the apartment units will not be gated as approved in the original plan, and

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

1. 115th Street is required to be constructed to provide for a secondary access to the site. The developer is responsible to work out an agreement with the adjoining property owner for the construction prior to final plan approval.
2. The secondary access from 115th Street shall be required to provide for daily resident usage not just for emergency police and fire access.
3. A 12'-0" biking/hiking trail easement shall be provided on the southern side of the property to connect Tomahawk Creek Parkway to the tunnel under Roe Avenue. Although this development is responsible for only that portion that crosses the property.
4. A detailed landscape plan shall be submitted at application for final development plan approval.
5. Final grading and drainage plans shall be submitted and prior to final plan approval.
6. Tandem parking shall be allowed on a trial basis. If staff later determines that sufficient parking does not exist, the developer agrees to work with the Planning staff on developing and installing additional parking on site.
7. A signage plan is to be submitted at final plan application.
8. All interior drives are private and shall be maintained by the developer.
9. The developer agrees to the terms established by the City's Rental Inspection Program.
10. The minimum sized units shall be as indicated under Site Plan.

Resolution No. 1210
Page 2

WHEREAS, the applicant 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 The Lakes of Leawood with stipulations.

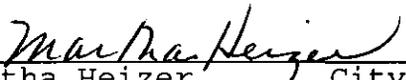
Adopted by the Governing Body this 5th day of December, 1994.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1211

A RESOLUTION DESIGNATING HOLIDAYS FOR THE YEAR 1995 IN ACCORDANCE WITH THE PERSONNEL RULES AND REGULATIONS OF THE CITY OF LEAWOOD, KANSAS.

WHEREAS, Section 9-2 of the "Personnel Rules and Regulations", as published in December, 1992, and as from time to time amended, requires that holidays for all regular employees of the City of Leawood be confirmed by resolution of the City Council each year; and

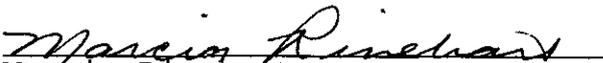
WHEREAS, after review of the holiday dates in 1995, staff recommends that the following schedule be adopted;

NOW, THEREFORE, BE IT RESOLVED that the City Hall of Leawood, Kansas, shall be closed on the following holiday dates in 1995:

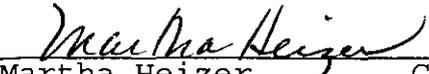
New Year's Day	January 2 (Monday)
President's Day (3rd Monday-February)	February 20
Memorial Day (last Monday-May)	May 29
Independence Day	July 4
Labor Day (1st Monday-September)	September 4
Thanksgiving (4th Thurs. & Fri.-November)	November 23/24
Christmas	December 25

Adopted by the Governing Body this 19th day of December, 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1212

The Leawood City Council has considered the request for approval of rezoning from CP-0 to CP-1 and revised preliminary plan approval for Exchange National Bank located at Leawood Commons, approximately 114th and Nall, and hereby finds the following:

WHEREAS, the bank has added a deceleration lane on Nall for turning movements, and

WHEREAS, the access at the north end, where this property abuts University Park has been redesigned and will be reconstructed so that cross through traffic is lessened, and

WHEREAS, the developer of Leawood Commons will be responsible for this reconstruction prior to release of any building permit for this lot, and

WHEREAS, the Plan Commission held a public hearing on this application, and

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

1. The development is limited to two story bank facility containing 25,000 square feet on 2 floors.
2. The trees along Nall are to be installed according to "Street Tree" standards as to location, species, and quantity. Landscaping will be reviewed in greater detail on submission of a final site plan.
3. At the time of final site plan submission, exact colors and samples of materials will be required.
4. Trash collection is to be only between the hours of 7 A.M. and 10 P.M.
5. All alarms installed shall be silent.
6. The developer/property owner agree to sign an agreement committing to all stipulations and agree that such stipulations are voluntary and waives any right to file suit against the City of Leawood, claiming that the undertaking set forth in these stipulations is prohibited by law.

WHEREAS, the developers/owners agree to these stipulations,

Resolution No. 1212
Page 2

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from CP-O to CP-1 and the revised preliminary plan for Exchange National Bank at Leawood Commons with stipulations.

Adopted by the Governing Body this 19th day of December, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1213

The Leawood City Council has considered the request for a Special Use Permit, preliminary plat and site plan approval of Covenant Chapel, 1st plat located at approximately 133rd (Eaton) and Pembroke and hereby finds the following:

WHEREAS, this application is being considered by the City Council as a reconsideration from the Plan Commission, and

WHEREAS, the City Council previously considered this application and remanded it to the Plan Commission for reconsideration at the City Council meeting held May 16, 1994, and

WHEREAS, the applicant has revised the original plan to include temporary access to K-150, and

WHEREAS, the entire development will include religious/worship fellowship and education, utilizing 84,400 square feet with 24,800 square feet in the first phase, and

WHEREAS, the site contains 21.105 acres, and

WHEREAS, this property is responsible for a Park Impact Fee in the amount of 10 cents per square foot of floor area, with the sanctuary area exempt from this fee, and

WHEREAS, this site is responsible for \$130 per front for remaining improvements of 133rd (Eaton), and

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

1. Sign concept to be submitted and approved as part of the initial final site plan.
2. The use is limited to church and ancillary facilities.
3. 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 will be exempt from this fee.
4. The church is responsible for \$130 per front foot for the unimproved section of 133rd Street (Eaton) for the remaining improvements. This price is based on 1994 numbers and it may increase. This is to be paid in either cash or a letter of credit prior to recording the final plat. Traffic is a concern and staff will reevaluate situation after each phase to determine impact.

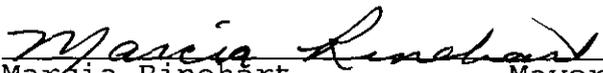
5. At time of consideration of each final site plan, drainage, signs and landscaping will be reviewed in detail, such landscaping and lighting will respect the adjoining residential property to the north and west.
6. Access to K-150 must be designed in detail and submitted as part of first phase improvements.
7. Access to K-150 must be installed as part of first phase improvements.
8. Staff will assess the traffic impact and safety requirements with each phase to determine access. The frontage road (133rd Street/Eaton) must have a connection to Mission Road or State Line Road before any consideration will be given to allow the church access to it. Once the access to the frontage road is made, the temporary road to 135th Street may be eliminated.
9. Each additional phase will require final development plan approval by the Plan Commission.
10. The developer/property owner agree to sign an agreement committing to all stipulations and agree that such stipulations are voluntary and waives any right to file suit against the City of Leawood, claiming that the undertaking set forth in these stipulations is prohibited by law.

WHEREAS, the applicant agrees to these stipulations,

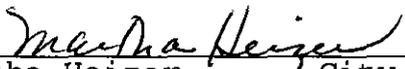
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for Special Use Permit for a church, preliminary site plan and preliminary plat for Covenant Chapel with stipulations.

Adopted by the Governing Body this 19th day of December 1994.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1214

The Leawood City Council has considered the request for approval of rezoning from CP-1 (Planned Neighborhood Retail) to CP-2 (Planned General Retail), and preliminary plan approval for Waterways located in Camelot Court at the northwest corner of 119th and Tomahawk Creek Parkway, (Lot 10), and hereby finds the following:

WHEREAS, the proposed building contains 6200 square feet, and

WHEREAS, the building and retaining walls are of brick to match the Camelot Court Shopping Center, and

WHEREAS, the roof is standing metal seam with a peak to match the towers of the center, and

WHEREAS, the proposed signage is a monument sign at the corner of 119th and Tomahawk Creek, an Amoco sign on the canopy, and a Waterway sign on the building, and

WHEREAS, the plan shows a substantial amount of plantings and is in accordance with the Leawood Development Ordinance, and

WHEREAS, the Plan Commission has reviewed the application and recommended denial of the application, and

WHEREAS, the Governing Body does not agree with the Plan Commission recommendation,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for approval of rezoning from CP-1 (Planned Neighborhood Retail) to CP-2 (Planned General Retail), and preliminary plan approval for Waterways located in Camelot Court (Lot 10), with the following stipulations:

1. Signage will be shown in detail at the time of consideration of final site plan.
2. If stacking at peak times goes onto any public street, the management of the car wash will block that entrance and will redirect traffic onto the site.
3. The developer/property owner agree to sign an agreement committing to all stipulations and agree that such stipulations are voluntary and waives any right to file suit against the City of Leawood, claiming that the undertaking set forth in these stipulations is prohibited by law.

Resolution No. 1214
Page 2

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from CP-1 to CP-2 and preliminary plan for Waterways on Lot 10, Camelot Court, with stipulations.

Adopted by the Governing body this 3rd day of January,
~~1994~~ 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

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

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

That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of Leawood, Kansas, ^{supplemental agreement #2 to} Agreement No. 59-91 between the City and the Kansas Department of Transportation, giving the Secretary of Transportation of the State of Kansas authority to act for the City, and in its place and stead, to obtain for the City such benefits as are obtainable under the program of the Federal and State Aid Plan of Highway Construction, and obtain the benefits of such legislation for the City on the terms and conditions set forth in such agreement as may be prepared and approved by the Secretary of Transportation for the construction of a project for the improvement of I-435 designated as a city connecting link on the State Highway System and known as Project No. 435-46 K-3637-01 (IR-435-3(345)224).

Passed by the (Council) (~~Commission~~) this 3rd day of January, 1995

(Approved) (Signed) Marcia Rinehart, Mayor

(SEAL)

ATTEST: Marcia Rinehart
City Clerk

RESOLUTION NO. 1216

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FOUR-PARTY AGREEMENT BETWEEN THE CITIES OF LEAWOOD AND OVERLAND PARK, KANSAS; MISSOURI PACIFIC RAILROAD COMPANY; AND THE SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS FOR INSTALLATION OF RAILROAD CROSSING SAFETY IMPROVEMENTS AT KENNETH ROAD, PROJECT NO. 46 X-1872-01, STP-X187(201)

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

That the Mayor and City Clerk are authorized and directed to executed a four-party agreement between the Cities of Leawood and Overland Park, Kansas; Missouri Pacific Railroad Company; and the Secretary of Transportation for the State of Kansas for installation of railroad crossing safety improvements at Kenneth Road, Project No. 46 X-1872-01, STP-S187(201).

Passed by the Council this 3rd day of January, 1995.

~~(Approved)~~ (Signed) Marcia R. Rinehart, Mayor.

(SEAL)

ATTEST: Martina Heizer
City Clerk

Reso. #1217

City of Leawood, Kansas

1995 FEE SCHEDULE

City-wide
Planning and Development
Finance
Public Works
Police
Parks and Recreation

City of Leawood, Kansas
4800 Town Center Drive
Leawood, Kansas 66211

Resolution No. 1217

A RESOLUTION ESTABLISHING **THE 1995 FEE SCHEDULE** FOR FEES NOT SPECIFICALLY
PROVIDED FOR IN THE CODE OF THE CITY OF LEAWOOD

WHEREAS, the Code of the City of Leawood omits certain fee schedules for reasons of economy and expediency; and

WHEREAS, the City Administrator is, by Section 1-701 of the Code of the City of Leawood, authorized to make fee adjustments as 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,

that the following fee schedule for 1995 is hereby ratified:

TABLE OF CONTENTS

CITY-WIDE.....	4
Miscellaneous City-wide Fees.....	4
Department Publications/Report Fees.....	4
Open Records Act Fees.....	4
PLANNING AND DEVELOPMENT DEPARTMENT.....	4
Fees for Construction, Alterations and Remodeling.....	4
New Building Construction Permits.....	4
Existing Building Construction Permits - Residential.....	4
Existing Building Construction Permits - Commercial, Office, Industrial.....	4
Demolition.....	5
Structure Moving.....	5
Reissuance of Building Permit.....	5
Fees for Improvements.....	5
Swimming Pools.....	5
Hot tubs, etc.....	5
Electrical.....	5
Mechanical.....	5
Plumbing.....	5
Reroofing.....	5
Lawn Sprinkler Systems.....	5
Structural Fire Sprinkler.....	6
Towers, Satellite Dish Equipment, Solar Equipment.....	6
Street Curb Cut.....	6
Fences.....	6
Walls.....	6
Patio Covers.....	6
Foundation Repair.....	6
Elevators.....	6
Fees for Zoning Procedures.....	7
Residential (RP-A to RP-4).....	7
Office (CP-0).....	7
Commercial (CP-1 to CP-2).....	7
Recreation.....	7
Industrial (PI).....	7
Business Park (BP).....	7
Special Development (SD).....	7
Mixed Zoning.....	8
Special Use Permits.....	8
Leawood Development Ordinance.....	8
Other Plan Approvals.....	8
Streets, Utility Vacation.....	8
Fees for Subdivision Regulation Procedures.....	8
Submission.....	8
Costs to Develop Arterial and Collector Streets.....	8
Fees for Sign Permits.....	8
90-day Permit Temporary Sign.....	8
7-day Permit Temporary Sign.....	8
Monument Signs/Structures.....	9
Permanent Sign - Wall Sign.....	9
Fees for Planning and Development Documents.....	9
Fees for Miscellaneous Planning and Development Activities.....	9
Occupancy of commercial Space or Building.....	9
Reinspection Fees.....	9

Annual License Fees for Rental Dwellings	9
Rental Inspection Fees	9
Property Maintenance Board of Appeals	9
Board of Zoning Appeals	9
Building Code Board of Appeals	10
Mowing Fees	10
Estate Sales	10
Oil and Gas Drilling and Production	10
FINANCE DEPARTMENT	10
Licensing of Dogs and Cats	10
Dog/Cat License	10
Penalties	10
Finance Charges	10
Worthless Check Fees	10
PUBLIC WORKS DEPARTMENT	10
Fees for Sidewalks and Street Activities	10
Sidewalks	10
Streets	11
Fees for Back Charge Recovery Costs - Mud Ordinance	11
Activities	11
Outside Contractors	11
Additional Labor	11
Fees for Miscellaneous Public Works Activities	11
Pre-Blast Application	11
Sewer Connection	11
Document Fees	12
POLICE DEPARTMENT	12
False Alarms	12
False alarms	12
Miscellaneous Fees	12
Records Copying	12
PARKS AND RECREATION DEPARTMENT	12
Fees for Lessons, Leagues and Classes	12
Fees for Facility Rental	12
Fees for Pool and Tennis Membership	13
Daily Fees	13
Pool Only	13
Tennis Only	13
Pool and Tennis	13
Miscellaneous Park and Recreation Fees	13
Ironhorse golf course	13
Golf Course Fees	13
Daily Fees	13
GOLF CAR	14
Learning Center Fees	14
Practice tee	14
Practice Holes	14
Clubhouse Rental Fees	14
IRONHORSE Golf Association	14
1995 Membership	14
IRONHORSE Engineers Club	15
1995 Membership	15
IRONHORSE Conductors Club	15
1995 Membership	15

CITY-WIDE

Miscellaneous City-wide Fees

DEPARTMENT PUBLICATIONS/REPORT FEES

(Other than those specifically mentioned herein.)

Publications/reports	individually determined based on printing costs
----------------------	---

OPEN RECORDS ACT FEES

Record search/record inspection	\$10.00 per hour per employee engaged in record search (minimum of \$10.00)
Police Department copy fee	\$1.50 per page
All other departments copy fee	\$0.50 per page

PLANNING AND DEVELOPMENT DEPARTMENT

Fees for Construction, Alterations and Remodeling

NEW BUILDING CONSTRUCTION PERMITS

Permit Fees	Based on valuation determined by the Building Official and figured in accordance with 1991 UBC Table No. 3A
Subcontractor Fees (mechanical, electrical, and plumbing)	\$75.00 each
Residential Plan Review Fee	5% of the <u>total</u> building permit fee (including permit fees and subcontractor fees above)

EXISTING BUILDING CONSTRUCTION PERMITS - RESIDENTIAL

Building alterations, remodeling, additions, decks, sports courts	\$0.12 per square foot calculated on the area being added or improved (\$30 minimum)
Single wall or ceiling installation or replacement	\$0.05 per square foot
Mechanical, electrical, and plumbing associated with building alterations, remodeling, additions, decks, sports courts	\$40.00 each
Plan review for residential remodel	5% of the <u>total</u> building permit fee including the above

EXISTING BUILDING CONSTRUCTION PERMITS - COMMERCIAL, OFFICE, INDUSTRIAL

Interior finish for new construction; building alterations, remodeling	\$0.15 per square foot calculated on the interior area
Single wall or ceiling installation or replacement	\$0.10 per square foot calculated on the area being added or improved
Mechanical, electrical, and plumbing associated with interior finish for new construction; building alterations, remodeling	\$75.00 each
Plumbing, electrical or mechanical on a single wall	\$40.00 each
Plan review for commercial tenant space	5% of the <u>total</u> building permit fee including the above

DEMOLITION

Demolition, each unit or building	\$60.00 each
-----------------------------------	--------------

STRUCTURE MOVING

Structure moving	\$150.00 each
------------------	---------------

REISSUANCE OF BUILDING PERMIT

Reissuance of expired permit	1/2 the original fee
------------------------------	----------------------

Fees for Improvements

SWIMMING POOLS

Residential - single family	\$80.00 each
Other than residential - single family	\$200.00 each

HOT TUBS, ETC.

Hot tubs, spas, whirlpools, hydropools, etc.	\$50.00 each
--	--------------

ELECTRICAL

Minor; residential pools, garages, etc.	\$25.00 each
Service upgrade only	\$35.00 each
Spas	\$20.00 each

MECHANICAL

Furnace/Air Conditioner replacement	\$25.00 each
-------------------------------------	--------------

PLUMBING

Water heater replacement	\$20.00 each
Gas line/water line replacement	\$20.00 each
Residential pools	\$20.00 each

REROOFING

Residential - new or more than 50% roof replacement or more than 20 squares	\$30.00 plus \$1.50/square for every square over 20 squares
Roof repair up to 50% of roof replacement	\$20.00 up to 20 squares
Commercial	0.1% of construction cost (minimum \$100.00)

LAWN SPRINKLER SYSTEMS

Residential (s.f. - single lot)	\$50.00 each
Residential (multi units - single lot)	\$50.00 each s.f. unit or \$50.00 multi unit building
Backflow replacement	\$25.00 each
Commercial	Based on valuation determined by the Building Official and figured in accordance with 1991 UBC Table No. 3A

STRUCTURAL FIRE SPRINKLER

Structural fire sprinkler	\$0.01 per square foot (\$25.00 minimum)
---------------------------	--

TOWERS, SATELLITE DISH EQUIPMENT, SOLAR EQUIPMENT

Single family	\$25.00 each
Commercial	\$100.00 each

STREET CURB CUT

Street curb cut	\$15.00 each
-----------------	--------------

FENCES

Privacy fences exceeding 3 feet in height encompassing patios	\$20.00 each
Lot perimeter fences exceeding 3 feet in height on lots up to 22,000 square feet	\$50.00 each
Lot perimeter fences exceeding 3 feet in height on lots greater than 22,000 square feet up to 1 acre	\$100.00 each
Subdivision perimeter fences and lot perimeter fences exceeding 3 feet in height on lots greater than 1 acre	Based on valuation determined by the Building Official and figured in accordance with UBC Table No. 3A
Fence replacement sections exceeding 3 feet in height and up to 10 feet in length	\$20.00 each
Fence replacement sections exceeding 3 feet in height and greater than 10 feet in length	\$25.00 each
Pool fences around perimeter of pool only	\$25.00 each

WALLS

Privacy walls over 3 feet in height encompassing patios	\$50.00 each
Lot and subdivision perimeter walls over 3 feet in height	Based on valuation determined by the Building Official and figured in accordance with 1991 UBC Table No. 3A
Retaining walls over 4 feet in height - building permit	Based on valuation determined by the Building Official and figured in accordance with 1991 UBC Table No. 3A (minimum \$25.00)
Retaining walls over 4 feet in height - plan review fee	Actual cost of review (\$50.00 minimum)

PATIO COVERS

Patio covers	\$25.00 each
--------------	--------------

FOUNDATION REPAIR

Up to \$5,000 valuation	\$25.00 each
Over \$5,000 valuation	\$50.00 each

ELEVATORS

Residential	\$40.00 each
Commercial	\$50.00 per car

Fees for Zoning Procedures

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 for the cost of recording plats.
 Applicant shall be responsible for paying a late fee in the amount of \$500.00 if an application for action by the Plan Commission is submitted to the City after the deadline for submissions has expired.

RESIDENTIAL (RP-A TO RP-4)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan
Tract size 0 - 5 acres	\$300.00	\$300.00	\$200.00	\$100.00
Tract size 5+ acres	\$400.00	\$300.00	\$200.00	\$100.00

OFFICE (CP-0)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan
Tract size 0 - 5 acres	\$300.00	\$300.00	\$200.00	\$150.00
Tract size 5+ acres	\$400.00	\$300.00	\$200.00	\$150.00

COMMERCIAL (CP-1 TO CP-2)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan
Tract size 0 - 5 acres	\$300.00	\$300.00	\$200.00	\$150.00
Tract size 5+ acres	\$400.00	\$300.00	\$200.00	\$150.00

RECREATION

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan
Any tract size	\$300.00	\$300.00	\$200.00	\$150.00

INDUSTRIAL (PI)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan
Tract size 0 - 5 acres	\$400.00	\$300.00	\$200.00	\$150.00
Tract size 5+ acres	\$500.00	\$300.00	\$200.00	\$150.00

BUSINESS PARK (BP)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan
Tract size 0 - 5 acres	\$400.00	\$300.00	\$200.00	\$150.00
Tract size 5+ acres	\$500.00	\$300.00	\$200.00	\$150.00

SPECIAL DEVELOPMENT (SD)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan
Tract size 0 - 5 acres	\$300.00	\$300.00	\$200.00	\$150.00
Tract size 5+ acres	\$400.00	\$300.00	\$200.00	\$150.00

MIXED ZONING

Combination of any two or more districts

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan
Tract size 0 - 10 acres	\$500.00	\$300.00	\$200.00	\$150.00
Tract size 10+ acres	\$600.00	\$300.00	\$200.00	\$150.00

SPECIAL USE PERMITS

Except oil and gas permits

Tract size 0 - 5 acres	\$300.00 each
Tract size 5+ acres	\$400.00 each
Temporary short term, not longer than 10 days	\$50.00 each

LEAWOOD DEVELOPMENT ORDINANCE

Text amendment	\$300.00 each
----------------	---------------

OTHER PLAN APPROVALS

Landscape plan	\$200.00 each
Sign plan approval (commercial)	\$150.00 each

STREETS, UTILITY VACATION

Utility vacation	\$200.00 each
------------------	---------------

Fees for Subdivision Regulation Procedures

SUBMISSION

Preliminary Plat Submission	\$400.00 minimum plus \$2.00 per lot/tract
Final Plat Submission	\$200.00 minimum plus \$2.00 per lot/tract

COSTS TO DEVELOP ARTERIAL AND COLLECTOR STREETS

Fifty percent (50%) of the cost to develop a local or collector street (residential collector) is established at one hundred ten dollars (\$110.00) per foot.
Fifty percent (50%) of the cost to develop a major collector street (primary collector) is established at one hundred thirty dollars (\$130.00) per foot.

Fees for Sign Permits

90-DAY PERMIT TEMPORARY SIGN

Small (5 square feet to 32 square feet)	\$20.00 each
Large (over 32 square feet)	\$50.00 each

7-DAY PERMIT TEMPORARY SIGN

Small (5 square feet to 32 square feet)	\$10.00 each
Large (over 32 square feet)	\$30.00 each
Inflatables (special use)	\$30.00 each

MONUMENT SIGNS/STRUCTURES

All sizes	\$50.00 (additional electrical permit required)
-----------	---

PERMANENT SIGN - WALL SIGN

All sizes	\$2.00 per square foot (minimum of \$25.00) (additional electrical permit required)
-----------	---

Fees for Planning and Development Documents

Comprehensive Plan Book	\$25.00 each
Leawood Development Ordinance	\$10.00 each
Subdivision Regulations	\$5.00 each
Zoning Map - black and white	\$1.00 each
Subdivision Map - black and white	\$1.00 each
Comprehensive Plan Map - color, 2-sided	\$5.00 each
Comprehensive Plan Map - color, 1-sided	\$3.00 each
Comprehensive Plan Map - black and white, 1-sided	\$1.00 each
Leawood Street Plan Map - black and white	\$1.00 each

Fees for Miscellaneous Planning and Development Activities

OCCUPANCY OF COMMERCIAL SPACE OR BUILDING

Application fee	\$20.00 each
Inspection fee	\$30.00 each

REINSPECTION FEES

Residential	\$42.00 each
Office/Commercial	\$42.00 each
Temporary occupancies	\$30.00 each (after second inspection)

ANNUAL LICENSE FEES FOR RENTAL DWELLINGS

Single family dwelling	\$75.00 each dwelling
Apartment units	\$20.00 each unit

RENTAL INSPECTION FEES

Rental Inspection Fees	\$10.00 per inspection
------------------------	------------------------

PROPERTY MAINTENANCE BOARD OF APPEALS

Appeal	\$50.00 each
--------	--------------

BOARD OF ZONING APPEALS

Appeal	\$75.00 each
--------	--------------

BUILDING CODE BOARD OF APPEALS

Appeal	\$50.00 each
--------	--------------

MOWING FEES

Code enforcement initiated	\$100.00 per hour (minimum of \$100.00)
----------------------------	---

ESTATE SALES

Estate sale	\$25.00 each
-------------	--------------

OIL AND GAS DRILLING AND PRODUCTION

Special use permit	\$400.00 each
Permit for one well	\$100.00 each
Blanket permit for multi wells	\$300.00 each

FINANCE DEPARTMENT

Licensing of Dogs and Cats

DOG/CAT LICENSE

Sexually altered dog/cat	\$5.00 each
Unaltered dog/cat	\$15.00 each
Lost tag replacement	\$2.00 each

PENALTIES

License renewal fees are due January 1 and payable without penalty before March 1. A \$5.00 penalty will be assessed on March 1 and for every thirty days delinquent thereafter.
The owner of any dog or cat reaching six months of age on or after March 1 shall have ten days from the day the animal becomes six months old to license the animal. If the animal is not licensed within the time required, a penalty of \$5.00 for every thirty days delinquent will be assessed in addition to the normal license fee.
Any person bringing a dog or cat over six months old into the City on or after March 1 shall have thirty days from the day the animal is brought into the City to license the animal. If the animal is not licensed within the time required, a penalty of \$5.00 for every thirty days delinquent will be assessed in addition to the normal license fee.

Finance Charges

WORTHLESS CHECK FEES

Fee for worthless check	\$20.00
-------------------------	---------

PUBLIC WORKS DEPARTMENT

Fees for Sidewalks and Street Activities

SIDEWALKS

For any permit issued under the provisions of Article 1A of Chapter 13	\$20.00 each
--	--------------

STREETS

For any permit issued under the provisions of Article 2 of Chapter 13	\$20.00 each
Maintenance bond	100% of construction cost for 2 years
Right-of-Way permit (trenching, tunneling or boring)	\$20.00 each
Open cut in pavement permit	length x width x \$2.00 (minimum of \$15.00)
Lane closure permit (in addition to open cut or right-of-way)	\$25.00 each

Fees for Back Charge Recovery Costs - Mud Ordinance

This is not a service. Back charge work will be done only with the approval of the Director or the Assistant Director of Public Works.
 Costs for workers and/or equipment. There will be a one hour minimum charge. Transportation to the job site will be charged at the same rate.

ACTIVITIES

Worker with hand tool only	\$20.00 per hour
Pick-up truck with driver	\$35.00 per hour
Dump truck with driver	\$55.00 per hour
Sweeper with operator	\$100.00 per hour
Jet rodder with operator	\$100.00 per hour
Back hoe with operator	\$80.00 per hour
Mowing tractor with operator	\$65.00 per hour
Bobcat, pick-up, trailer and hand tools with operator	\$80.00 per hour
Grader with operator	\$90.00 per hour
Loader with operator	\$90.00 per hour

OUTSIDE CONTRACTORS

Outside contractors	\$65.00 per hour (minimum of 3 hours)
---------------------	--

ADDITIONAL LABOR

Maintenance Worker I (per person)	\$20.00 per hour
Maintenance Worker II (per person)	\$20.00 per hour
Maintenance Worker III (per person)	\$20.00 per hour
Crew Leader (per person)	\$25.00 per hour
Supervisor (per person)	\$35.00 per hour

Fees for Miscellaneous Public Works Activities

PRE-BLAST APPLICATION

Pre-blast application	\$100.00 each
-----------------------	---------------

SEWER CONNECTION

Sewer connection charge	\$1,500.00 each
Inspection fee	\$50.00 each

DOCUMENT FEES

Construction Standards Book	\$20.00 each
-----------------------------	--------------

POLICE DEPARTMENT

False Alarms — Superseded by Res. #1222, 2/21/95

FALSE ALARMS

Seven through ten false alarms	\$25.00 each
Eleven through fourteen false alarms	\$50.00 each
Fifteen through eighteen false alarms	\$75.00 each
Nineteen and each subsequent alarm	\$100.00 each

Miscellaneous Fees

RECORDS COPYING

Copy fee	\$1.50 per page
----------	-----------------

PARKS AND RECREATION DEPARTMENT

Fees for Lessons, Leagues and Classes

	Resident Fees	Non-resident Fees
Swim lessons	\$25.00	\$30.00
Competitive swim (includes USS fee)	\$65.00	\$75.00
Water exercise	\$30.00	\$35.00
Camp	\$100.00	\$125.00
Fishing Derby	\$4.00	\$5.00
Softball league	\$280.00	\$280.00
Triathlon	\$15.00	\$15.00
Races	\$15.00	\$15.00
Volleyball leagues	\$75.00	\$75.00
Tennis lessons	\$25.00	\$30.00
Other classes for adults and children	determined by staff, including supplies and facility cost	determined by staff, including supplies and facility cost

Fees for Facility Rental

	Resident Fees	Non-resident Fees
Soccer and baseball field use	\$3.50 per hour	\$3.50 per hour
Soccer clinic		\$125.00
Pool rental	\$50.00 per hour + guards	\$50.00 per hour + guards
Shelter reservations	\$8.00 per each 5 hours	n/a
Picnic table moving		\$10.00
Tennis court rental (singles)	\$3.50 per hour	\$3.50 per hour
Tennis court rental (doubles)	\$5.00 per hour	\$5.00 per hour

Fees for Pool and Tennis Membership

DAILY FEES

	Resident Fees	Non-resident Fees
Pool	\$2.50	\$3.50
Tennis	\$2.50	\$3.50

POOL ONLY

	Resident Fees	Non-resident Fees
Family	\$70.00	\$95.00
Individual	\$40.00	\$55.00
Senior Citizen (60+)	\$20.00	\$20.00
ID Card	\$3.00	\$3.00
Renewal Card	\$1.00	\$1.00

TENNIS ONLY

	Resident Fees	Non-resident Fees
Family	\$60.00	\$80.00
Individual	\$35.00	\$50.00
Senior Citizen (60+)	\$15.00	\$15.00
ID Card	\$3.00	\$3.00
Renewal Card	\$1.00	\$1.00

POOL AND TENNIS

	Resident Fees	Non-resident Fees
Family	\$100.00	\$125.00
Individual	\$55.00	\$70.00
Senior Citizen (60+)	\$25.00	\$25.00
ID Card	\$3.00	\$3.00
Renewal Card	\$1.00	\$1.00

Miscellaneous Park and Recreation Fees

	Resident Fees	Non-resident Fees
Registration Change	\$5.00	\$5.00
Call-in Registration	\$2.00	\$2.00
Replacement membership card	\$5.00	\$5.00

IRONHORSE GOLF COURSE

Golf Course Fees

DAILY FEES

"Non-Prime Time" includes Monday through Thursday; "Prime Time" includes Friday, Saturday and Sunday.
 The Junior/Senior rates apply only during non-prime time.
 The Twilight rates begin at 4:00 pm.
 A Tournament Fee includes green fee, golf car and an \$8.00 prize fee.

Non-Prime Time	Resident Fees	Non-resident Fees
18 Hole	\$20.00	\$24.00
9 Hole	\$12.00	\$14.00
Junior/Senior 18 Hole	\$15.00	\$18.00
Junior/Senior 9 Hole	\$10.00	\$12.00
Twilight Rate	\$12.00	\$14.00
Tournament Fee	\$43.00	\$43.00
Prime Time		
18 Hole	\$28.00	\$30.00
9 Hole	\$16.00	\$18.00
Twilight Rate	\$16.00	\$18.00
Tournament Fee	\$49.00	\$49.00

GOLF CAR

	Resident Fees	Non-resident Fees
18 Hole	\$11.00	\$11.00
9 Hole	\$6.50	\$6.50

Learning Center Fees

PRACTICE TEE

Regular Size Bag	\$3.00
Large Size Bag	\$6.00

PRACTICE HOLES

3 Hole Round	\$3.00
--------------	--------

Clubhouse Rental Fees

All parties must cater through IRONHORSE. Rentals subject to approval.

Wedding Reception, Christmas Party, etc.	\$300.00
Meeting	\$150.00
Non-Profit Organizational Meeting	\$75.00

IRONHORSE Golf Association

The IRONHORSE Golf Association signs the player up on the GHIN handicap system. The player will also receive a punchcard for the Practice Tee allowing five (5) regular size bags of practice balls.

1995 MEMBERSHIP

1995 Membership	\$27.00
-----------------	---------

IRONHORSE Engineers Club

The IRONHORSE Engineers Club allows the member to mix practice, lessons and play together to improve their game. The members will receive 1) One large bag of practice balls per day; 2) Private lesson package including two (2) golf lessons; 3) punchcard for the Practice Holes (five (5) practice rounds); and 4) the IRONHORSE newsletter.

This Club is open to both residents and non-residents.

1995 MEMBERSHIP

1995 Individual Membership	\$250.00
1995 Couple Membership	\$475.00
1995 Family Membership	\$575.00
1995 Junior Membership	\$150.00

IRONHORSE Conductors Club

The IRONHORSE Conductors Club is limited to 125 members. The fee is due at the beginning of the year; benefits end November 30.

The members will receive 1) Seven (7) day advance privileges for starting time reservations; 2) handicap service; 3) 25% discount on Clubhouse rentals; 4) IRONHORSE shirt; 5) IRONHORSE newsletter; and 6) Fall sale and party.

Non-residents may only sign up if the 125 memberships are not filled by residents.

1995 MEMBERSHIP

1995 Resident Membership	\$250.00*
1995 Non-Resident Membership	\$375.00*

* These fees have been reduced from the normal full season charge.

City of Leawood, Kansas
4800 Town Center Drive
Leawood, Kansas 66211

1995 FEE SCHEDULE

Adopted by the Governing Body this 3rd day of January, ~~1994~~ 1995.

Marcia Rinehart
Marcia Rinehart Mayor

(SEAL)

Attest:

Martha Heizer
Martha Heizer City Clerk

CITY OF LEAWOOD

RESOLUTION NO. 1218

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

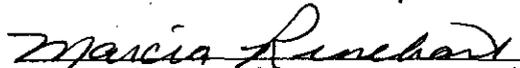
WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

ADOPTED by the Governing Body this 16 day of January, 1995.

APPROVED AND SIGNED by the Mayor this 16 day of January, 1995.

City of Leawood, Kansas


Marcia Rinehart, Mayor

ATTEST:

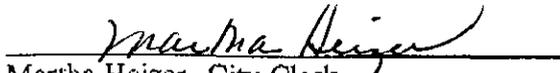
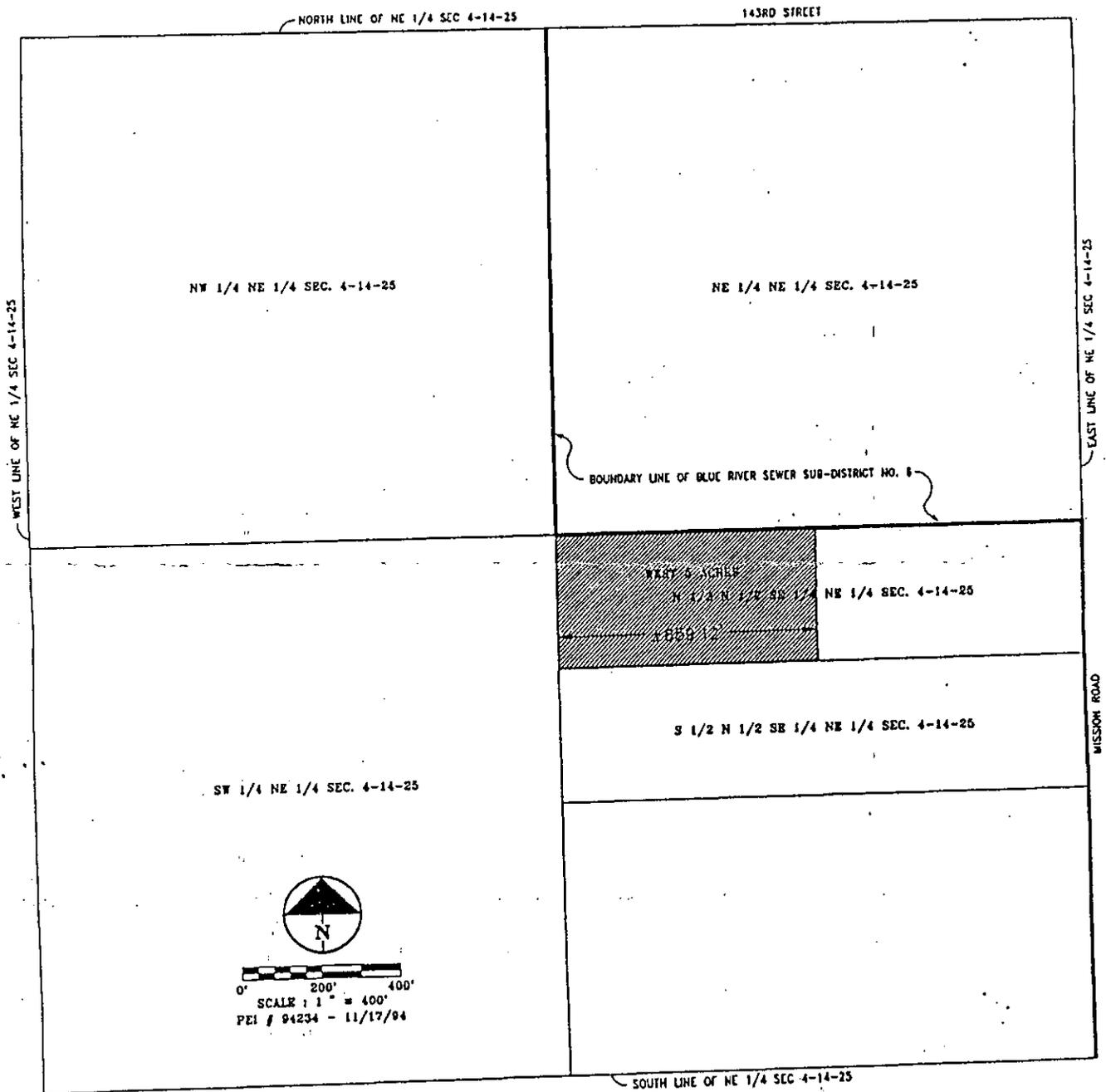

Martha Heizer, City Clerk

EXHIBIT A

ENLARGEMENT OF BLUE RIVER SEWER SUB-DISTRICT NO. 6 & CREATION OF LATERAL SEWER DISTRICT NO. 10 CONSOLIDATED MAIN SEWER DISTRICT



DESCRIPTION:

A tract of land in the Northeast Quarter of Section 4, Township 14, Range 25, in the City of Leawood, Johnson County, Kansas, being more particularly described as follows:

The West 5 Acres of the North 1/2 of the North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 4, Township 14 N, Range 25 E, Johnson County, Kansas.



PHELPS
Engineering, Inc.

ENGINEERING • PLANNING • SURVEYING • CONSTRUCTION MANAGEMENT

9300 RENNER BLVD • LENEXA, KS 66219 (913) 894-5599 • FAX (913) 894-5690

RESOLUTION NO. 1219

The Leawood City Council has considered the request for approval of revised final plat of Town Center Plaza located at 119th Street, between Roe and Nall, and hereby finds the following:

WHEREAS, a final plat was previously approved but has not been recorded, and

WHEREAS, the final plat divides the site into 12 lots, utilizing 9 for pad sites and the remaining 3 will be used for the main part of the shopping center, and

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

1. Participation in the following traffic improvements is required. All funds must be received or construction of improvements commenced prior to occupancy of any buildings on the property.

a) Provide additional continuous right turn lane of Roe Avenue and 119th Street and right turn lanes at access drives as needed and as specified in the traffic report prepared by JBM.

b) Participate in the following signals:

- 1) 25% - Town Center Drive and Roe Avenue
- 2) 50% - Full access on 119th Street across from Hawthorne Plaza
- 3) 25% - 117th Street and Nall Avenue
- 4) 50% - Full access on 119th Street between Hawthorne Apartments and Nursing Home, when warranted.

c) Reconfigure the intersection on Roe Avenue across from main entrance to Camelot Court as specified by JBM as an alternative to a traffic signal.

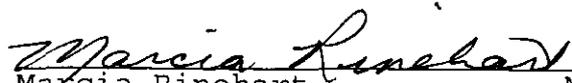
2. Remaining two lanes of Town Center Drive are to be improved from 117th Street to Nall Avenue. Third party is responsible to construct, but agreement is required prior to any construction activity on Town Center Plaza commencing.

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 Town Center Plaza with stipulations.

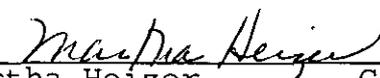
Adopted by the Governing Body this 6th day of February, 1995.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1220

The Leawood City Council has considered the request for approval of rezoning from AG (Agricultural) to RP-4 (Planned Cluster Residential), preliminary plat and preliminary plan for Stone Ledge located at approximately 154th and Nall and hereby finds the following:

WHEREAS, the Master Development Plan shows this area to be Medium Density Residential - Single Family Detached, and

WHEREAS, the preliminary plat/plan contains 18 single family units on 4.4 acres (net) for a density of 4 units/acre, and

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

1. Park Impact fee in the amount of \$300 per dwelling is required.
2. The developer/owner is responsible for \$130 per front foot of Nall, totalling \$56,030 (130 X 431). This fee is payable prior to recording a final plat.
3. The developer/owner is responsible for a South Leawood Transportation Impact fee in the amount of \$4290. This fee is payable prior to recording a final plat.
4. The development is limited to a total of 18 lots.
5. That development shall be in accordance with Exhibit "A" (Preliminary Development Plan) which is on file at the City of Leawood and which is incorporated by reference as if set out in full herein.
6. That the granting of an RP-4 zoning classification for the property is expressly contingent on the Preliminary Development Plan reflected in Exhibit "A" and in the event an application is made to modify said Development Plan, the zoning classification for the property shall automatically revert to AG, Agriculture.
7. That any future filings seeking to modify the Development Plan, Exhibit "A", shall require the refileing of a new rezoning application and shall be subject to all requirements pertaining thereto.
8. That for all lots situated along the north and east perimeter of the property, rear building lines shall not be less than 30 feet, and rear deck building lines shall not be less than 25 feet.

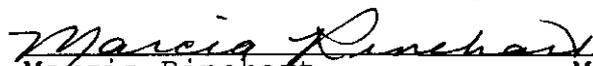
Resolution No. 1220
Page 2

9. The developer/property owner agree to sign an agreement committing to all stipulations and agree that such stipulations are voluntary and waives any right to file suit against the City of Leawood, claiming that the undertaking set forth in these stipulations is prohibited by law.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the rezoning from AG (Agricultural) to RP-4 (Planned Cluster Residential), preliminary plat and preliminary plan for Stone Ledge located at approximately 154th and Nall with stipulations.

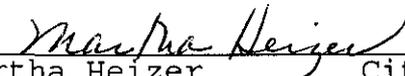
Adopted by the Governing body this 6th day of February, 1995.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

**AUTHORITY TO AWARD CONTRACT
COMMITMENT OF CITY FUNDS**

2 Copies to City
46 N-0043-01
CMQ - N004(301)
City of Leawood

January 25, 1995

WHEREAS bids were received at Topeka, Kansas on January 18, 1995 for the performance of work covered by plans on the above numbered project, and

WHEREAS the bidder and the low bid or bids on work covered by this project were:

CONTRACTOR	ADDRESS	TYPE OF WORK	AMOUNT
Stelmach Construction Co. Inc.	Box 8109 Prairie Village, KS	Grading Bit. Surfacing	\$207,175.47

WHEREAS bids are considered satisfactory and have been recommended by the Secretary of Transportation of the State of Kansas, hereinafter referred to as the SECRETARY, for consideration and acceptance of the work on this project as covered by such bid or bids.

An estimated 20% of Bid plus \$34,334.00
for construction engineering and contingencies = \$75,769.00

BE IT FURTHER RESOLVED that City funds in the amount of \$75,769.00 which are required for the matching of Federal funds to complete this work are hereby pledged by the City to be remitted to the Chief of Fiscal Services of the Secretary of Transportation of the State of Kansas on or before March 9, 1995 for use by the SECRETARY in making payments for construction work and engineering on the above designated project.

Adopted this 6th day of February, 1995, at Leawood, Kansas

Recommended for Approval:

Terry S. Uhl
City Engineer

Marcia R. Richard, Mayor

Attest: _____, Member

(SEAL)

_____, Member

Marcia Heizer
City Clerk

RESOLUTION NO. 1222

A RESOLUTION RELATING TO ALARM SYSTEM FEES, SUCH FEES NOT SPECIFICALLY PROVIDED FOR IN THE CODE OF THE CITY OF LEAWOOD, AND WHICH SUPERCEDE ALARM SYSTEM FEES IN THE 1995 FEE SCHEDULE RESOLUTION NO. 1217 ADOPTED BY THE GOVERNING BODY ON JANUARY 3, 1995.

BE IT RESOLVED that the following fees are hereby ratified:

POLICE DEPARTMENT

Alarm System Fees

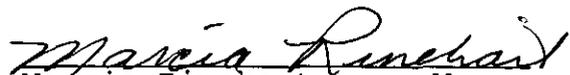
SYSTEM REGISTRATION FEE
Alarm System Registration Fee \$16.00 annually

FALSE ALARMS (RESIDENTIAL SYSTEMS)
0-3 false alarms No charge
4-6 false alarms \$25.00 each
7-9 false alarms \$50.00 each
10-12 false alarms \$75.00 each
13 and each subsequent alarm \$100.00 each

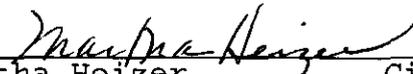
FALSE ALARMS (BUSINESS SYSTEMS)
0-3 false alarms No charge
4-6 false alarms \$50.00 each
7-9 false alarms \$100.00 each
10-12 false alarms \$150.00 each
13 and each subsequent alarm \$200.00 each

Adopted by the Governing Body the 21st day of February, 1995.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1223

WHEREAS, a quarter-cent sales tax for public safety is scheduled to be placed on the April 4, 1995, ballot by the Board of County Commissioners of Johnson County, Kansas; and

WHEREAS, the Board of County Commissioners will dedicate its portion of the sales tax to the construction and operation of a minimum/medium security jail, additional Community Corrections beds and a Juvenile Hall expansion to help prevent overcrowding that could violate federal and court standards; and

WHEREAS, while the need for jail space is increasing because of a heightened focus on public safety by both city and county officials, the number of available outlying jail beds is becoming more scarce as other overcrowded counties throughout the State of Kansas compete for them; and

WHEREAS, construction of new Johnson County detention facilities will save the taxpayers more than \$1 million a year in boarding costs for prisoners who now are being sent to jails in outlying counties; and

WHEREAS, Johnson County residents in a scientifically conducted survey preferred a sales tax to a property tax to pay for additional county services; and

WHEREAS, the City of Leawood also will receive a portion of the sales tax to assist it in maintaining services and to absorb CARS costs between 1996 and 1999 without adding to the property tax, which is relied upon heavily by local educational facilities;

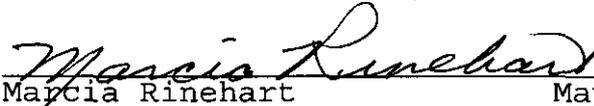
NOW, THEREFORE, the Governing Body of Leawood, Kansas, does hereby endorse the proposed Johnson County quarter-cent sales tax for public safety; provided, that no city in the county be required to contribute more than the actual receipts from the city's share of the new quarter-cent sales tax towards the completion of CARS-funded projects to which the county was previously committed for the period of 1996 through 1999 and as outlined in the county's proposed jail financing plan; and that any shortfall in any CARS project through 1999 resulting from a reduced level of CARS funding which is not offset by the city's share of the quarter-cent sales tax be completely funded by the county; and

FURTHER, encourages the residents of Leawood, Kansas, to support the proposed sales tax at the polls on April 4, 1995.

Page 2
Resolution No. 1223

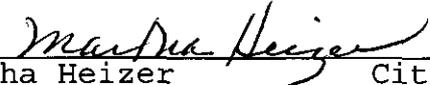
Adopted by the Governing Body this 21st day of February, 1995.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1224

A RESOLUTION IN SUPPORT OF THE TOMAHAWK CREEK DRAINAGE BASIN STUDY.

WHEREAS, the Governing Body of the City of Leawood, Kansas, is committed to long-range stormwater management and land use planning principles which allow for compatible and orderly land development adjacent to the 100-year floodplains within the City; and

WHEREAS, the Governing Body wishes to reduce the consequences of outdated and inaccurate information as reflected on the Federal Emergency Management Agency's (FEMA) 100-Year Floodplain Insurance Maps; and

WHEREAS, the Governing Body recognizes that the FEMA standard allows development to take place on the fringe of today's floodplain even though that development could ultimately be in the future floodplain as the drainage basin develops; and

WHEREAS, the Governing Body recognizes that the Tomahawk Drainage Basin is only partially developed and will be the next major drainage basin developed in the next several years; and

WHEREAS, the Johnson County Stormwater Management Program has funded a similar study for the Mill Creek Drainage Basin and is therefore, a potential source of funding for a drainage basin study of Tomahawk Creek; and

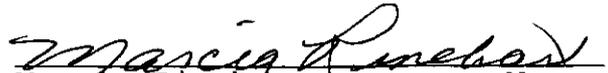
WHEREAS, the City of Overland Park is soliciting support for the Tomahawk Drainage Basin Study from the cities of Leawood and Olathe;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS: That the Governing Body of the City of Leawood, Kansas, supports a stormwater management study of the Tomahawk Creek Drainage Basin and joins in seeking funding from the Johnson County Stormwater Management Program for this study. The study will provide up-to-date, accurate information for the entire Tomahawk Creek Drainage Basin including current 100-year floodplain boundaries and ultimate 100-year floodplain boundaries for use in determining the boundaries of development, the most effective site plan for individual developments, and the impact of individual developments on the floodplain.

Page 2
RESOLUTION NO. 1224

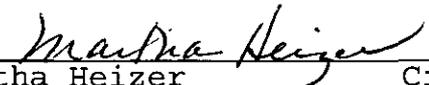
Adopted by the Governing Body of the City of Leawood, Kansas,
the 21st day of February, 1995.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1225

RESOLUTION ACCEPTING PETITION
FOR CREATION OF IMPROVEMENT DISTRICT
AND SETTING FORTH CONDITIONS FOR THE CREATION
OF SAID IMPROVEMENT DISTRICT

WHEREAS, Marned Corporation has submitted to the City a Petition for Improvement District pursuant to K.S.A. 12-6a 04(2); and

WHEREAS, the proposed Improvement District relates to the development of the Leawood Town Center Plaza Project which project occasions the need for such public street, utility and infrastructure improvements; and

WHEREAS, the City of Leawood supports the creation of the Improvement District set out in the attached Petition but does not want to burden the subject Improvement District Property until the owners of the property have finalized plans for development on the property and have conveyed certain property to the developer of a portion of the property, Specialty Development Corporation, and until said developer has taken title to such property and secured the financing relating to the construction of the Town Center Plaza Project.

NOW THEREFORE BE IT RESOLVED that the attached Petition for Creation of Improvement District submitted by Marned Corporation is in all respects in conformance with the provisions of K.S.A 12-6a 04 et seq.

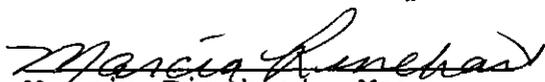
BE IT FURTHER RESOLVED that the City, on condition of conveyance of title from Marned Corporation to Specialty Development Corporation or its successors and assigns hereby

conditionally approves the creation of the proposed Improvement District.

BE IT FURTHER RESOLVED that the City shall at its next regular meeting following evidence of closing and the conveyance of title from Marned Corporation to Specialty Development Corporation and its successors and assigns approve and publish an ordinance creating the Improvement District, such ordinance to be in the form approved by the City's legal counsel.

BE IT FURTHER RESOLVED if the closing and conveyance of title from Marned to Specialty Development Corporation, as set out above, has not taken place within sixty (60) days of this date, then the Petition which is approved by this Resolution shall be considered withdrawn and this Resolution and the conditional approval set forth herein shall be null and void.

ADOPTED by the Governing Body this 21st day of February, ~~1994~~ 1995.


Marcia Rinehart, Mayor

Attest:


City Clerk

Approved as to Form:

City Attorney

PETITION FOR IMPROVEMENT DISTRICT
PURSUANT TO K.S.A. 12 6a 04(2)

TO THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

A. GENERAL NATURE OF PROPOSED IMPROVEMENT.

The undersigned, being owners of record of property liable for assessment for the following proposed improvement:

The construction of 117th Street from its intersection with Town Center Drive west to Nall Avenue, the widening to four lanes of Town Center Drive from Nall Avenue east to Roe Boulevard to arterial standards and the construction of traffic improvements adjacent to Nall Avenue, Roe Avenue, 119th Street, 117th Street, and Town Center Drive and related public utility and infrastructure improvements in accordance with plans approved by the Petitioner and the City of Leawood.

The project will consist of substantial infrastructure improvements which are deemed necessary and advisable in order to safely accommodate public use in and around the project commonly known as the Town Center Plaza. Specifically the project will consist of the following roadway and related improvements, to-wit:

- a. The completion to four lanes of Town Center Drive from Nall Avenue easterly to Roe Boulevard to arterial standards as such standards are defined by the City of Leawood, Kansas.
- b. The construction of 117th Street from its intersection with Town Center Drive westerly to Nall Avenue to three lane collector standards as such standards are defined by the City of Leawood. Both Town Center Drive and 117th Street will be constructed with concrete curb and gutter, asphalt pavement, storm drainage, sidewalks, street lighting and such other appurtenances as are required pursuant to the final plans approved by the City of Leawood.
- c. The construction of acceleration and deceleration lanes adjoining 119th Street between Roe Avenue and Nall Avenue as depicted in Exhibit A attached hereto and incorporated herein by reference.
- d. The construction of acceleration and deceleration lanes adjoining Roe Avenue and Nall Avenue adjacent to the improvement district property,

all as depicted in Exhibit A attached hereto and incorporated herein by reference.

- e. The erection of traffic signals at 119th & Hawthorne, 117th & Nall, 119th east of Nall and Roe Boulevard and Town Center Drive, all as generally depicted in Exhibit A.
- f. All utility relocation, upgrading, or extension required by the above-described infrastructure improvements, including but not limited to sanitary sewers, storm sewers, electric utility lines, gas utility lines and water lines. Specifically the project shall include placing underground the electric power lines running generally parallel to 119th Street between Roe Avenue and Nall Avenue.
- g. The construction of a water distribution system through the property that will connect existing water main in 119th Street into the proposed water main in 117th Street.
- h. The extension of the existing sanitary sewer line a distance of approximately 250 linear feet to 117th Street where individual service lines can be connected into the property as needed.

hereby propose that such improvement be made in the manner provided by Article 6a, Chapter 12 of the Kansas Statutes Annotated, as amended.

B. ESTIMATED AND PROBABLE COST.

The estimated or probable cost of the improvement is _____ Dollars (\$ _____).

C. BOUNDARIES OF PROPOSED IMPROVEMENT DISTRICT.

The proposed improvement district boundaries are described in the attached Exhibit B which is incorporated in this petition.

D. EXTENT OF PROPOSED IMPROVEMENT DISTRICT TO BE ASSESSED.

The extent of the proposed Improvement District to be assessed is all property within the Improvement District as described in Exhibit B, subject to specific allocation as requested by the Petitioner and approved by the City.

E. PROPOSED METHOD OF ASSESSMENT.

The proposed method of assessment is to assess all properties within the district. The assessment shall be on a square foot basis against all land within the Improvement District. Financing of the Improvement District formed for the construction of the improvements shall provide for payment of assessments over a term of fifteen years.

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

The cost of the improvements shall be assessed one hundred percent (100%) to the petitioners and zero percent (0%) to the City of Leawood. Provided however that the City of Leawood shall not charge for inspections required for City approval of the work when inspections are performed by the City and required by City ordinances. This paragraph shall not be construed as creating a duty on the part of the City to perform general construction inspections. Additionally the City shall not assess any administrative fees customarily charged by the City for its service in connection with the formation of the Improvement District.

G. RIGHT-OF-WAY PROVISION.

The undersigned petitioner agree to provide without cost to the City all easements and right-of-way necessary for the improvement. The undersigned agree that any sums paid by the City to acquire a permanent right-of-way and easements shall be assessed to the Improvement District as a cost of the improvement. The undersigned agree that this section shall not be construed so as to require the City to initiate any condemnation proceedings and the decision to initiate any condemnation proceedings shall be in the sole discretion of the City.

I. ACKNOWLEDGEMENT AND WAIVER REGARDING MAIN TRAFFICWAYS.

Petitioner by execution of this agreement acknowledges that the improvements to be made pursuant to this petition are public improvements associated with and required by the development of the property described in Exhibit A and do not constitute improvement of any of the Main Trafficways adjacent to or abutting the improvements. By execution of this petition, the Petitioner acknowledges on behalf of itself, as well as of its successors and assigns, that it does irrevocably waive any right to file suit against the City, claiming that the undertaking set forth in this Agreement constitutes construction of improvements to main trafficways and that such improvements must be paid for by the City at large as main trafficway improvements. Petitioner specifically waives

any right to file suit against the City claiming a refund of any moneys paid or to be assessed pursuant to this petition or that the improvement district requested by this petition is prohibited by the Main Trafficway Act (K.S.A. 12-685 et seq. or is otherwise unlawful.

J. REQUEST THAT IMPROVEMENT BE MADE WITHOUT NOTICE AND HEARING.

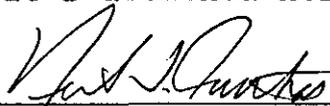
The undersigned further request that such improvements be made without notice and hearing as required by K.S.A. 12-6a 04(a) as amended.

NOTICE

No name may be withdrawn from this Petition after the Governing Body commences consideration of the Petition or no later than seven (7) days after this Petition has been filed with the City Clerk, whichever occurs first (K.S.A. 12-6 04).

Respectfully submitted,

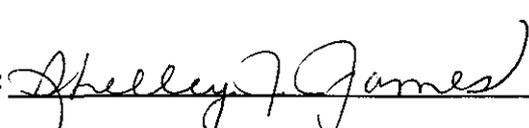
Marned Corporation, as owner of the property described in Exhibit B attached hereto.

By: 
Neil T. Douthat, President

DATE AND TIME OF SIGNING:

DATE

TIME

ATTEST: 

TITLE: _____

DATE: 2/21/95

EXHIBIT A

WEST LINE S.W. 1/4
SEC. 16-13-25

NALL AVENUE

NORTH LINE S.W. 1/4
SEC. 16-13-25

PLAT OF
EDGEWOOD

TOWN CENTER DRIVE

PLAT OF
LEAWOOD TOWN CENTER

EAST LINE S.W. 1/4
SEC. 16-13-25

ROE AVENUE

SOUTH LINE S.W. 1/4
SEC. 16-13-25

119TH STREET



SCALE : 1" = 400'

JOB NO. 55686 DATE 2-20-95 BY TLN-bgl

PLAT OF LEGAL DESCRIPTION
PROPOSED IMPROVEMENT DISTRICT
PART OF SW 1/4, SEC. 16-13-25
LEAWOOD, JO. CO., KANSAS



SHAFER, KLINE & WARREN, P.A.

CIVIL ENGINEERS - LAND SURVEYORS
TRAFFIC ENGINEERS - LAND PLANNING
LANDSCAPE ARCHITECTURE

11100 W. 91st STREET, OVERLAND PARK, KANSAS 66214
OFFICE: 913-888-7800 FAX: 913-888-7868



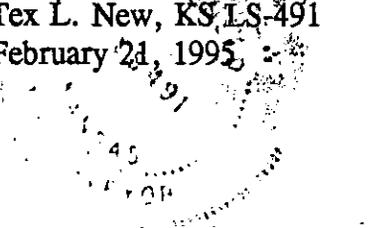
Tuttle-Ayers-Woodward Co. founded 1885
A.C. Kirkwood & Associates founded 1947
Shafer, Kline & Warren, P.A. founded 1950
Hamilton & Associates, Inc. founded 1961

February 21, 1995

LEGAL DESCRIPTION FOR
PROPOSED IMPROVEMENT DISTRICT
LEAWOOD TOWN CENTER
(SW¼, Sec. 16-13-25)
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

All of the SW¼ of Section 16, Township 13, Range 25, now in the City of
Leawood, Johnson County, Kansas, lying South of the South right-of-way of Town
Center Drive, as now established.

By:


Tex L. New, KS LS-491
February 21, 1995


- Civil Engineers
- Electrical Engineers
- Mechanical Engineers
- Landscape Architects
- Land Surveyors
- Land Planners

RESOLUTION NO. 1226

The Leawood City Council has considered the request for approval of a final plat of Lakes of Leawood, located at 117th and Tomahawk Creek Parkway and hereby finds the following:

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

WHEREAS, the property is zoned RP-3, and

WHEREAS, the plat leaves the property in one lot, and

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

1. A 12'-0" wide biking/hiking trail easement shall be provided and delineated on the southern side of the property to connect Tomahawk Creek Parkway to the tunnel under Roe Avenue.
2. Prior to application for a building permit, the applicant must submit an erosion control plan, 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 Lakes of Leawood with stipulations.

Adopted by the Governing Body this 6th day of March, 1995.

(SEAL)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1227

The Leawood City Council has considered the request for approval of a revised preliminary plat of Hazelwood, 4th Phase, located at 119th and Pawnee and hereby finds the following:

WHEREAS, the proposed preliminary plat affects lots 31-40, and

WHEREAS, the revision changes the street layout from a loop street to two cul-de-sacs, and

WHEREAS, the property is zoned R-1, and

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

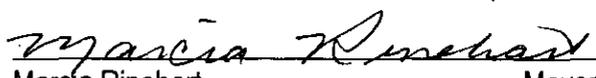
1. All streets are to be public.
2. All 22' wide streets will restrict parking to only one side and will be marked as such.
3. Along with the required final plat the developer will submit a site plan that sets out for each lot the area that may be cleared and noting any trees that are 6" or greater caliper that will be cleared.
4. Along with the required final plat the developer will submit additional information that details fence locations and materials.
5. The final plat will note restricted access on the street side of lots that will not have driveways.
6. An area approximately 42' in width will be established as a "no cut zone" that will also disallow any man-made structures on the rear side of any lots that have double street frontage, and

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat of Hazelwood, 4th phase, with stipulations.

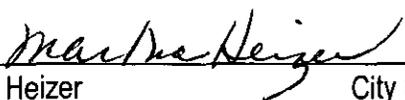
Adopted by the Governing Body this 6th day of March, 1995.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1228

RESOLUTION APPROVING A STORM WATER PROJECT WITHIN THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO PROVIDE FUNDS TO PAY THE COSTS THEREOF, PURSUANT TO THE PROVISIONS OF K.S.A. 14-523 ET. SEQ., AND FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY PENDING THE ISSUANCE OF SAID BONDS; EXPRESSING THE INTENT TO REIMBURSE COSTS OF THE PROJECT SO INCURRED FROM PROCEEDS OF GENERAL OBLIGATION BONDS; AND AUTHORIZING AND APPROVING CERTAIN RELATED MATTERS AND ACTIONS.

WHEREAS, it has been proposed that the City of Leawood, Kansas (the "City") build and construct storm water sewers and/or drains from a point beginning at the centerline of 98th street, then north to the centerline on 97th street, a strip ten (10) feet wide, the centerline of the strip being approximately 25 feet east of the centerline of Lee Boulevard, all within the City of Leawood (the "Project") for the purpose of carrying off storm water from the streets, avenues and alleys of the City, and the City Engineer has caused preliminary plans therefor to be prepared and the estimated cost of the Project has been determined to be approximately \$150,000; and

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and advisable to proceed with the Project and provide for the issuance of general obligation bonds of the City not to exceed an amount of \$300,000 for the purpose of financing the costs of the Project and for the issuance of temporary notes of the City pending the issuance of said bonds; and

WHEREAS, Section 1.103-18 of the Income Tax Regulations issued by the Internal Revenue Service (the "Regulations") requires that the City make a prior declaration of its intent to reimburse itself for project expenditures made by the City prior to the date of issuance of notes or bonds, and the City desires to comply with the requirements of the Regulations with respect to this Project.

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

Section 1. That the Governing Body hereby finds and determines that it is necessary and desirable to build and construct storm water sewers and/or drains from a point beginning at the centerline of 98th street, then north to the centerline on 97th street, a strip of land ten (10) feet wide, the centerline of the strip being approximately 25 feet

east of the centerline of Lee Boulevard, all within the City of Leawood and hereby authorizes and approves the Project. The City Engineer is hereby authorized and directed to proceed with development of definitive plans and construction of the Project.

Section 2. That the City hereby authorizes the issuance of general obligation bonds of the City not to exceed an amount of \$300,000 to pay the costs of the Project. The said bonds shall be issued by the City subject to compliance with the conditions set forth in Section 3 of this resolution.

Section 3. The City Clerk is hereby authorized and directed to cause this resolution to be published once in the official City newspaper. Notwithstanding the provisions of Section 2 hereof, no bonds shall be issued by the City as aforesaid in the principal amount in excess of \$50,000 if, within 30 days of publication of this resolution as aforesaid, there shall be filed with the City Clerk a petition in opposition to the issuance of such bonds signed by not less than two percent (2%) of the qualified voters in the City.

Section 4. Pending issuance of the bonds of the City as hereinbefore provided and in order to pay the costs of the Project, the City is hereby authorized to issue temporary notes of the City as provided by law.

Section 5. That to the extent the City shall pay all or any portion of the costs of the Project from available funds on hand prior to the issuance of temporary notes or bonds, the City hereby declares that it reasonably expects to reimburse such expenditures out of the proceeds of such temporary notes and such general obligation bonds. All such expenditures so reimbursed shall be capital expenditures with the meaning of Section 1.150-1(h) of the Income Tax Regulations (the "Regulations")

Section 6. This declaration is a declaration of official intent adopted pursuant to Section 1.103-18 of the Regulations.

Section 7. That as of the date hereof, there are not City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than pursuant to the issuance of temporary notes or the bonds. This resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 8. That this Resolution shall be filed within 30 days of its adoption in the publicly available official books and records of the City. This Resolution shall be available for inspection at the office of the City Clerk at City Hall during normal business hours of the City on every business day until the date of issuance of the bonds.

Section 9. That the City's Director of Finance shall be responsible for making any "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amounts of proceeds of the notes or the bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the notes or the bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account in accordance with Section 1.103-18, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the notes or the bonds from any restriction under the ordinance or other documents authorizing the issuance of such notes or the bonds, and under any applicable state statute, which would apply to the unspent proceeds of the notes or the bonds.

Section 10. This resolution shall take effect after its passage and publication once in the official city newspaper.

ADOPTED by the Governing Body this 6th day of March, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1229

RESOLUTION APPROVING A STORM WATER PROJECT WITHIN THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO PROVIDE FUNDS TO PAY THE COSTS THEREOF, PURSUANT TO THE PROVISIONS OF K.S.A. 14-523 ET. SEQ., AND FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY PENDING THE ISSUANCE OF SAID BONDS; EXPRESSING THE INTENT TO REIMBURSE COSTS OF THE PROJECT SO INCURRED FROM PROCEEDS OF GENERAL OBLIGATION BONDS; AND AUTHORIZING AND APPROVING CERTAIN RELATED MATTERS AND ACTIONS.

WHEREAS, it has been proposed that the City of Leawood, Kansas (the "City") build and construct storm water sewers and/or drains beginning on the northeast corner of lot 856 Leawood a subdivision; thence easterly to the north corner of lot 842 Leawood a subdivision; thence easterly along the north line of said lot 842 to the northeast corner of said lot 842 said point being the ending point, all within the City of Leawood (the "Project") for the purpose of carrying off storm water from the streets, avenues and alleys of the City, and the City Engineer has caused preliminary plans therefor to be prepared and the estimated cost of the Project has been determined to be approximately \$225,000; and

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and advisable to proceed with the Project and provide for the issuance of general obligation bonds of the City not to exceed an amount of \$300,000 for the purpose of financing the costs of the Project and for the issuance of temporary notes of the City pending the issuance of said bonds; and

WHEREAS, Section 1.103-18 of the Income Tax Regulations issued by the Internal Revenue Service (the "Regulations") requires that the City make a prior declaration of its intent to reimburse itself for project expenditures made by the City prior to the date of issuance of notes or bonds, and the City desires to comply with the requirements of the Regulations with respect to this Project.

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

Section 1. That the Governing Body hereby finds and determines that it is necessary and desirable to build and construct storm water sewers and/or drains beginning on the northeast corner of lot 856 Leawood a subdivision; thence easterly to

the north corner of lot 842 Leawood a subdivision; thence easterly along the north line of said lot 842 to the northeast corner of said lot 842 said point being the ending point, all within the City of Leawood and hereby authorizes and approves the Project. The City Engineer is hereby authorized and directed to proceed with development of definitive plans and construction of the Project.

Section 2. That the City hereby authorizes the issuance of general obligation bonds of the City not to exceed an amount of \$300,000 to pay the costs of the Project. The said bonds shall be issued by the City subject to compliance with the conditions set forth in Section 3 of this resolution.

Section 3. The City Clerk is hereby authorized and directed to cause this resolution to be published once in the official City newspaper. Notwithstanding the provisions of Section 2 hereof, no bonds shall be issued by the City as aforesaid in the principal amount in excess of \$50,000 if, within 30 days of publication of this resolution as aforesaid, there shall be filed with the City Clerk a petition in opposition to the issuance of such bonds signed by not less than two percent (2%) of the qualified voters in the City.

Section 4. Pending issuance of the bonds of the City as hereinbefore provided and in order to pay the costs of the Project, the City is hereby authorized to issue temporary notes of the City as provided by law.

Section 5. That to the extent the City shall pay all or any portion of the costs of the Project from available funds on hand prior to the issuance of temporary notes or bonds, the City hereby declares that it reasonably expects to reimburse such expenditures out of the proceeds of such temporary notes and such general obligation bonds. All such expenditures so reimbursed shall be capital expenditures with the meaning of Section 1.150-1(h) of the Income Tax Regulations (the "Regulations")

Section 6. This declaration is a declaration of official intent adopted pursuant to Section 1.103-18 of the Regulations.

Section 7. That as of the date hereof, there are not City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than pursuant to the issuance of temporary notes or the bonds. This resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 8. That this Resolution shall be filed within 30 days of its adoption in the publicly available official books and records of the City. This Resolution shall be available for inspection at the office of the City Clerk at City Hall during normal business hours of the City on every business day until the date of issuance of the bonds.

Section 9. That the City's Director of Finance shall be responsible for making any "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amounts of proceeds of the notes or the bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the notes or the bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account in accordance with Section 1.103-18, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the notes or the bonds from any restriction under the ordinance or other documents authorizing the issuance of such notes or the bonds, and under any applicable state statute, which would apply to the unspent proceeds of the notes or the bonds.

Section 10. This resolution shall take effect after its passage and publication once in the official city newspaper.

ADOPTED by the Governing Body this 6th day of March, 1995.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

**AUTHORITY TO AWARD CONTRACT
COMMITMENT OF CITY FUNDS**

2 Copies to City
46 N-0058-01
ART - N005(801)
City of Leawood

February 24, 1995

WHEREAS bids were received at Topeka, Kansas on February 15, 1995 for the performance of work covered by plans on the above numbered project, and

WHEREAS the bidder and the low bid or bids on work covered by this project were:

CONTRACTOR	ADDRESS	TYPE OF WORK	AMOUNT
J.M.Fahey Construction, Co.	408 HighgroveRd. Grandview, MO	PCC Ultra-Thin Bonded Overlay	\$309,892.00

WHEREAS bids are considered satisfactory and have been recommended by the Secretary of Transportation of the State of Kansas, hereinafter referred to as the SECRETARY, for consideration and acceptance of the work on this project as covered by such bid or bids.

Twenty percent (20%) of the bid plus an estimated \$28,510.00 for construction engineering and contingencies = \$90,488.00

BE IT FURTHER RESOLVED that City funds in the amount of \$90,488.00 which are required for the matching of Federal funds to complete this work are hereby pledged by the City to be remitted to the Chief of Fiscal Services of the Secretary of Transportation of the State of Kansas on or before April 6, 1995 for use by the SECRETARY in making payments for construction work and engineering on the above designated project.

Adopted this 6th day of March, 1995, at Leawood, Kansas

Recommended for Approval:

Terry S. Uhl
City Engineer

Marcia Runkhart, Mayor

Attest: _____, Member

(SEAL)

_____, Member

Marcia Heizer
City Clerk

RESOLUTION NO. 1231

A RESOLUTION REGARDING THE PROPOSED RESTRUCTURING OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND ITS FUNDING PROGRAMS.

WHEREAS, the United States Department of Transportation (USDOT) has proposed a major restructuring of its various functional and modal administrative divisions, and has proposed to consolidate its major transportation funding programs; and

WHEREAS, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) established a new federal transportation policy direction and created new partnerships between USDOT, state departments of transportation, metropolitan planning organizations and local entities; and

WHEREAS, local government entities in the Kansas City metropolitan region, working cooperatively with state transportation agencies through the Mid-America Regional Council, have established a transportation planning and funding process that addresses the needs of the region through flexibility and consensus; and

WHEREAS, the proposed USDOT restructuring has the potential to impact the established regional transportation planning process in both positive and negative ways;

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

1. That USDOT be urged to continue the positive momentum of ISTEA, to reaffirm the comprehensive transportation planning process it established, and to maintain the role of local officials working cooperatively through metropolitan planning organizations in coordinating and planning transportation investments in urban areas;
2. That USDOT be urged to balance its budget in an equitable manner and preserve current trust fund commitments;
3. That current funding levels for metropolitan planning activities and for planned transportation investments should be maintained to the maximum extent possible, and that any reductions in federal investment in transportation should not be so great as to erode the capacity to maintain the nation's transportation resources;
4. That USDOT should institute a capital budgeting process to ensure that long-term transportation infrastructure investments are amortized over the life of the

projects;

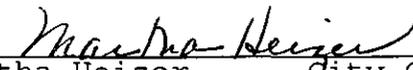
5. That the restructuring proposals should focus on reinforcing an intermodal approach to transportation investment while eliminating redundant rulemaking and regulatory oversight, and preserving effective modal advocacy, technical expertise, and liaison with state, regional and local governments.

Adopted by the Governing Body this 6th day of March,
1995.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1232

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.).

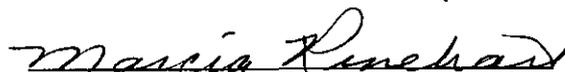
WHEREAS, the Governing Body of the City of Leawood has reviewed and approved the submittal of the attached five-year road and bridge improvement program, and

WHEREAS, pursuant to the Johnson County Commissioners' commitment to hold Leawood harmless from any loss, 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. 44-90 and Resolution No. 088-91.

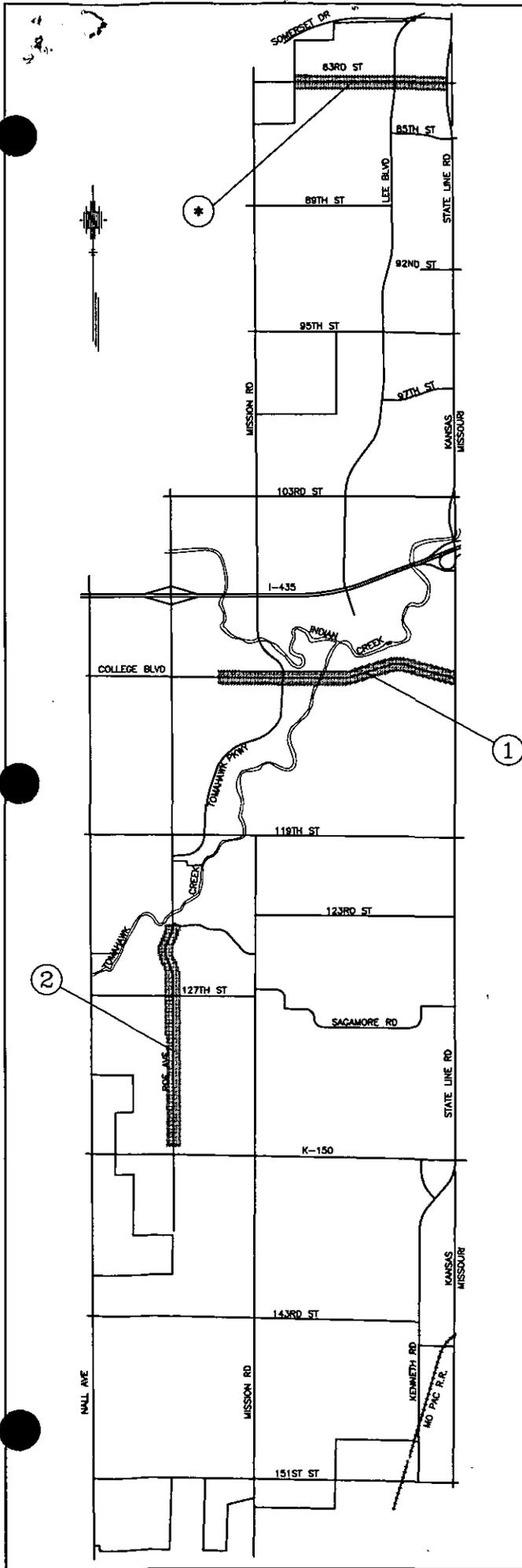
Adopted by the Governing Body this 20th Day of March, 1995.

(S E A L)


Mayor Marcia Rinehart

ATTEST:


Martha Heizer, City Clerk



PRIORITY PROJECT LOCATION

- ① 83RD STREET: (Continuation Project)
State Line Road to western city limits
- ② COLLEGE BOULEVARD:
State Line Road to El Monte
- ③ ROE AVENUE:
124th Street to 135th Street

 CITY OF LEAWOOD DEPARTMENT OF PUBLIC WORKS	DATE: 03-16-95
	DRAWN BY: DWL
CARS PRIORITY PROJECTS 1996-2000	
APPROVED	REVISIONS DATE
	SHEET NO.

Instructions for Completing Five-Year Program Summary Sheet

Column	Instructions
Priority:	Projects must be listed in order of priority based on the five year needs of your City. Each project should be preceded by a priority number (i.e. 1, 2, 3, etc.)
Project Location:	Project name generally consists of the major street on which the project is located and the limiting streets on each end of the project (i.e. State Line Road - 112th Street Terrace to Carondelet Drive).
Proposed Start/Finish:	The estimated month and year for the start of construction and completion of construction should be entered in this column
Existing Facility/Deficiencies:	A brief description of the existing facility should be entered in this column (i.e. 2-lane road with no shoulders).
Scope of Project:	A brief description of the major improvements to be included in the project should be entered in this column (i.e. widen to four lane facility, storm sewer, curb and gutter, signalization, etc.).
ADT Current Year:	Current average daily traffic on the exiting facility.
CARS Program Funding Request:	The total amount of funding for the project proposed to be furnished by the CARS Program. This can be any amount up to but not exceeding 50% of the eligible, local share of construction costs for the project.
Total Project Cost:	The total cost of design, right-of-way, utility relocation construction and construction engineering for the project. This figure should be identical to that shown on CARS Form A.
Commission District:	The County Commission District(s) is in which the project is located should be entered in this column.

Also included for your use in preparing your city's 5-year plan is CARS Form A. This form must be completed for each project and returned with your 5-year plan submittal.

RESOLUTION NO. 1233

The Leawood City Council has considered the request for approval of the Final Plat of Stone Ledge located at approximately 154th and Nall, and hereby finds the following:

WHEREAS, the property is zoned RP-4, and

WHEREAS, the final plat contains 18 single family lots on approximately 5 acres, and

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

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

1. Park Impact Fee in the amount of \$300 per dwelling unit is required.
2. The developer/owner is responsible for \$130 per front foot of Nall, totaling \$56,030 (130 x 431). This fee is payable prior to recording a final plat.
3. The developer/owner is responsible for a South Leawood Transportation Impact fee in the amount of \$4290. This fee is payable prior to recording a final plat.
4. The development is limited to a total of 18 lots.
5. That the development shall be in accordance with Exhibit "A" (Preliminary Development Plan) which is on file at the City of Leawood and which is incorporated by reference as if set out in full herein.
6. That for all lots situated along the north and east perimeter of the property, rear building lines shall not be less than 30 feet, and rear deck building lines shall not be less than 25 feet.
7. The developer/property owner agrees to sign an agreement committing to all stipulations and agrees that such stipulations are voluntary and waives any right to file suit against the City of Leawood, claiming that the undertaking set forth in these stipulations is prohibited by law.
8. The monument signs and redesign of the entry landscaping be submitted to Staff for approval prior to release of any building permits.

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 Stone Ledge with stipulations.

ADOPTED by the Governing Body this 3rd day of April, 1995.

(s e a l)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1234

The Leawood City Council has considered the request for approval of preliminary site plan for On the Border located on Lot 4, Town Center Plaza and hereby finds the following:

WHEREAS, the proposed use is a restaurant containing 7463 square feet and an outside patio, and

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

1. The use is limited to a restaurant containing 7463 square feet.
2. Drainage and other utility plans shall be approved by the Director of Public Works.
3. No access shall be granted to 119th Street directly from the site.
4. All landscaping shall be installed prior to issuance of a certificate of occupancy.
5. Footings and foundation for any part the main building of the shopping center shall be commenced before a building permit for the pad site will be issued.
6. All development is subject to the developer's approval.
7. Parking lot landscaping and streetscape is subject to the approved parking lot landscape concept. A revised landscape plan shall be submitted that incorporates the landscaping to be installed by the developer. This revised plan will also include landscaping around the monument sign and changes to landscaping on the north wall due to the location of the sign.
8. A manufacturer's name and color name for the brick be incorporated into the plans.
9. Any changes in exterior colors or materials made by the Plan Commission will be reflected in a revised set of plans submitted to the staff.
10. Lighting plans will be submitted to the staff for their review.
11. Parking calculations that include the maximum number of employees in a shift will be reflected on a revised set of plans.
12. The north wall be revised to mirror the east wall with columns, diamonds, and striping.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary site plan for On The Border on Lot 4, Town Center Plaza with stipulations.

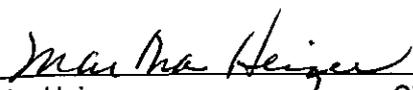
Adopted by the Governing Body this 17th day of April, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1235

The Leawood City Council has considered the request for approval of preliminary site plan of Grady's, located on Lot 2, Town Center Plaza, and hereby finds the following:

WHEREAS, the proposed use is a restaurant containing 7019 square feet, and

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

1. The use is limited to a restaurant containing 7019 square feet.
2. Drainage and other utility plans shall be approved by the Director of Public Works.
3. No access shall be granted to 119th Street directly from the site.
4. All landscaping shall be installed prior to issuance of a certificate of occupancy.
5. Footings and foundation for any part the main building of the shopping center shall be commenced before a building permit for the pad site will be issued.
6. All development is subject to the developer's approval.
7. Parking lot landscaping and streetscape is subject to the approved parking lot landscape concept. A revised landscape plan shall be submitted that incorporates the landscaping to be installed by the developer. This revised plan will also include landscaping around the monument sign.
8. A manufacturer's name and color name for the brick be incorporated into the plans.
9. Any changes in exterior colors or materials made by the Plan Commission will be reflected in a revised set of plans submitted to the staff.
10. Lighting plans will be submitted to the staff for their review.
11. Parking calculations that include the maximum number of employees in a shift will be reflected on a revised set of plans.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary site plan for Grady's Restaurant located at Lot 2, Town Center Plaza with stipulations.

Adopted by the Governing Body this 17th day of April, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1236

RESOLUTION AMENDING CONDITIONS FOR THE CREATION
IMPROVEMENT DISTRICT

WHEREAS, Marned Corporation has previously submitted a Petition for Improvement District pursuant to K.S.A. 12-6a 04(2); and

WHEREAS, by Resolution No. 1225 the Governing Body of the City did conditionally accept said Petition for Improvement District; and

WHEREAS, in accepting said Petition, the Governing Body included, among others, the following condition:

BE IT FURTHER RESOLVED if the closing and conveyance of title from Marned to Specialty Development Corporation, as set out above, has not taken place within sixty (60) days of this date, then the Petition which is approved by this Resolution shall be considered withdrawn and this Resolution and the conditional approval set forth herein shall be null and void.

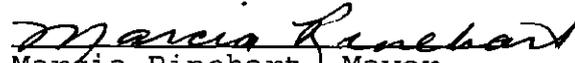
WHEREAS, the City is advised that the closing and conveyance of title from Marned to Specialty Development Corporation has not taken place but same is reasonably expected to occur in the immediate future; and

WHEREAS, the City continues to support the proposed Improvement District and is willing to extend its conditional approval of the proposed Improvement District and the time for formation of said Improvement District;

WHEREAS, the staff of the City is advised that the petitioner has no objection to extension of the time for formation of the proposed Improvement District.

NOW THEREFORE BE IT RESOLVED, that the conditional approval of the Governing Body authorizing the creation of the proposed Improvement District and establishing time limitations for formation of said Improvement District, as specifically provided in Resolution No. 1225, are hereby extended for an additional sixty (60) days from the date of adoption of this Resolution.

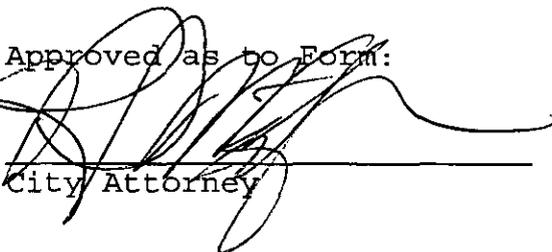
ADOPTED by the Governing Body this 17th day of ~~February~~^{April},
1995.
~~1994.~~


Marcia Rinehart, Mayor

Attest:


City Clerk

Approved as to Form:


City Attorney

CITY OF LEAWOOD

RESOLUTION NO. 1237

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

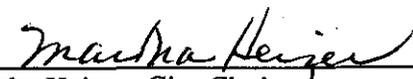
ADOPTED by the Governing Body this 17th day of April, 1995.

APPROVED AND SIGNED by the Mayor this 17 day of April, 1995.

City of Leawood, Kansas


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk

PROPOSED
ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT
OF
JOHNSON COUNTY, KANSAS

(Blue River No. 7)

Legal Description: Part of Section 34, Township 13, Range 25, and part of Section 3, Township 14, Range 25, all within the City of Leawood, Johnson County, Kansas being more particularly described as follows: BEGINNING at the NW corner of the NW 1/4 of said Section 34; thence east along the north line of said NW 1/4 to the NE corner of the NW 1/4 of said Section 34; thence southeasterly to a point 660' south and 990' east of the NW corner of the NE 1/4 of said Section 34; thence south along a line parallel to the west line of said NE 1/4 to a point on the south line of said NE 1/4, said point being 990' east of the SW corner of said NE 1/4; thence east along the south line of said NE 1/4 to a point that is 1019.99' west of the NE corner of the SE 1/4 of said Section 34, said point is also on the southwesterly lot line of Lot 25, LEAWOOD FALLS, SECOND PLAT, a subdivision of land in said city; thence S 65°18' E a distance of 116.91'; thence S 34°12' E a distance of 305'; thence S 7°24' E a distance of 194.02'; thence N 87°47' 35" E a distance of 502.14', said point is on the south line of Lot 14, LEAWOOD FALLS, SECOND PLAT; thence southeasterly to the SE corner of the N 1/2 of the N 1/2 of the SE 1/4 of said Section 34; thence south along the east line of said SE 1/4 to the SE corner of said SE 1/4; thence continuing south along the east line of the NE 1/4 of Section 3, Township 14, Range 25 to a point 900' south of the NE corner of said Section 3; thence west along a line parallel to the north line of said Section 3 to the west line of the E 1/2 of the E 1/2 of the W 1/2 of the N 1/2 of the NE 1/4; thence north along said west line a distance of 300'; thence west along a line parallel to the north line of said Section 3 to a point on the east line of the NW 1/4 of Section 3, said point being 600' south of the NE corner of said NW 1/4; thence continuing west along a line parallel to the north line of Section 3 to a point on the west line of the E 1/2 of the NE 1/4 of the NW 1/4 of said Section 3; thence north along the west line of said E 1/2 to the NW corner of the E 1/2 of the NE 1/4 of the NW 1/4 of said Section 3, said point also being the SE corner of the W 1/2 of the SE 1/4 of the SW 1/4 of said Section 34; thence west along the south line of said SW 1/4 to the SE corner of the SW 1/4 of said SW 1/4; thence north along east line of the SW 1/4 of said SW 1/4, to the NE corner of TRACT "A", BLUE VALLEY ELEMENTARY SCHOOL NO. 14 & MIDDLE SCHOOL NO. 6, a subdivision of land in said city; thence west a distance of 364.65' along the north line of said TRACT "A"; thence north along a line parallel to the west line of said Section 34 to a point on the south line of the N 1/2 of the S 1/2 of the NW 1/4 of the SW 1/4 of said Section 34; thence west a distance of 326.54' along the south line of the N 1/2 of the S 1/2 of the NW 1/4 of said SW 1/4; thence north along a line parallel to the west line of said Section 34 to a point on the north line of the S 1/2 of the NW 1/4 of the SW 1/4 of said Section 34; thence west along said north line to the SW corner of the N 1/2 of the NW 1/4 of the SW 1/4 of said Section 34; thence north along the west line of Section 34 to the POINT OF BEGINNING. The following subdivisions are included in the above description:

Lord of Life, First Plat
Stonebridge Estates, Replat of Lots 1 & 2
Willow Lake Estates
Osage Downs
Welcreek Estates
Charlemagne Manor

LB:wm
9093P574

Johnson County Unified Wastewater Districts

Enlargement of Consolidated Main Sewer District

Point of Beginning
NW Corner NW 1/4 of
Section 34, T 13 S, R 25 E

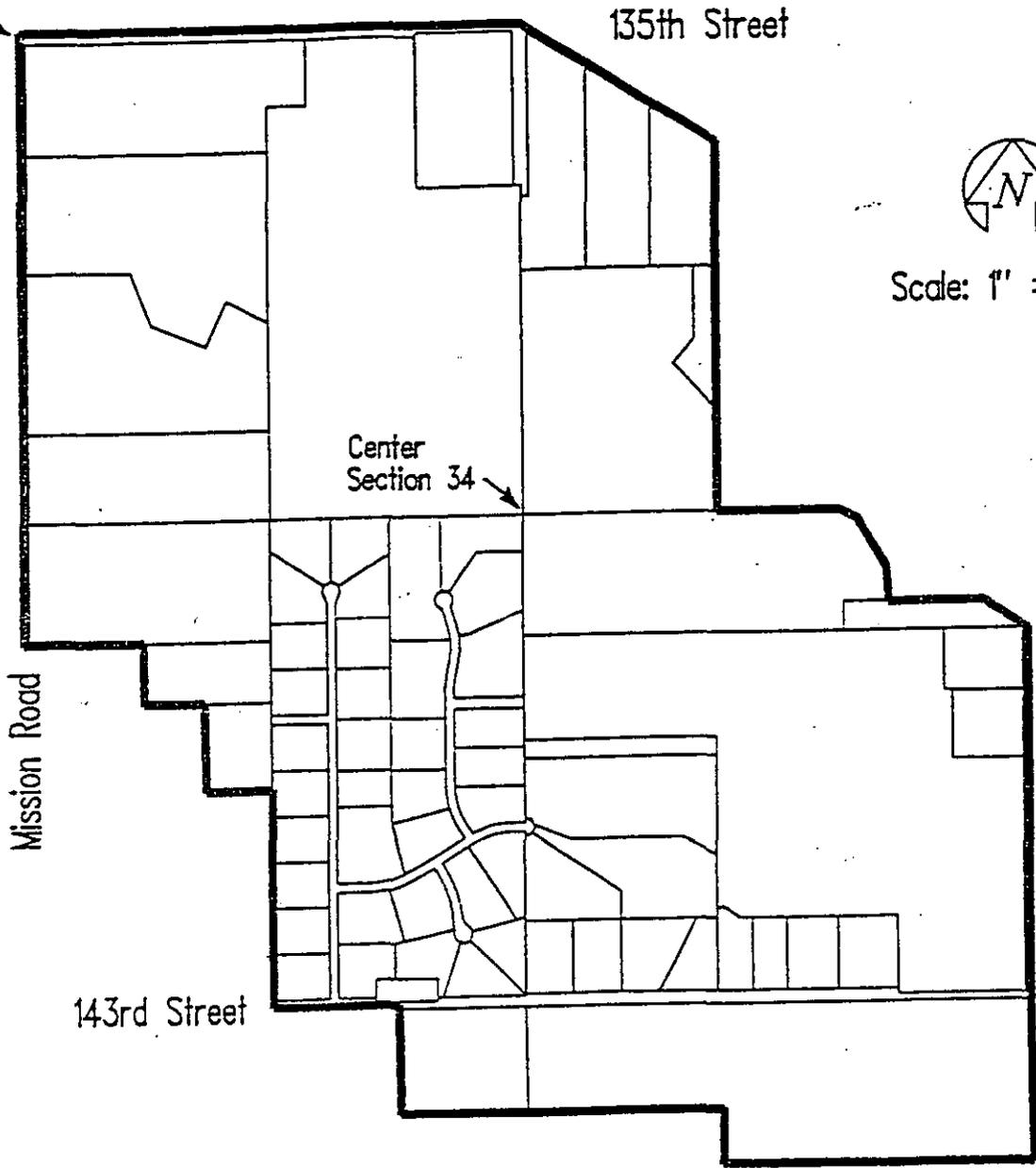


EXHIBIT "A"

Page 2 of 2

2501306

STATE OF KANSAS
COUNTY OF JOHNSON } SS
FILED FOR RECORD

RESOLUTION NO. 1238

2800

95 JUN 27 A 10:51.6

SARA F. ULLMANN
REGISTER OF DEEDS

A RESOLUTION OF FINDING AS TO THE ADVISABILITY AND A RESOLUTION AUTHORIZING THE IMPROVEMENT AND CONSTRUCTION OF 117TH STREET FROM ITS INTERSECTION WITH TOWN CENTER DRIVE WEST TO NALL AVENUE, SIGNALIZATION OF THE INTERSECTIONS OF NALL AND 117TH STREET, 119TH STREET AND HAWTHORNE, TOWN CENTER DRIVE AND ROE AVENUE, TOWN CENTER DRIVE AND NALL AVENUE AND 119TH STREET AT ROSEWOOD, CERTAIN UTILITY MAIN IMPROVEMENTS, BURIAL OF OVERHEAD POWER LINES, THE WIDENING AND UTILITY RELOCATIONS OF NALL AVENUE, 119TH STREET, ROE, AND TOWN CENTER DRIVE FROM ROE TO 117TH, THE WIDENING OF TOWN CENTER DRIVE FROM 117TH STREET TO NALL AVENUE, SIGNALIZATION OF THE INTERSECTION OF TOWN CENTER DRIVE AND 117TH STREET OR TOWN CENTER DRIVE AND LEAWOOD CITY HALL/LEAWOOD LIBRARY, AND THE OVERLAY OF 119TH STREET FROM ROE AVENUE TO NALL AVENUE AND ROE AVENUE FROM TOWN CENTER DRIVE TO 119TH STREET, ALL IN ACCORDANCE WITH PLANS APPROVED BY THE PETITIONERS AND THE CITY OF LEAWOOD, PURSUANT TO THE PROVISIONS OF K.S.A. 12-6A01 ET SEQ.

Pursuant to findings of advisability made by the Governing Body of the City of Leawood, Kansas.

WHEREAS, a petition has been filed with the City Clerk of the City of Leawood, Kansas, by the owners of a majority of the area sought to be included in the Improvement District described in said petition, proposing the construction of 117th Street from its intersection with Town Center Drive west to Nall Avenue, signalization of the intersections of Nall and 117th Street, 119th Street and Hawthorne, Town Center Drive and Roe Avenue, Town Center Drive and Nall Avenue and 119th Street at Rosewood, certain utility main improvements, burial of overhead power lines, the widening and utility relocations of Nall Avenue, 119th Street, Roe, and Town Center Drive from Roe to 117th, the widening of Town Center Drive from 117th Street to Nall Avenue, and the overlay of 119th Street from Roe Avenue to Nall Avenue and Roe Avenue from Town Center Drive to 119th Street, within the City of Leawood, Kansas, as more specifically described hereinafter.

NOW THEREFORE, be it resolved by the Governing Body of the City of Leawood, Kansas, that the following findings as to the advisability of constructing said improvements, as more specifically described hereinafter, are hereby made, to-wit:

Section 1. That it is necessary and in the public interest to make improvements consisting of the following:

- a. The construction of 117th Street from its intersection with Town Center Drive westerly to Nall Avenue to three lane collector standards as such standards are defined by

2800
JSC/K

the City of Leawood. 117th Street will be constructed with concrete curb and gutter, asphalt pavement, storm drainage, sidewalks, street lighting and such other appurtenances as are required pursuant to the final plans approved by the City of Leawood [hereinafter, "117th Street Improvements"].

- b. The erection of traffic signals at 117th & Nall, 119th & Hawthorne, Town Center Drive and Roe Avenue, Town Center Drive and Nall Avenue and 119th Street at Rosewood, all as generally depicted in Exhibit A [hereinafter, "the Signalization Improvements"]. The construction of signals at Town Center Drive and Nall Avenue is contingent upon preparation of a engineering study establishing that this light is warranted and upon agreement with other entities necessary for funding.
- c. Utility main improvements, including storm sewers, sanitary sewers and water main extensions [hereinafter, "the Utility Main Improvements"].
- d. Burial of overhead utility lines, as well as related and necessary site grading, on 119th Street between Nall and Roe Avenue and Roe Avenue between Town Center Drive and 119th Street. Specifically the project shall include placing underground the electric power lines running along Roe running south from Town Center Drive to 119th Street and the lines running generally parallel to 119th Street between Roe Avenue and Nall Avenue [hereinafter, "the Power Line Improvements"].
- e. The widening and utility relocations of Nall Avenue, 119th Street, Roe, and Town Center Drive from Roe to 117th, the widening of Town Center Drive from 117th Street to Nall Avenue adjacent to the improvement district property, all as depicted in exhibit A attached hereto and incorporated herein by reference [hereinafter, "the Widening Improvements"].
- f. The widening of Town Center Drive from 117th Street to Nall Avenue [hereinafter, "Town Center Drive Widening--117th Street to Nall Avenue"].
- g. The overlay of 119th Street from Roe Avenue to Nall Avenue and Roe Avenue from Town Center Drive to 119th Street, in the City of Leawood and adjacent to the improvement district [hereinafter "the 119th and Roe Avenue Overlay"].

Section 2. The estimated or probable cost of the improvements, including issuance and administrative costs, is Four Million One Hundred Thousand Dollars (\$4,100,00.00).

Section 3. The Governing Body hereby further finds and finally determines that the proposed improvement district boundaries against which a portion of the costs of said improvement shall be assessed are hereby established and fixed as the following described property within Johnson County, Kansas:

Tract 1, Tract 2 and Tract 3 and property owned by the City of Leawood and abutting the proposed improvement as described in the attached Exhibit A which is incorporated into this Resolution.

Section 4. The extent of the proposed Improvement District to be assessed is all property within the Improvement District as described in Exhibit A, subject to specific allocation as requested by the Petitioners and approved by the City.

Section 5. The method of assessment of the share of costs apportioned to the improvement district shall be as follows:

The proposed method of assessment is to assess all properties within the district. The assessment shall be on a square foot basis against all land within the Improvement District according to the percentage apportionments set forth hereinafter. Financing of the Improvement District formed for the construction of the improvements shall provide for payment of assessments over a term of ten years.

Section 6. The costs of the improvements specifically described herein shall be apportioned according to the following percentages:

- A. The 117th Street Improvements. Twenty-Eight Percent (28%) of the cost of these improvements shall be assessed to the property described as Tract 1 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B. Fifty Percent (50%) of the cost of these improvements shall be assessed to the property described as Tract 2 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B.

Twenty two Percent (22%) of the cost of these improvements shall be assessed to the property described as Tract 3 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B.

B. The Signalization Improvements.

1. 117th and Nall. Twenty Five Percent (25%) of the cost of these improvements shall be assessed to the property described as Tract 1 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B and Twenty Five percent shall be assessed to the property described as Tract 2 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B. The remaining Fifty percent (50%) of the cost of this improvement shall be assessed to the City at large or paid from funding sources arranged by the City of Leawood and not assessed to the improvement district.

2. 119th & Hawthorne. Fifty Percent (50%) of the cost of these improvements shall be assessed to the property described as Tract 1 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B and the remaining Fifty percent (50%) of the cost of the this improvement shall be paid from funding sources arranged by the City of Leawood and not assessed to the improvement district.

3. Town Center Drive and Roe Avenue. Twenty five percent (25%) of the cost of these improvements shall be assessed to the property described as Tract 1 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B and twenty five percent (25%) by the City at large. The remaining Fifty percent (50%) of the cost of the this improvement shall be paid from funding sources arranged by the City of Leawood and not assessed to the improvement district.

4. Town Center Drive and Nall Avenue. Twenty Five Percent (25%) of the cost of these improvements shall be assessed to the property described as Tract 2 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B and seventy five percent (75%) of the cost of this improvement shall be paid from funding sources

arranged by the City of Leawood and not assessed to the improvement district. Funding of this particular improvement is contingent as set forth hereinbefore.

5. 119th Street at Rosewood. Fifty Percent (50%) of the cost of these improvements shall be assessed to the property described as Tract 1 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B and the remaining Fifty percent (50%) of the cost of the this improvement shall be paid from funding sources arranged by the City of Leawood and not assessed to the improvement district.

C. Utility Main Improvements.

One Hundred Percent (100%) of the cost of these improvements shall be assessed to the property described as Tract 1 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B.

D. Power Line Improvements.

One Hundred Percent (100%) of the cost of these improvements shall be assessed to the property described as Tract 1 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B.

E. Widening Improvements.

One Hundred Percent (100%) of the cost of these improvements shall be assessed to the property described as Tract 1 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B.

F. Town Center Drive Widening--117th Street to Nall Avenue

One Hundred Percent (100%) of the cost of these improvements shall be assessed to the property described as Tract 2 in the Exhibit attached hereto and incorporated herein by reference as Exhibit B.

G. 119th and Roe Avenue Overlay.

One Hundred Percent (100%) of the cost of these improvements shall be assessed to the City at large.

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

Section 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

Section 9. This resolution shall take effect after its passage and publication once in the official city newspaper.

Section 10. The City Clerk is directed to file a copy of this Resolution with the Register of Deeds of Johnson County, Kansas, within five days of the adoption of this resolution.

ADOPTED by the Governing Body this 15th day of ~~April~~, May ~~1994~~. 1995.

(S E A L)

Marcia Rinehart
Mayor
Marcia Rinehart

Attest:

Martha Heizer
City Clerk
Martha Heizer

CERTIFICATE

State of Kansas
County of Johnson
City of Leawood

I, Martha Heizer, City Clerk of the City of Leawood, Kansas, hereby certify that the above and foregoing and attached Exhibits A & B is a true and correct copy of Resolution No. 1238 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said city this 19th day of June, 1995.

(S E A L)

Martha Heizer

Section 9. This resolution shall take effect after its passage and publication once in the official city newspaper.

Section 10. The City Clerk is directed to file a copy of this Resolution with the Register of Deeds of Johnson County, Kansas, within five days of the adoption of this resolution.

ADOPTED by the Governing Body this 15th day of ~~April~~, May ~~1994~~. 1995.

(S E A L)

Marcia Rinehart
Mayor

Marcia Rinehart

Attest:

Martha Heizer

City Clerk
Martha Heizer

EXHIBIT A

LEGAL DESCRIPTION OF ALL REAL PROPERTY WITHIN THE TOWN CENTER IMPROVEMENT DISTRICT AS DESCRIBED BY TRACT NUMBER AS REFERRED TO IN RESOLUTION NO. 1238 CREATING THE TOWN CENTER IMPROVEMENT DISTRICT

TRACT 1

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 12 Final Plat of Town Center Plaza, a Subdivision in the City of Leawood, Johnson County, Kansas

TRACT 2

An Unplatted Parcel described as follows:

All that part of the West Half of Section 16, Township 13, Range 25 in the City of Leawood, Johnson County, Kansas, being bounded on the South by the North Right-of-Way Line of 117th Street and on the West by the East Right-of-Way of Nall Avenue and on the Northeast by the Southwesterly Right-of-Way Line of Town Center Drive, as said Street, Avenue and Drive are all now Established. Containing 29.27 Acres, more or less.

TRACT 3

Lot 11, Final Plat of Town Center Plaza, a Subdivision in the City of Leawood, Johnson County, Kansas

18079/28610
PWVS-KS: K:\LWINN\DCMT\33542.1

EXHIBIT B

SUMMARY OF APPORTIONMENTS BY TRACT NUMBER AND LEGAL DESCRIPTION
AND DETAILED DESCRIPTION OF ESTIMATED AND PROBABLE COST OF
PROJECT

TRACT 1

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 12 Final Plat
of Town Center Plaza, a Subdivision in the City of
Leawood, Johnson County, Kansas

Cost to be apportioned thereto pursuant to Section 6
of Resolution No. 1238

- A. THE 117TH STREET IMPROVEMENTS - Percentage Appor-
tioned to Tract 1 - 28%
- B. THE SIGNALIZATION IMPROVEMENTS.
 - 1. 117th & NALL - Percentage to be Apportioned to
Tract 1 - 25%
 - 2. 119th & HAWTHORNE - Percentage to be Appor-
tioned to Tract 1 - 50%
 - 3. TOWN CENTER DRIVE AND ROE AVENUE - Percentage
to be Apportioned to Tract 1 - 25%
 - 4. TOWN CENTER DRIVE AND NALL AVENUE - Percentage
to be Apportioned to Tract 1 - None
 - 5. 119TH STREET AT ROSEWOOD - Percentage to be
Apportioned to Tract 1 - 50%
- C. UTILITY MAIN IMPROVEMENTS - Percentage Apportioned
to Tract 1 - 100%
- D. POWER LINE IMPROVEMENTS - Percentage Apportioned to
Tract 1 - 100%
- E. WIDENING IMPROVEMENTS - Percentage Apportioned to
Tract 1 - 100%
- F. TOWN CENTER DRIVE WIDENING - 117TH STREET TO NALL
AVENUE - Percentage Apportioned to Tract 1 - None
- G. 119TH AND ROE AVENUE OVERLAY - Percentage Appor-
tioned to Tract 1 - None

TRACT 2

An Unplatted Parcel described as follows:

All that part of the West Half of Section 16, Township 13, Range 25 in the City of Leawood, Johnson County, Kansas, being bounded on the South by the North Right-of-Way Line of 117th Street and on the West by the East Right-of-Way of Nall Avenue and on the Northeast by the Southwesterly Right-of-Way Line of Town Center Drive, as said Street, Avenue and Drive are all now Established. Containing 29.27 Acres, more or less.

Cost to be apportioned thereto pursuant to Section 6 of Resolution No. 1238

- A. THE 117TH STREET IMPROVEMENTS - Percentage Apportioned to Tract 2 - 50%
- B. THE SIGNALIZATION IMPROVEMENTS.
 - 1. 117th & NALL - Percentage to be Apportioned to Tract 2 - 25%
 - 2. 119th & HAWTHORNE - Percentage to be Apportioned to Tract 2 - None
 - 3. TOWN CENTER DRIVE AND ROE AVENUE - Percentage to be Apportioned to Tract 2 - None
 - 4. TOWN CENTER DRIVE AND NALL AVENUE - Percentage to be Apportioned to Tract 2 - 25%
 - 5. 119TH STREET AT ROSEWOOD - Percentage to be Apportioned to Tract 2 - None
- C. UTILITY MAIN IMPROVEMENTS - Percentage Apportioned to Tract 2 - None
- D. POWER LINE IMPROVEMENTS - Percentage Apportioned to Tract 2 - None
- E. WIDENING IMPROVEMENTS - Percentage Apportioned to Tract 2 - None
- F. TOWN CENTER DRIVE WIDENING - 117TH STREET TO NALL AVENUE - Percentage Apportioned to Tract 2 - 100%
- G. 119TH AND ROE AVENUE OVERLAY - Percentage Apportioned to Tract 2 - None

TRACT 3

Lot 11, Final Plat of Town Center Plaza, a Subdivision in the City of Leawood, Johnson Count, Kansas

Cost to be apportioned thereto pursuant to Section 6 of Resolution No. 1238

- A. THE 117TH STREET IMPROVEMENTS - Percentage Apportioned to Tract 3 - 22%
- B. THE SIGNALIZATION IMPROVEMENTS.
 - 1. 117th & NALL - Percentage to be Apportioned to Tract 3 - None
 - 2. 119th & HAWTHORNE - Percentage to be Apportioned to Tract 3 - None
 - 3. TOWN CENTER DRIVE AND ROE AVENUE - Percentage to be Apportioned to Tract 3 - None
 - 4. TOWN CENTER DRIVE AND NALL AVENUE - Percentage to be Apportioned to Tract 3 - None
 - 5. 119TH STREET AT ROSEWOOD - Percentage to be Apportioned to Tract 3 - None
- C. UTILITY MAIN IMPROVEMENTS - Percentage Apportioned to Tract 3 - None
- D. POWER LINE IMPROVEMENTS - Percentage Apportioned to Tract 3 - None
- E. WIDENING IMPROVEMENTS - Percentage Apportioned to Tract 3 - None
- F. TOWN CENTER DRIVE WIDENING - 117TH STREET TO NALL AVENUE - Percentage Apportioned to Tract 3 - None
- G. 119TH AND ROE AVENUE OVERLAY - Percentage Apportioned to Tract 3- None

18079/28610
PWVS-KS: K:\LWINN\DCMT\33543.1

ITEM	TOTAL COST	DISTRIBUTION BREAKDOWN	GROUP NO. 1	GROUP NO. 2	GROUP NO. 3	GROUP NO. 4	GROUP NO. 5	GROUP NO. 6	GROUP NO. 7	GROUP NO. 8	GROUP NO. 9	GROUP NO. 10
			POAG & McEWEN	MARNED	CITY OF OVLND. PK.	CITY OF OVLND. PK.	CITY OF OVLND. PK.	CITY OF LEAWOOD			CITY OF OVLND. PK.	CITY OF OVLND. PK.
SHARED COSTS												
117TH STREET & STORM SEWER CONSTRUCTION POAG & McEWEN 930 LF ON SOUTH HALF ONLY MARNED ALL OF NORTH HALF	575,000.00	DISTRIBUTION QUADRANT PERCENT	181,000.00 SEE NOTE 28%	287,500.00 SEE NOTE 50%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%
MARNED "FUTURE DEVELOPMENT" 750 LF ON SOUTH HALF		DISTRIBUTION QUADRANT PERCENT	0.00 N/A 0%	126,500.00 SEE NOTE 22%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%
SIGNALIZATION												
NALL & 117TH STREET	105,000.00	DISTRIBUTION QUADRANT PERCENT	26,250.00 SE 25%	26,250.00 NE 25%	26,250.00 SW 25%	26,250.00 NW 25%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%
119TH STREET & HAWTHORNE	105,000.00	DISTRIBUTION QUADRANT PERCENT	52,500.00 NORTH 50%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	52,500.00 SOUTH 50%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%
TOWN CNTR. DR. & ROE BLVD.	105,000.00	DISTRIBUTION QUADRANT PERCENT	26,250.00 SW 25%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	26,250.00 NW 25%	26,250.00 SE 25%	26,250.00 NE 25%	0.00 N/A 0%	0.00 N/A 0%
TOWN CNTR. DR. & NALL AVE.	105,000.00	DISTRIBUTION QUADRANT PERCENT	0.00 N/A 0%	52,500.00 EAST 50%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	26,250.00 SW 25%	26,250.00 NW 25%
FUTURE @ 119TH & VILLA ST. JOSEPH	105,000.00	DISTRIBUTION QUADRANT PERCENT	52,500.00 NORTH 50%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	52,500.00 SOUTH 50%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%
PROPOSED @ TOWN CTR. DR. & CITY HALL	105,000.00	DISTRIBUTION QUADRANT PERCENT	26,250.00 SW 25%	26,250.00 SE 25%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	52,500.00 NORTH 50%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%	0.00 N/A 0%
NON-SHARED COSTS												
SIGNALIZATION @ 119TH & NALL DUE TO LANE WIDENING	25,000.00		25,000.00 100%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%
UTILITY MAIN IMPROVEMENTS (incl. related earthwork)	620,000.00		620,000.00 100%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%
BURY OVERHEAD POWER, TELEPHONE & CABLE	625,000.00		625,000.00 100%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%
PUBLIC STREET WIDENING & UTILITY RELOCATES NALL, 119TH, ROE, TCD FROM ROE TO 117TH	940,000.00		940,000.00 100%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%
TOWN CNTR. DR. WIDENING FROM 117TH TO NALL	400,000.00		0.00 0%	400,000.00 100%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%
ASPHALT OVERLAY OF 119TH STREET	100,000.00		0.00 0%	0.00 0%	0.00 0%	0.00 0%	0.00 0%	100,000.00 100%	0.00 0%	0.00 0%	0.00 0%	0.00 0%
SUBTOTALS	3,815,000.00		2,454,750.00	918,000.00	26,250.00	26,250.00	105,000.00	178,750.00	26,250.00	26,250.00	26,250.00	26,250.00
ADMINISTRATIVE OVERHEAD - 10 %	381,500.00											
BENEFIT DISTRICT TOTAL	4,196,500.00											

VOL 4814 PAGE 112

RESOLUTION NO. 1239

A RESOLUTION RELATING TO FEES FOR PERMITS REQUIRED BY CHAPTER 7, ARTICLE 2 (FIRE PREVENTION), OF THE CODE OF THE CITY OF LEAWOOD, SUCH FEES NOT SPECIFICALLY PROVIDED FOR IN THE CODE.

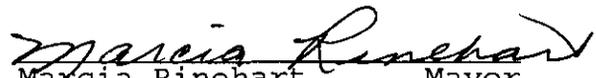
BE IT RESOLVED that the following fees are hereby ratified:

FIRE DEPARTMENT

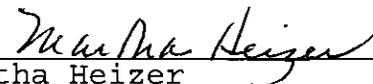
Open burning permit	\$ 100.00
Reissuance of blasting permit	100.00
All other permits	50.00

Adopted by the Governing Body the 15th day of May, 1995.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1240

The Leawood City Council has considered the request for approval of revised preliminary site plan for Bristol Bar and Grille, located at approximately 119th and Nall, and hereby finds the following:

WHEREAS, the location is Lot 5, Town Center Plaza, and

WHEREAS, the restaurant contains 6538 square feet, and

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

1. Drainage and other utility plans shall be approved by the Director of Public Works.
2. No access shall be granted to 119th Street or Nall Avenue directly from the site.
3. All landscaping shall be installed prior to issuance of a certificate of occupancy.
4. Footings and foundation for any part of the main building of the shopping center shall be started before a building permit for the outlot will be issued.
5. All development is subject to the developer's approval.

WHEREAS, the developers/owners agree to these stipulations,

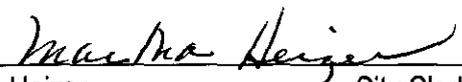
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary site plan for Bristol Bar and Grille at Town Center Plaza with stipulations.

Adopted by the Governing Body this 5th day of June, 1995.

(s e a l)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

Aug. HKDOT

**A RESOLUTION RELATING TO STATE AID
FOR THE SYSTEM ENHANCEMENT PROJECT
ON THE STATE HIGHWAY SYSTEM**

Be it Resolved by the Governing body of the City of Leawood, Kansas:

That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of Leawood, Kansas, Agreement No. 60-95 between the City and the Kansas Department of Transportation, giving the Secretary of Transportation of the State of Kansas authority to act for the City, and in its place and stead, to obtain for the City the benefits of State Aid and obtain the benefits of such legislation for the City on the terms and conditions set forth in such agreement as may be prepared and approved by the Secretary of Transportation for the construction of a portion of the K-150 (Leawood) corridor project on K-150, as follows: Widen K-150 (Leawood) from Nall Avenue to State Line Road to four-lanes with median and turn lanes designated as a System Enhancement Project on the State Highway System and known as Project No. 150-46 K-4427-01.

Passed by the (Council)(~~Commission~~) this ^{5th}/₅ day of *June* 1995. ~~July, 1994.~~

(Approved)(Signed) *Marcia Reinhardt*, Mayor

(SEAL)

ATTEST: *Marta Heizer*
City Clerk

RESOLUTION NO. 1241

The Leawood City Council has considered the request for approval of the revised preliminary site plan for Leawood Elementary and Middle Schools located at 2400 and 2410 West 123rd Street, and hereby finds the following:

WHEREAS, the purpose of the application is to allow the school district to renovate the schools and make additions, and

WHEREAS, the elementary school is making additions on the south side of the building creating a new entrance on the southeast corner while the middle school is adding to the southeast side creating a new entrance and extra office space, and

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

1. The school is limited to one story in height.
2. All public works elements including stormwater improvements, will be approved by the Director of Public Works.
3. Erosion control safeguards shall be implemented and maintained throughout the grading and construction process to the satisfaction of the Director of Planning and Development and the Director of Public Works.
4. All landscaping must be installed prior to final occupancy of the new areas.
5. The east drive must be installed prior to any occupancy of the new areas and provide parallel parking on both sides allowing access for two-way traffic between parking lanes. The drive is to be a minimum of 39 feet in width, and

WHEREAS, the City Council has considered the Plan Commission recommendation upon and after remand for further consideration of the parking stipulation number five (5) in relation to a safety concern expressed by the school district for parallel parking on both sides of the east drive, and

WHEREAS, the City Council rejected the portion of the Plan Commission stipulation number five (5) concerning the parallel parking on both sides of the east drive after receiving information from both the Police Department and Staff that parking on one side would provide a higher degree of safety for pedestrians, and

NOW, THEREFORE BE IT RESOLVED, that the Leawood City Council does hereby approve the revised preliminary site plan for Leawood Elementary and Middle School with the following stipulations:

1. The school is limited to one story in height.
2. All public works elements including stormwater improvements, will be approved by the Director of Public Works.
3. Erosion control safeguards shall be implemented and maintained throughout the grading and construction process to the satisfaction of the Director of Planning and Development and the Director of Public Works.
4. All landscaping must be installed prior to final occupancy of the new areas.
5. The east drive must be installed prior to any occupancy of the new areas.

Adopted by the Governing Body this 19th day of June, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

AUTHORITY TO AWARD CONTRACT
COMMITMENT OF CITY FUNDS

May 26, 1995

2 Copies to City

46 N-0056-01

STP-N005(601)

City of Leawood

WHEREAS bids were received at Topeka, Kansas on May 17, 1995 for the performance of work covered by plans on the above numbered project, and

WHEREAS the bidders and the low bid or bids on work covered by this project were:

CONTRACTOR	ADDRESS	TYPE OF WORK	AMOUNT
Clarkson Constr.Co.	Box 34315 KC,MO 64120-4315	Grading,Bit. Surf. Signal	\$3,960,013.10

WHEREAS bids are considered satisfactory and have been recommended by the Secretary of Transportation of the State of Kansas, hereinafter referred to as the SECRETARY, for consideration and acceptance of the work on this project as covered by such bid or bids.

The bid plus an estimated \$79,200 for construction engineering and contingencies less \$2,500,000 maximum State funds = \$1,539,213

BE IT FURTHER RESOLVED that City funds in the amount of \$1,539,213 which are required for the matching of Federal funds to complete this work are hereby pledged by the City to be remitted to the Chief of Fiscal Services of the Secretary of Transportation of the State of Kansas on or before July 6, 1995 for use by the SECRETARY in making payments for construction work and engineering on the above designated project.

Adopted this 19th day of June, 1995, at Leawood, Kansas

Recommended for Approval:

City Engineer Marcia Rinehart, Mayor

Attest: _____, Member

(SEAL) _____, Member

Masha Heizer
City Clerk

RESOLUTION NO. 1243

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

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

That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of Leawood, Kansas, Agreement No. 32-95 between the City and Kansas Department of Transportation, giving the Secretary of Transportation of the State of Kansas authority to act for the City, and in its place and stead, to obtain of the City such benefits as are obtainable under the program of the Federal Aid Plan of Highway Construction and obtain the benefits of such legislation for the City on the terms and conditions set forth in such agreement as may be prepared and approved by the Secretary of Transportation for the improvement of College Boulevard; El Monte to East Tomahawk Creek Bridge Abutment and known as Project No. 46 N-0057-01 STP-N005(701).

Passed by the (Council) ~~(Commission)~~ this 17 day of June, 1945

~~(Approved)~~ (Signed) Narcia R. ... Mayor

(SEAL)

ATTEST: Martha Heizer
City Clerk

RESOLUTION NO. 1244

The Leawood City Council has considered the request for approval of the preliminary and final plats of Leawood Elementary and Middle School located at 2400 and 2410 West 123rd Street and hereby finds the following:

WHEREAS, the plat contains 1 lot on 36.15 acres, and

WHEREAS, the plat is for the existing Leawood Middle and Elementary School,

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the plat with no stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary and final plat of Leawood Elementary and Middle School with no stipulations.

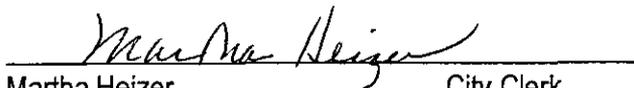
Adopted by the Governing Body this 3rd day of July, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1245

The Leawood City Council has considered the request for approval of the preliminary and final plat of The Greenbrier of Leawood, Second Plat, located at approximately 131st Terrace and Pembroke and hereby finds the following:

WHEREAS, the property contains 4.6 acres, and

WHEREAS, the property is zoned R-1, and

WHEREAS, the developer is proposing to divide the property into 9 lots for a density of 1.96 units per acre, and

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

1. Sidewalks on Pembroke and 131st Street will be installed by the developer.
2. Park Impact fee in the amount of \$300 per dwelling is required.
3. Tract A will be maintained by the developer.
4. The plat is limited to a maximum of 9 lots.
5. All streets are to be public.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary and final plat of The Greenbrier of Leawood, Second Plat with stipulations.

Adopted by the Governing Body this 3rd day of July, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION OF RECOGNITION

WHEREAS, M. Patrick McCarthy was first employed by the City as a police officer on July 15, 1975; and

WHEREAS, Sergeant McCarthy has progressed through the Police Department, serving as a Police Officer, Detective, Master Police Officer, and finally as Sergeant since 1980; and

WHEREAS, Sergeant McCarthy has throughout his career demonstrated a deep commitment to the law enforcement profession; and

WHEREAS, Sergeant McCarthy has demonstrated the same degree of commitment to his coworkers and the community; and

WHEREAS, Sergeant McCarthy has proven himself to be a capable and competent law enforcement officer; and

WHEREAS, Sergeant McCarthy 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 commends him for his outstanding dedication to the City, and expresses its gratitude to him for the vital services he has performed; and

BE IT FURTHER RESOLVED, that the Governing Body extends to him sincere congratulations on his 20th Anniversary of continuous service in the Leawood Police Department.

ADOPTED by the Governing Body this 17th day of July, 1995.

/s/ Marcia Rinehart
Marcia Rinehart Mayor

Attest:

/s/ Martha Heizer
Martha Heizer City Clerk

NOTE: This form is to be used by cities, counties or townships. It must be published. The original to be filed with the Kansas Public Employees Retirement System.

RESOLUTION NO. 1246

Whereas, the CITY OF LEAWOOD, KANSAS is a "participating (Legal Title of Municipality)

employer" as defined by K.S.A. 74-4902(24).

Whereas, it is the desire of the CITY COUNCIL of the CITY OF LEAWOOD, (Legal Name of Governing Body) (Legal Title

KANSAS that the CITY OF LEAWOOD, KANSAS of Municipality) (Legal Title of Municipality)

a participating employer in the Kansas Public Employees Retirement System do hereby make application to participate in the Optional Group Life Insurance as provided by K.S.A. 74-4927.

Now Therefore,

BE IT RESOLVED, by the CITY COUNCIL of CITY OF LEAWOOD, KANSAS (Legal Name of Governing Body) (Legal Title of Municipality)

that the CITY OF LEAWOOD, KANSAS shall and hereby make application to provide for the inclusion of all its eligible employees under the Kansas Public Employees Retirement System Optional Group Insurance Program as provided by K.S.A. 74-4927, effective January 1, 1996.

This resolution shall be published in the official newspaper of the CITY OF LEAWOOD, KANSAS (Legal Title of Municipality)

once.

If within sixty (60) days after the publication of this resolution a petition signed by electors equal to ten percent (10%) of the number who voted at the last regular CITY election, shall be filed (city of township) with the CITY clerk, demanding that such resolution be submitted to a vote of the electors, it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

Adopted this 17TH day of JULY, 1995.

Attest:

Marcia Rinehart Marcia Rinehart Mayor

Martha Heizer Martha Heizer City Clerk

State of Kansas) County of JOHNSON) :SS

I, MARTHA HEIZER, of lawful age being first duly sworn upon oath, deposes and states: The above resolution is a true and exact copy of the resolution adopted by the CITY OF LEAWOOD, KANSAS (Legal Title of Municipality)

Martha Heizer (Signature)

Subscribed and sworn to before me this 18th day of July, 1995.

SEAL NOTARY PUBLIC GERI VIATOR My Appt. Exp. 7-20-97 STATE OF KANSAS

Geri Viator (Notary Public)

My commission expires 7-20-97.

RESOLUTION NO. 1247

The Leawood City Council has considered the request for approval of a preliminary plat for Hills of Ironhorse, located at approximately 153rd and Mission and hereby finds the following:

WHEREAS, the plat contains 38.5 acres to be divided into 55 lots for a density of 1.43 lots per acre, and

WHEREAS, this property is combined with 13 acres in Overland Park for a total of 51.5 acres and a total of 77 lots, and

WHEREAS, the property is zoned R-1, and

WHEREAS, there is no Golf Course Impact Fee as this property owner dedicated property that has been incorporated into the Ironhorse Golf Course, and

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

1. Before consideration of a final plat for any part of this property, this plat must be submitted to the Golf Course Review Committee for their review and recommendation. The final plat will incorporate any restrictions or changes as requested by the Golf Course Review Committee.
2. An utility easement is needed in the vicinity of Lots 12 and 13 that will connect to the Ironhorse Golf Course. This will be shown on the final plat.
3. The developer is responsible for future street improvements for Mission Road for a total cost of \$26,650. This fee is payable at the time of final plat approval by the Governing Body. Payment of this fee is in accordance with an agreement executed by the owner and the city and will relieve the owner or future owners of further assessments for the construction of Mission Road to an arterial standard.
4. The South Leawood Transportation Impact Fee is a total of \$47,500. This fee is payable at the time of final plat approval by the Governing Body.
5. Before consideration of a final plat, the annexation issue must be agreed to by all parties.
6. A loop street must be part of the first phase improvements.
7. Restricted access must be designated on Mission Road.
8. A twenty-five (25) foot open space easement shall be established on lots 1-12 abutting the golf course. This easement shall prohibit all structures, including play structures, dog houses, pool houses and perimeter fences, etc., excepting swimming pools and associated retaining walls and fences. Furthermore, on Lots 1-12 all pools, pool deck areas and retaining walls that can be viewed from the Ironhorse Golf Course are subject to the Design Criteria as dated 7/11/95 and attached. Any deviations from this criteria or amendments to said criteria are subject to approval of the Leawood Plan Commission. This stipulation will be incorporated into the Deed Restrictions.

Resolution No. 1247

Page 2

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary plat of Hills of Ironhorse with stipulations.

Adopted by the Governing Body this 17th day of July, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

Design Criteria For Swimming Pool, Deck & Patio
Retaining Walls. Lots 1 through 12, Hills of Iron Horse

1. All retaining walls supporting swimming pools, decks, patios, etc. located in the rear yard shall maintain a minimum 10 foot setback from the rear property line.
2. Any said retaining wall exposed more than one foot above grade shall be faced with a combination of stucco and stone so that no exposed concrete is visible from the Golf Course.
3. Stone shall be natural limestone in the grey to yellow/tan range and stucco colors shall compliment the limestone by a corresponding grey to beige tone.
4. The attached exhibits shall establish the intent and minimum design standard for all exposed retaining walls.
5. All fencing surrounding any swimming pool shall be 5 feet tall, black wrought iron to match design used at Iron Horse Golf Course.
6. Additional landscaping plantings shall be installed on lots 1 through 7 any time pools, patios, decks etc. extend within the 25 foot rear setback and result in a retaining wall. Said landscaping shall be planted between the retaining wall and the rear property. Said landscaping may be a combination of shrubs and trees and its purpose is to soften the view between the golf course and the property, but not to screen or block the view entirely. Said landscaping shall be required on these lots due to lack of an existing tree line or sparse existing trees.
7. This criteria shall apply to all retaining walls described in number 1 above located in Lots 1-12 within the Hills of Iron Horse Subdivision. Any deviation from this criteria shall not be permitted unless first approved by the Leawood Planning Commission.

Motion carried; Patterson opposed, all others in favor.

4267 9:45 P.M. Council (same members) left for the main conference room for the executive session, and returned to regular session at 9:55 P.M., same members present.

Councilmember Patterson moved to adopt the resolution with the following:

1. Stipulation #8 to read, "A twenty-five (25) foot open space easement shall be established on Lots 1-12 abutting the golf course. This easement shall prohibit all structures, including play structures, dog houses, pool houses and perimeter fences, etc., excepting swimming pools and associated retaining walls and fences. Furthermore, on Lots 1-12 all pools, pool deck areas and retaining walls that can be viewed from the Ironhorse Golf Course are subject to the Design Criteria as dated 7/11/95 and attached. Any deviations from this criteria or amendments to said criteria are subject to approval of the Leawood Plan Commission. This stipulation will be incorporated into the Deed Restrictions."

2. The first line of design criteria #6 to read, "Additional landscaping plantings shall be installed on Lots 1 through 7 any time pools, patios, decks, etc., extend within the 25-foot rear setback and result in a retaining wall."

3. An indemnification agreement relating to golf ball safety issues would be submitted by the developer to the City Attorney. (Note: Dr. LaHue reiterated his desire that the developer assume responsibility for any liability that might occur if the City had to go onto the 25-foot easement to correct problems (drainage for instance), and he wanted that in writing.)

4. Lots 1-12 would be subject to review on a case-by-case basis by the Golf Course Review Committee to ensure compliance with the design criteria hereby adopted regarding swimming pools.

Motion seconded by Clawson. Mr. Campbell expressed his concern about silt and erosion control during construction of the subdivision because of the elevations of the lots. Mr. Schlagel said that would be addressed. Motion carried unanimously. Resolution attached as part of the record.

4882 DISCUSSION OF PROPOSED ANNEXATION/DE-ANNEXATION RELATING TO HILLS OF IRONHORSE SUBDIVISION: There were 38.5 acres located in Leawood and 13 acres in Overland Park, resulting in 10 lots split between the two cities. Property owners requested municipal boundary adjustments - Overland Park to Leawood, 2.28 acres; Leawood to Overland Park, 1.08 acres. Council concurred with the proposal. The necessary legal documents would be considered in the near future.

4953 RESOLUTION NO. 1248 APPROVING A REQUEST FOR APPROVAL OF A MASTER PLAN DESIGNATION AMENDMENT, REZONING FROM AG TO RP-1, PRELIMINARY PLAT, AND PRELIMINARY PLAN, FOR IRONHORSE ESTATES, 2ND PLAT, 151ST AND LINDEN: Councilmember Dunn said that the Public Works Committee was working on a new landscaping policy to be adopted by Council in the near future which would protect the City from future homeowners wanting to be buffered with landscaping; there would be a dollar amount approved on a per-foot basis; landscape design would not be part of the policy. City

RESOLUTION NO. 1248

The Leawood City Council has considered the request for approval of Ironhorse Estates and Villas, Second Plat including Master Plan Designation Amendment, rezoning from AG to RP-1, Preliminary Plat and Preliminary Plan, located at approximately 151st and Linden, and hereby finds the following:

WHEREAS, the current Master Development Plan designation is office and the proposal is to change the designation to Medium Density Residential - Single Family Detached, and

WHEREAS, the tract contains 13.14 acres and is proposed to be divided into 21 lots with RP-1 zoning, and

WHEREAS, the Park Impact Fee has been met with the dedication of the golf course property, and

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

1. The development is limited to 21 lots in RP-1.
2. The developer is responsible for \$130 per front foot for 151st Street. This is to be paid in cash or in a one year letter of credit. It is to be paid prior to recording a final plat.
3. As this property abuts the golf course, prior to final plan and final plat approval the Golf course Committee is to review design criteria, restrictive covenants and/or deed restrictions to ensure compatibility with the golf course.
4. A twenty-five foot clear unobstructed open space easement shall be established on all golf course lots. This easement shall prohibit all structures including play structures, dog houses, fences, etc.
5. A South Leawood Transportation Impact Fee in the amount of \$1015.63 per acre is to be paid at the time of final plat submission.
6. Deviation of the front yard setback is allowed on Lots 6-12 to allow a front yard setback of 26.25' in order to save trees.

WHEREAS, the developers/owners agree to these stipulations,

RESOLUTION NO. 1248
PAGE 2

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for approval of Ironhorse Estates and Villas, Second Plat, including Master Plan Designation Amendment, rezoning from AG to RP-1, Preliminary Plat and Preliminary Plan with stipulations.

Adopted by the Governing Body this 17th day of July, 1995.

(s e a l)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1249

The Leawood City Council has considered the request for approval of Ironhorse Estates and Villas, Second Plat including Master Plan Designation Amendment, rezoning from AG to RP-4, Preliminary Plat and Preliminary Plan, located at approximately 151st and Linden, and hereby finds the following:

WHEREAS, the current Master Development Plan designation is office and the proposal is to change the designation to Medium Density Residential - Single Family Detached, and

WHEREAS, the tract contains 9.63 acres and is proposed to be divided into 26 lots with RP-4 zoning, and

WHEREAS, the Park Impact Fee has been met with the dedication of the golf course property, and

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

1. The development is limited to 26 lots in RP-4.
2. The developer is responsible for \$130 per front foot for 151st Street. This is to be paid in cash or in a one year letter of credit. It is to be paid prior to recording a final plat.
3. As this property abuts the golf course, prior to final plan and final plat approval the Golf course Committee is to review design criteria, restrictive covenants and/or deed restrictions to ensure compatibility with the golf course.
4. A twenty-five foot clear unobstructed open space easement shall be established on all golf course lots. This easement shall prohibit all structures including play structures, dog houses, fences, etc.
5. A South Leawood Transportation Impact Fee in the amount of \$1015.63 per acre is to be paid at the time of final plat submission.

WHEREAS, the developers/owners agree to these stipulations,

RESOLUTION NO. 1249
PAGE 2

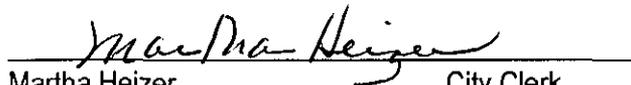
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for approval of Ironhorse Estates and Villas, Second Plat, including Master Plan Designation Amendment, rezoning from AG to RP-4, Preliminary Plat and Preliminary Plan with stipulations.

Adopted by the Governing Body this 17th day of July, 1995.

(s e a l)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1250

The Leawood City Council has considered the request for approval of the final plat of Iron Horse Estates, Second Plat, located west of Mission Road at Bell Drive, and hereby finds the following:

WHEREAS, the proposed plat contains 48 lots on 21.78 acres, and

WHEREAS, the property is zoned RP-1, and

WHEREAS, the Ironhorse Golf Course surrounds this property, and

WHEREAS, this plat will be subject to the same Deed Restrictions as the first plat, and

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

1. The plat is limited to 48 single family lots.
2. Twenty five foot clear unobstructed open space easement shall be established on all golf course lots. This easement shall prohibit all structures including play structures, dog houses, fences, etc.
3. A South Leawood Transportation Impact Fee in the amount of \$1484.38 per acre is to be paid at the time of recording the final plat.

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 Iron Horse Estates, Second Plat with stipulations.

Adopted by the Governing Body this 7th day of August, 1995.

(s e a l)


Marcia Rinehart

Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1251

The Leawood City Council has considered the request for approval of the revised preliminary site plan for Camelot Court, Lot 9 located on 119th Street, east of Hallmark and hereby finds the following:

WHEREAS, the property is zoned CP-1, and

WHEREAS, the proposed building contains 5000 square feet which will be divided into space for two tenants, and

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

1. All building materials are to be as shown on the sample board. The color of the brick is to be added to the plans.
2. All landscaping is to be installed prior to occupancy.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary site plan for Camelot Court, Lot 9, with stipulations.

Adopted by the Governing Body this 21st day of August, 1995.

(s e a l)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1252

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 and re-improvements to 83rd Street.

WHEREAS it appears that said necessary temporary and permanent 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 and re-improvements to 83rd Street.

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 21st DAY OF AUGUST, 1995.

(S E A L)



Marcia Rinehart, Mayor

ATTEST:



Martha Heizer, City Clerk

July 25, 1995

RESOLUTION NO. 1253

SUPPLEMENTAL SIGNING
AUTHORITY TO AWARD CONTRACT
COMMITMENT OF CITY FUNDS

Project No. 106 K-5739-01
City of Leawood
Johnson County

WHEREAS, bids were received at Topeka, Kansas, on July 19, 1995, for the performance of work covered by plans on the above numbered project, and

WHEREAS, the bidder and the low bid on work covered by this project:

<u>Contractor</u>	<u>Division of Work</u>	<u>Amount</u>
JRF Construction	Signing	\$201,480.80

WHEREAS, bids are considered satisfactory and have been recommended by Mr. E. Dean Carlson, as Secretary of Transportation of the State of Kansas, for consideration and acceptance by the City now, therefore,

BE IT RESOLVED, that after due consideration by the City Commission/Council this bid is acceptable and said Secretary of Transportation is hereby authorized to award and execute the necessary contracts for completion of the work on this project as covered by such bid.

City's Share	\$1805.88
--------------	-----------

BE IT FURTHER RESOLVED, that City funds in the amount of \$1805.88 which are required for the matching funds to complete this work are hereby pledged by the City to be remitted to the Controller of the Kansas Department of Transportation on or before **September 1, 1995**, for use by the Secretary of Transportation of the State of Kansas, in making payments for construction work and engineering on the above designated project.

Adopted this 21st day of August, 1995, at Leawood, Kansas.

ATTEST:

(Seal)

Maria Heizer
City Clerk

Marcia Rinehart
Mayor

Resolution No. 1254

A resolution authorizing and directing the Director of Finance to provide for the disbursement of Special Alcohol Funds for the purpose of supporting the efforts of the various schools in providing a safe environment for Leawood students on after-Prom and after-Graduation nights.

Whereas the City of Leawood desires that it participate financially and support the efforts of various schools attended by Leawood students in alcohol free after-Prom and after-Graduation nights, and

Whereas to accomplish said purpose the following procedure is established to guide the City's administrators in the disbursement of funds,

Now, therefore be it resolved by the Governing Body of the City of Leawood:

Section 1: Qualifying Schools

Only schools in Jackson County, Missouri, and Johnson County, Kansas, are entitled to funding;

Section 2: Qualifying Students

Only those schools in Jackson County, Missouri, and Johnson County, Kansas, having Junior and/or Senior students who are residents of Leawood, Kansas, are entitled to the funding;

Section 3: Certification of Number of Students

Each school applying for funding will certify the number of students in the class eligible to participate in the event who are residents of Leawood, Kansas;

Section 4: Distribution of Funds

The funds available shall be distributed to each such qualifying school as follows:

- A. The certified number of students multiplied by \$5.00 (five dollars);
- B. But in no case shall the disbursement be less than \$50.00 (fifty dollars) nor more than \$500.00 (five hundred dollars), per annual event, for each such qualifying school, but in no case shall any such school receive more than \$1,000.00 (one thousand dollars) per year.

Page 2

RESOLUTION NO. 1254

Section 5: Take Effect

That this resolution shall take effect and be in force from the date of passage by the Governing Body and approved by the Mayor.

Adopted by the Governing Body the 5th day of September, 1995.


Marcia Rinehart, Mayor

SEAL

Attest:


Martha Heizer, City Clerk

RESOLUTION NO. 1255

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 and re-improvements to College Boulevard, Phase II, from El Monte to the East abutment of Tomahawk Creek Bridge.

WHEREAS it appears that said necessary construction 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 and re-improvements to College Boulevard, Phase II, from El Monte to the East abutment of Tomahawk Creek Bridge.

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.

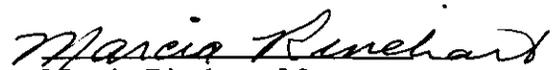
That said survey shall be made by some competent engineer and filed with the City Clerk.

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

PASSED AND APPROVED THIS 5th DAY OF SEPTEMBER, 1995.

(S E A L)

ATTEST: 
Martha Heizer, City Clerk


Marcia Rinehart, Mayor

RESOLUTION NO. 1256

The Leawood City Council has considered the request for approval of final plat of Tomahawk Creek Apartments located at approximately 117th and Tomahawk Creek Parkway and hereby finds the following:

WHEREAS, the proposed plat is necessary in order to change the name of the plat from Lakes of Leawood to Tomahawk Creek Apartments,

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 Tomahawk Creek Apartments with no stipulations.

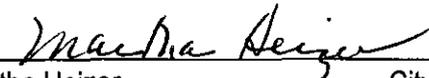
Adopted by the Governing Body this 2nd day of October, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1257

The Leawood City Council has considered the request for approval of the final plat of Hills of Ironhorse 1st Plat located at approximately 153rd and Mission and hereby finds the following:

WHEREAS, the property is zoned R-1, and

WHEREAS, there is no Park Impact Fee as this property owner dedicated property that has been incorporated into the Ironhorse Golf Course,

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

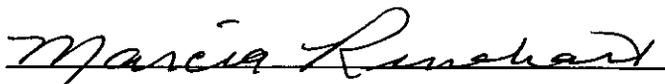
1. The plat is limited to 56 single family homes on 39.62 acres.
2. Street names must be corrected prior to preparing copies for recording.
3. The plat must be submitted to the Golf Course Review Committee prior to submission to the Governing Body.
4. The developer is to submit the fee for Mission Road in the amount of \$26,500. This is to be submitted prior to submitting the plat for recording.
5. The developer is to submit the South Leawood Transportation Impact Fee in the amount of \$47,500. This fee is to be submitted prior to submitting the plat for recording.
6. Deed Restrictions must be submitted to the staff.

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 Hills of Ironhorse 1st Plat with stipulations.

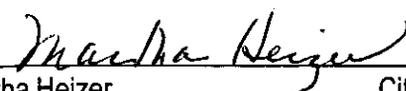
Adopted by the Governing Body this 2nd day of October, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1258

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:

The improvement of State Line Road to a five (5) lane undivided asphaltic cement concrete roadway with concrete curb and gutter, storm sewers, sidewalk, street lights and other appurtenances from approximately the center line of 119th Street to approximately Five Hundred Thirteen (513) feet south of the center line of 112th Terrace.

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;

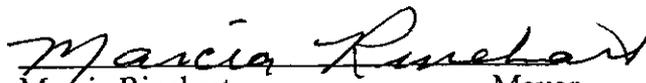
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that the City Clerk is hereby directed to publish a notice that the Governing Body will meet at 7:00 o'clock P.M. on the 16th day of October, 1995, at Leawood City Hall, 4800 Town Center Drive, to consider proposed assessments 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.

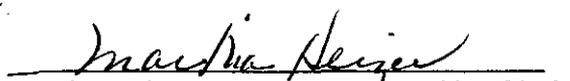
The City Clerk is further directed to mail to the owners of property liable to pay the assessments, at their last known post office address, a notice of the hearing and a statement of the cost proposed to be assessed against the land so owned and assessed.

Adopted by the Governing Body this 2nd day of October, 1995.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1259

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:

The construction of a two-lane undivided roadway with concrete curb and gutter along 143rd Street from Mission Road to 1,320 ' east.

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;

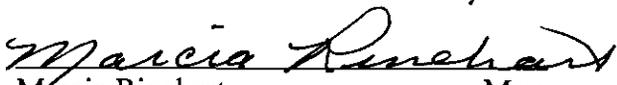
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas, that the City Clerk is hereby directed to publish a notice that the Governing Body will meet at 7:00 o'clock P.M. on the 16th day of October, 1995, at Leawood City Hall, 4800 Town Center Drive, to consider proposed assessments 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.

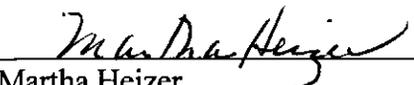
The City Clerk is further directed to mail to the owners of property liable to pay the assessments, at their last known post office address, a notice of the hearing and a statement of the cost proposed to be assessed against the land so owned and assessed.

Adopted by the Governing Body this 2nd day of October, 1995.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1260

The Leawood City Council has considered the request for approval of the preliminary plan for Hereford House located at approximately Town Center Drive and 117th Street, Town Center Plaza Lot 6, and hereby finds the following:

WHEREAS, the applicant is proposing to building a two story restaurant containing 8500 square feet, and

WHEREAS, one hundred parking stalls are required, 49 will be on the site, the developer of Town Center Plaza will allow the restaurant to utilize 52 stalls in the main parking lot, and

WHEREAS, the building is mainly constructed of brick with stone mix, precast panels at the base with synthetic plaster at the cornice and second floor, and

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

1. The use is limited to a restaurant containing 8500 square feet.
2. Drainage and other utility plans shall be approved by the Director of Public Works.
3. No access shall be granted to 117th Street or Town Center Drive directly from the site.
4. All development is subject to the developer's approval.
5. Parking lot landscaping and streetscape is subject to the approved parking lot landscape concept. The final landscape plan shall incorporate the landscaping to be installed by the developer.
6. In order to utilize the east parking, adjacent to the building, an easement must be granted by the owner of Lot 7. This must be submitted as part of the final site plan submission. This shall also document who is responsible for construction and maintenance.
7. Final grading plans are required as part of the final site plan submission.
8. Final lighting plans including photometrics are required as part of the final site plan submission.
9. The downspouts must be enclosed.
10. At final site plan consideration, detailed landscape plans along with calculations of coverage must be submitted.
11. Outside music will be subject to the previously approved shopping center agreement.
12. Staff is to work with the developer to eliminate the parking that backs onto the main drive aisle at the north end of the shopping center.

WHEREAS, the developers/owners agree to these stipulations,

RESOLUTION NO. 1260
HEREFORD HOUSE
PAGE 2

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary plan for Hereford House located at Town Center Plaza Lot 6 with stipulations.

Adopted by the Governing Body this 6th day of November, 1995.

(s e a l)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

CITY OF LEAWOOD

RESOLUTION NO. 1261

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

ADOPTED by the Governing Body this 6th day of November, 1995.

APPROVED AND SIGNED by the Mayor this 6th day of November, 1995.

(S E A L)

City of Leawood, Kansas


Marcia Rinehart, Mayor

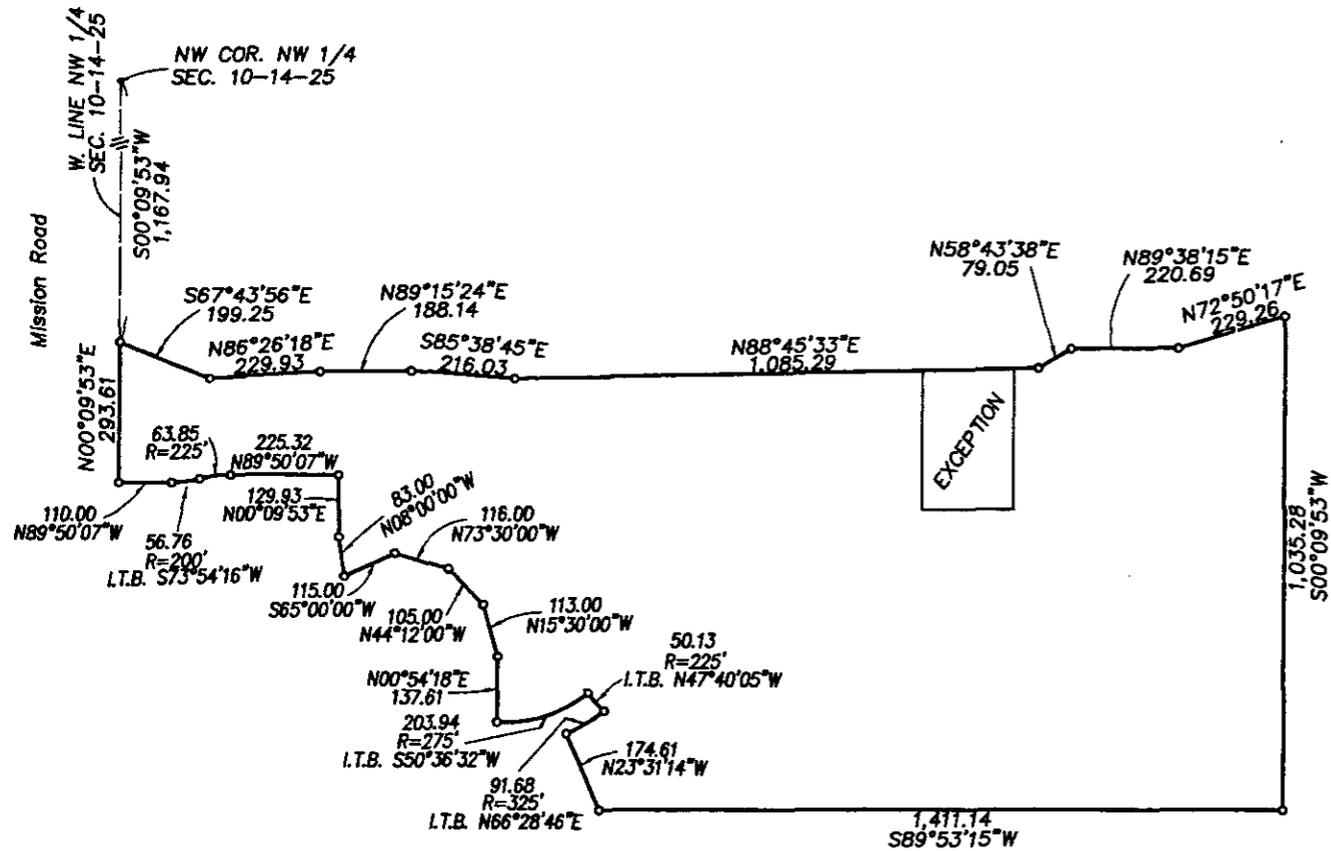
ATTEST:



Martha Heizer, City Clerk

APPROVED AS TO FORM:

PROPOSED ENLARGEMENT OF BLUE RIVER SUB-SEWER DISTRICT NO. 5 LSD NO. 46



Beginning at the Northwest corner of the NW 1/4 of Section 10, T14S, R25E, Johnson County, Kansas; thence S 00°09'53" W, along the West line of said NW 1/4, a distance of 1167.94 feet to the TRUE POINT OF BEGINNING; thence S 67°43'56" E a distance of 199.25 feet; thence N 86°26'18" E a distance of 229.93 feet; thence N 89°15'24" E a distance of 188.14 feet; thence S 85°38'45" E a distance of 216.03 feet; thence N 88°45'33" E a distance of 1085.29 feet; thence N 58°43'38" E a distance of 79.05 feet; thence N 89°38'15" E a distance of 220.69 feet; thence N 72°50'17" E a distance of 229.26 feet; thence S 00°09'53" W, parallel with the West line of said NW 1/4, a distance of 1035.28 feet; thence S 89°53'15" W a distance of 1411.14 feet; thence N 23°31'14" W a distance of 174.61 feet; thence Northeasterly, on a curve to the left having an initial tangent bearing of N 66°28'46" E and a radius of 325 feet, for a distance of 91.68 feet; thence Northwesterly, on a curve to the right having an initial tangent bearing of N 47°40'05" W and a radius of 225 feet, for a distance of 50.13 feet; thence Southwesterly, on a curve to the right having an initial tangent bearing of S 50°36'32" W and a radius of 275 feet, for a distance of 203.94 feet; thence N 00°54'18" E a distance of 137.61 feet; thence N 15°30'00" W a distance of 113.00 feet; thence N 44°12'00" W a distance of 105.00 feet; thence N 73°30'00" W a distance of 116.00 feet; thence S 65°00'00" W a distance of 115.00 feet; thence N 08°00'00" W a distance of 83.00 feet; thence N 00°09'53" E, parallel with the West line of said NW 1/4, a distance of 129.93 feet; thence N 89°50'07" W a distance of 225.32 feet; thence Southwesterly, on a curve to the left having a radius of 225 feet, for a distance of 63.85 feet; thence Southwesterly, on a curve to the right having an initial tangent bearing of S 73°54'16" W and a radius of 200 feet, for a distance of 56.76 feet; thence N 89°50'07" W a distance of 110.00 feet to a point on the West line of said NW 1/4; thence N 00°09'53" E, along said West line, a distance of 293.61 feet to the TRUE POINT OF BEGINNING, containing 39.62318 acres, more or less.

EXCEPT:
Beginning at a point on the West line of the NW 1/4 of Section 10, T14S, R25E, Johnson County, Kansas, said point being 829.55 feet (829.6 feet Deed) South of the Northwest corner of the South 110 acres of said NW 1/4; thence N 89°53'15" E, along the North line of said South 110 acres, a distance of 1660.00 feet to the TRUE POINT OF BEGINNING; thence continuing N 89°53'15" E, along the North line of said South 110 acres, a distance of 190.00 feet; thence S 00°06'45" E a distance of 690.00 feet; thence S 89°53'15" W a distance of 190.00 feet; thence N 00°06'45" W a distance of 690.00 feet to the TRUE POINT OF BEGINNING.



EXHIBIT "A"
FOR: HILLS OF IRONHORSE 1ST PLAT

PAYNE & BROCKWAY P.A.	
ENGINEERS OLATHE, KANSAS	
DATE	10/10/95

RESOLUTION NO. 1262

A RESOLUTION AFFIRMING AN AGREEMENT MADE BY THE JOHNSON COUNTY POLICE CHIEFS' ASSOCIATION WITH THE JOHNSON COUNTY COMMUNITY COLLEGE PERTAINING TO THE USE AND EXPENDITURE OF FUNDS RECEIVED FROM THE KANSAS LAW ENFORCEMENT TRAINING FUND.

WHEREAS, the City of Leawood, Kansas, has and will receive funds under Senate Bill 282 ("The Act") which was enacted and became law on July 1, 1992, now known as K.S.A. 74-5620 et seq, such funds to be used exclusively for law enforcement training; and

WHEREAS, the Johnson County Community College ("College") has operated a police academy under an agreement with the University of Kansas acting for and on behalf of the Law Enforcement Training Center ("LETC"); and

WHEREAS, the Johnson County Police Chiefs' Association ("Chiefs' Association"), the Police Chief of this City being a member thereof, has assisted the "College" in operating said police academy; and

WHEREAS, "The Act" provides for the collection of and disbursement from monies from the such Fund to municipalities and to be used by such municipalities only for basic law enforcement training and not for continuing law enforcement training, such distribution from such funds shall not exceed more than 100% of the actual training costs incurred by or for the municipality in providing local law enforcement training; and

WHEREAS, the "Chiefs' Association" has entered into an agreement ("The Agreement") with the "College" dated July 19, 1995, pertaining to the use of and disbursement of such funds by the College's Police Academy, a copy of such agreement with attachments being attached hereto and made a part hereof; and

WHEREAS, the City of Leawood, Kansas, does by the adoption of this resolution declare and commit funds it receives and has received and remitted to the College under "The Agreement" in accordance with this resolution;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. All funds received under said "Act" are hereby authorized to be distributed to "The College" pursuant to the "Agreement".

2. The City hereby ratifies the said "Agreement" as it pertains to "Funds" received under the "Act" and does hereby authorize the City Treasurer to disburse said funds either to the "Chiefs' Association" for ultimate disbursement to the "College" or directly to the "College" to be used only as provided in said "Agreement".

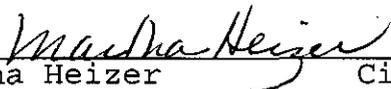
Adopted by the Governing Body this 20th day of November, 1995.

(S E A L)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

City Clerk

AGREEMENT

THIS AGREEMENT is made this 19th day of July 1995, by and between the Johnson County Community College ("College") and the Johnson County Police Chiefs' Association ("Association").

WHEREAS, the College, with the assistance of the Association, established a police academy many years ago, which academy has operated at the College and has been funded by the College from its operating funds; and

WHEREAS, the Association has contributed the services of its personnel and equipment of its various city and municipal police departments for the use by the College in operating such police academy; and

WHEREAS, the College and its police academy was duly certified by the Law Enforcement Training Commission on or before January 1, 1992, to offer and conduct Basic Law Enforcement Training courses, all pursuant to an Agreement dated December 18, 1984, made and entered by the University of Kansas, acting as the operator of the Law Enforcement Training Center and the Johnson County Community College, said Agreement being attached hereto as attachment 1 and made a part hereof by reference; and

WHEREAS, said agreement is still in full force and effect; and

WHEREAS, Senate Bill 282 (now K.S.A. 74-5620 et seq.) was enacted and became law on July 1, 1992, which law provides for the collection of and disbursement from a Law Enforcement Training Reimbursement Fund, such disbursements being made to municipalities and to be used by such municipalities only for law enforcement training and not for continuing law enforcement training, such distributions from such fund shall not however exceed more than 100% of the actual training costs incurred by or for the municipality in providing local law enforcement training; and

WHEREAS, the Association has received, as an agent for the municipalities it represents, funds from such Law Enforcement Training Fund which it proposes to place in a restricted account or fund of the College for the limited purposes as herein set forth; and

WHEREAS, it is the intention of the parties hereto that this Agreement shall operate for funds of the current year so received by the Association as an agency operating for such municipalities, as well as money received from such fund in future and subsequent years.

NOW, THEREFORE, the parties hereto agree as follows:

1. The College agrees to continue to operate its police academy pursuant to the Agreement attached hereto as attachment 1 and will continue to offer law enforcement

training to personnel of municipalities represented by the Association.

2. The Association will continue its cooperation with the College in providing personnel and equipment to the College police academy from the various police departments represented by the Association.

3. The College will expand the course offerings of its police academy by offering classes during the summer, as well as the fall and spring sessions now being conducted.

4. The Association will deposit in a restricted interest-bearing account of the College those funds received by the Association or by the municipalities the Association represents from the local Law Enforcement Training Fund, such funds to be used exclusively by the College for the payment of the direct expenses of operation of the Colleges' police academy for Basic Law Enforcement Training, such direct expenses including but not limited to salary of instructors, direct costs of operation of the academy, honorariums to police and law enforcement adjunct instructors, books, and supplies. It is anticipated that the deposit to this restricted account will be made on or about April 1st of each year, which date is the approximate date for distribution from such Law Enforcement Training Fund.

5. The College will maintain and keep accurate records which will show in detail the direct costs of the police

academy of the College and for which such fund is from time to time expended and disbursed. These records, as public records, will be available for inspection by the Association. The College shall make a written report to the Law Enforcement Training Commission as required by K.S.A. 75-5620, et seq., which report shall be provided to the Training Committee of the Johnson County Police Chiefs' Association.

6. The parties agree to mutually assist each other in providing law enforcement training to the municipalities represented in the Association and to the extent possible extend the services of the police academy to include training for the Sheriff's Department of Johnson County, Kansas.

7. The parties acknowledge the deposit of \$65,000 to such account to be used for the purposes herein defined.

8. This Agreement shall be and remain effective for the period ending May 31, 1996. This Agreement shall be automatically renewed for successive one-year periods unless either party provides notice of an intent to not renew said contract ninety (90) days prior to the termination date in any year. Such notice shall be in writing and delivered by regular United States mail, or delivered in person to Lin Knudson, or her successor, Director of Professional Education at the Johnson County Community College, 12345 College Boulevard, Overland Park, Kansas, with a copy to the President of the College at said address and, if to the Association, in

care of Myron Scafe, Chairman of the Training Committee of the Police Chiefs' Association, or his successor, such Director of Training's current address being Overland Park Police Department, 8500 Antioch, Overland Park, Kansas 66212.

IN WITNESS WHEREOF, the parties hereto have made this Agreement the date and year first above written.

JOHNSON COUNTY COMMUNITY COLLEGE

By: Charles J. Carlsen 4/26/95
Charles J. Carlsen

JOHNSON COUNTY POLICE CHIEFS' ASSOCIATION

By: Thomas L. Hayelden Jr.
President

AGREEMENT

This agreement is entered into between the University of Kansas (hereinafter "University") and Johnson County Community College (hereinafter "JCCC") on this 18th day of December, 1984.

The University's Division of Continuing Education operates the Law Enforcement Training Center (hereinafter "Training Center") for the State of Kansas in accordance with the provisions of K.S.A. 74-5601 et seq. The purpose and function of the Training Center is to promote and develop improved law enforcement personnel and procedures throughout the state. JCCC is a fully accredited community college operating within the State of Kansas and currently offers over 500 hours of coursework in law enforcement training.

The University wishes to extend its program offerings in law enforcement training to the Johnson County area and JCCC desires to provide such training to members of the community which it serves.

The University and JCCC are authorized to enter into agreements for provision of instruction pursuant to the terms and conditions of K.S.A. 75-3099. Therefore, the University and JCCC agree that JCCC shall provide instruction in law enforcement training subject to the following terms and conditions:

1. JCCC shall offer a training course of 320 hours of instruction for full-time police officers or law enforcement officers, said hours to consist of courses as described in Attachment A which is made a part of this agreement.

2. JCCC shall admit to its training course only those individuals who meet the qualifications set forth in K.S.A. 74-5605 and, to establish compliance with K.S.A. 74-5605, JCCC shall furnish to the University

whatever information is necessary to verify that applicants for admission to the training course meet the required qualifications.

3. At the completion of the training course, JCCC shall provide to the University a statement concerning the performance of each individual admitted to the training course in order that the University may complete certification of law enforcement officers pursuant to K.S.A. 74-5607a.

4. The University shall accept training successfully completed at JCCC pursuant to the terms of this agreement as fulfilling the requirements of K.S.A. 74-5607a.

5. JCCC shall be approved to offer a course of instruction which exceeds the 320 hours described in Attachment A, and shall submit for certification only those individuals who have satisfactorily completed the entire JCCC curriculum.

6. Upon approval of the Associate Director of LETC, JCCC may accept individuals in need of partial training in the 320 basic hours.

7. JCCC shall not charge tuition or collect tuition from any person enrolling in the training course described herein for that portion of the course which constitutes the 320 hours described in Attachment A.

8. JCCC shall not base any credit hour state aid entitlement nor any out-district state aid entitlement nor any out-district reimbursement on any course described in Attachment A taught to enrollees under the terms of this agreement.

9. The parties shall confer regularly as to the implementation of the terms and conditions of this agreement, it being recognized that such cooperation is necessary to appropriately implement the terms of K.S.A. 74-5601 et seq.

10. The term of this agreement shall be January 1, 1985 through June 30, 1985. This agreement shall automatically renew for successive

one-year periods unless either party provides notice of intent not to renew 90 days prior to the termination date in any year.

JOHNSON COUNTY COMMUNITY COLLEGE

THE UNIVERSITY OF KANSAS

By: Charley Adams

By: [Signature]

RESOLUTION NO. 1263

The Leawood City Council has considered the request for approval of rezoning from AG to CP-O, preliminary plat and preliminary plan for Madden-McFarland located at 128th and State Line Road and hereby finds the following:

WHEREAS, the applicant is requesting to move the existing building from K-150 and State Line to 128th and State Line Road, and

WHEREAS, the Master Plan map indicates this area as office, and

WHEREAS, the plat contains one lot, approximately 1.25 acres, and

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

1. The use is limited to an office building containing 9684 square feet and 17 parking stalls.
2. A Park Impact Fee is required to be paid prior to obtaining permits for moving the building or remodeling.
3. The landscape plans for the final site plan must include low shrubs, at least 3 feet in height, to screen the parking area, in order to meet the requirements of the landscape section of the Leawood Development Ordinance. The Scotch Pines must be replaced with another species.
4. The drives can remain 15' in width if they are signed as "No Parking".
5. The final plat must dedicate the right-of-way for State Line Road.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the request for rezoning from AG to CP-O, preliminary plat and preliminary plan for Madden-McFarland located at 128th and State Line Road with stipulations.

Adopted by the Governing Body this 20th day of November, 1995.

(s e a l)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1264

The Leawood City Council has considered the request for approval of rezoning from CP-O to CP-2 and revised final site plan for Tutera and Associates located at 8015 State Line Road and hereby finds the following:

WHEREAS, the property is a strip of property on the east side of State Line Road abutting retail zoned land in Kansas City, Missouri, and

WHEREAS, the final site plan consists of a landscaping strip and parking area along State Line Road approximately 40' wide, and

WHEREAS, the Plan Commission held a public hearing on the application, and

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

1. All landscaping shall be installed within 60 days of Plan Commission approval.

WHEREAS, the developers/owners agree to this stipulation,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the rezoning from CP-O to CP-2 and revised final site plan for Tutera and Associates located at 8015 State Line Road with stipulations.

Adopted by the Governing Body this 20th day of November, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

CITY OF LEAWOOD
RESOLUTION NO. 1265

A RESOLUTION DECLARING THE ELIGIBILITY OF THE GOVERNING BODY OF LEAWOOD, KANSAS, TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION A RESOLUTION DECLARING THE ELIGIBILITY OF THE GOVERNING BODY OF LEAWOOD, FOR USE OF TRANSPORTATION ENHANCEMENT FUNDS SET FORTH BY THE REAUTHORIZATION OF THE FEDERAL TRANSPORTATION ACT FOR THE LEAWOOD PEDESTRIAN AND BICYCLE PATH EXTENSION FROM CITY PARK TO MISSOURI STATE LINE PROJECT IN THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, AND AUTHORIZING THE MAYOR TO SIGN THE APPLICATION.

WHEREAS, The Governing Body of the City of Leawood, Kansas, has the legal authority to apply for, receive, and administer federal, state, and other monies through Home Rule Power under the Constitution of the State of Kansas and authorized by K.S.A. 12-1662, regarding the expenditure of federal aid to public agencies; and

WHEREAS, The Governing Body of the City of Leawood, Kansas, desires to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the reauthorization of the federal Transportation Act; and

WHEREAS, The Governing Body of the City of Leawood, Kansas, is participating in the Kansas Department of Transportation's Transportation Enhancement Program set forth by the reauthorization of the Federal Transportation Act; and

WHEREAS, Federal monies are available under a transportation enhancement program set forth by the reauthorization of the Federal Transportation Act, administered by the State of Kansas, Department of Transportation, for the purpose of Historic, Scenic and Environmental, and Pedestrian and Bicycle projects; and

WHEREAS, After appropriate public input and due consideration, The Governing Body of the City of Leawood, Kansas, has recommended that an application be submitted to the State of Kansas for the Leawood Pedestrian and Bicycle Path Extension from City Park to Missouri State Line Project.

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

SECTION 1. That The Governing Body of the City of Leawood, Kansas, does hereby authorize the Mayor to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the

reauthorization of the Federal Transportation Act on behalf of the citizens of The Governing Body of the City of Leawood, Kansas.

SECTION 2. That The Governing Body of the City of Leawood, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the construction of the Leawood Pedestrian and Bicycle Path Extension from City Park to Missouri State Line project is available or will be available at the time of project letting.

SECTION 3. That The Governing Body of the City of Leawood, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the operation and maintenance of the Leawood pedestrian and bicycle path extension from City park to Missouri State Line project will be available for the life of the project.

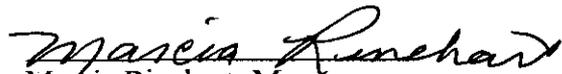
SECTION 4. That The Governing Body of the City of Leawood, Kansas, hereby assures the Kansas Department of Transportation that The Governing Body of the City of Leawood, Kansas, will have title or permanent easement to the project by the time of project letting.

SECTION 5. That the chief elected official of The Governing Body of the City of Leawood, Kansas, is authorized to sign the application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the reauthorization of the Federal Transportation Act on behalf of the citizens of The Governing Body of the City of Leawood, Kansas, and to submit additional information as may be required and act as the official representative of The Governing Body of the City of Leawood, Kansas, in this and subsequent related activities.

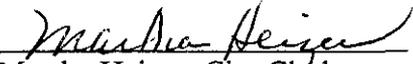
ADOPTED AND PASSED by The Governing Body of the City of Leawood, Kansas, this 20th day of November, 1995.

(S E A L)

City of Leawood, Kansas


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk

RESOLUTION NO. 1266

A RESOLUTION DESIGNATING HOLIDAYS FOR THE YEAR 1996 IN ACCORDANCE WITH THE PERSONNEL RULES AND REGULATIONS OF THE CITY OF LEAWOOD, KANSAS.

WHEREAS, Section 9-2 of the "Personnel Rules and Regulations", as published in December, 1992, and as from time to time amended, requires that holidays for all regular employees of the City of Leawood be confirmed by resolution of the City Council each year; and

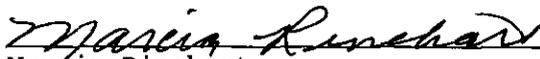
WHEREAS, after review of the holiday dates in 1996, staff recommends that the following schedule be adopted;

NOW, THEREFORE, BE IT RESOLVED that the City Hall of Leawood, Kansas, shall be closed on the following holiday dates in 1996:

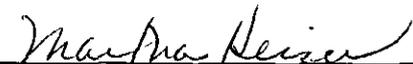
New Year's Day	January 1
President's Day (3rd Monday-February)	February 19
Memorial Day (last Monday-May)	May 27
Independence Day	July 4
Labor Day (1st Monday-September)	September 2
Thanksgiving (4th Thurs./ (5th) Fri.-November)	November 28/29
Christmas	December 25

Adopted by the Governing Body this 4th day of December, 1995.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1267

The Leawood City Council has considered the request for approval of the revised final plat of Hallbrook 7th Plat, located at College and Brookwood and hereby finds the following:

WHEREAS, this is a revised final plat as the alignment of College Boulevard has changed, and

WHEREAS, all lots and streets in the plat have remained the same, and

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

1. The plat is limited to 82 single family homes.
2. The side yards are to be 15'.
3. Lots 8,9, and 10, in Block 4 may only have access from Brookwood. Lots 6,7, and 8 of Block 5 may have access from 111th Terrace only.
4. Deed Restrictions must be submitted and recorded prior to issuance of any building permits.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised final plat of Hallbrook 7th Plat with stipulations.

Adopted by the Governing Body this 4th day of December, 1995.

(s e a l)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1268

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

WHEREAS, the property is zoned RP-1, and

WHEREAS, the property contains 22.6 acres and the developer is proposing 41 lots for a density of 1.81 units per acre,

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

1. The development is limited to 41 lots in RP-1.
2. The developer is responsible for \$130 per front foot for 151st Street and for Mission Road. This is to be paid in cash or in a one year letter of credit. It is to be paid prior to recording a final plat.
3. A South Leawood Transportation Impact Fee in the amount of \$1000.00 per acre is to be paid at the time of final plat. This plat contains 22.61 acres and \$22,610 will be collected prior to recording the final plat.
4. The Park Impact Fee is \$300 per dwelling collected prior to recording the final plat. This plat contains 41 building lots and \$12,300 will be collected prior to recording the final plat.
5. Street assessments for Mission Road and for 151st Street are \$130 per front foot. The fee for Mission Road will be \$180,050.00 and for 151st Street will be \$88,351.90 to be collected prior to recording the final plat.
6. As this property is zoned RP-1, a final site plan is required that will show the landscaping in the islands, for the streetscapes and any public areas. The staff is requesting that this information be submitted to the staff for our review and comment. It will then be included as part of the file. The landscaping is to be comparable and compatible to that in the first phase.

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 Pavilions of Leawood, 2nd Plat with stipulations.

Adopted by the Governing Body this 4th day of December, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1269

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:

The construction of 155th Street (Bell Drive) and Iron Horse Drive from Mission Road to the Iron Horse Clubhouse and in Iron Horse Estates. The work shall include new concrete curb and gutter, new walkways, new asphalt pavement of appropriate widths, islands, earthwork, storm sewers and their appurtenances, water and gas main extensions, underground electric conduit and service, street landscaping, project hardscapes, adjacent roadways, roadway lighting, parking facilities and lighting pertinent thereof and in conformance with the approved development plan on file with the City.

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 7:00 o'clock P.M. on the 18th day of December, 1995, at Leawood City Hall, 4800 Town Center Drive, 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.

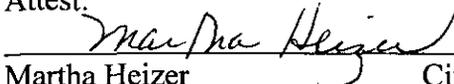
The City Clerk is further directed to mail to the owners of property liable to pay the assessments, at their last known post office address, a notice of the hearing and a statement of the cost proposed to be assessed against the land so owned and assessed.

Adopted by the Governing Body this 4th day of December, 1995.

(S E A L)


Marcia Rinchart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1270

The Leawood City Council has considered the request for approval of the final plat of Town Center Business Park, First Plat located at approximately 117th and Roe, and hereby finds the following:

WHEREAS, the property contains 21.559 acres, and

WHEREAS, the developer is proposing to divide the property into 2 lots and 2 tracts, and

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

1. 115th Street is required to be constructed to provide the main access to the north quadrant. The developer is responsible to work out an agreement with the adjoining property owner to the north for the construction of 115th Street prior to final plan approval.
2. A 12' easement and grading for biking/hiking trail shall be provided along the creek bed to connect the tunnel under Roe Avenue with the trail proposed with the apartments. The developer is responsible for coordinating the adjoining trail easement to the east and west. The plat is to be revised to show this easement.
3. Final grading and drainage plans shall be submitted and approved by Public Works prior to final plan approval.
4. Interior drives are private and shall be maintained by the developer. The road connecting to 115th Street and to Roe Avenue is public. The plat will be changed to reflect the correct name for this street.
5. The developer shall be responsible for 50% of the signalization of 115th Street and Roe Avenue and 25% of the signalization of 117th and Roe Avenue. The cost of these signals will be estimated by the Director of Public Works. The fee will be submitted in a one year letter of credit prior to submitting the plat for recording.
6. The name of the Chairman of the Plan Commission must be changed on the plat to Lucy Daniels.

WHEREAS, the developers/owners agree to these stipulations,

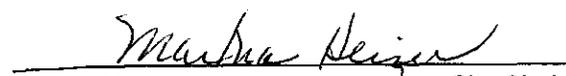
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Town Center Business Park, First Plat with stipulations.

Adopted by the Governing Body this 4th day of December, 1995.

(s' e a l)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1271

The Leawood City Council has considered the request for approval of the preliminary and final site plans for Cocherl Office Building located at 14212 Overbrook, Lot 1 and the south 53 Feet of Lot 2, Bi-State Business Park, and hereby finds the following:

WHEREAS, the property is zoned BP, Planned Business Park, and

WHEREAS, the proposed use is an office building containing 9800 square feet with a potential for 5000 square feet of expansion, and

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

1. A revised final site plan would be required if the building were expanded in the future.
2. The city is in the process of contacting the pipeline companies to allow landscaping in the easements. If we are able to get that agreement, the applicant would be required to install landscaping along Kenneth and 143rd Street according to the Leawood Development Ordinance Landscape requirements.
3. Landscaping adjacent to the building will be required. A plan must be submitted and approved by the Planning Department prior to final occupancy.
4. No additional signs will be allowed for future tenants. Building signs are not approved as part of this application.
5. New building elevations are required to show the signs and window materials.
6. The monument sign is to be located outside of the site triangle.
7. A new site plan is required to show the revised parking layout.
8. A new lighting plan is required to show the additional poles.
9. All new revised information is to be submitted prior to release of a building permit.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary and final site plans for Cocherl Office Building with stipulations.

Adopted by the Governing Body this 4th day of December, 1995.

(s e a l)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1272

The Leawood City Council has considered the request for approval of the revised preliminary plat of Hazelwood (4th Phase) located at approximately 119th and Pawnee and hereby finds the following:

WHEREAS, the replat is necessary due to slope and soil considerations, and

WHEREAS, the replat affects lots 34 through 39,

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

1. All streets are to be public.
2. All 22' wide streets will restrict parking to only one side and will be marked as such.
3. Along with the required final plat the developer will submit a site plan that sets out for each lot the area that may be cleared and noting any trees that are 6" or greater caliper that will be cleared.
4. Along with the required final plat the developer will submit additional information that details fence locations and materials.
5. The final plat will note restricted access on the street side of lots that will not have driveways.
6. An area approximately 42' in width will be established as a "no cut zone" that will also disallow any man-made structures on the rear side of any lots that have double street frontage.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat of Hazelwood, 4th Phase with stipulations.

Adopted by the Governing Body this 4th day of December, 1995.

(s e a l)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1273

A RESOLUTION AUTHORIZING THE MAYOR AND CITY TO EXECUTE
AGREEMENT

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

That the Mayor and City Clerk are authorized and directed to execute for
and on behalf of the City of Leawood, Kansas, Agreement No. 144-95 between the
City and the Secretary of Transportation of the State of Kansas.

The Agreement No. 144-95 described as follows:

Project No. 150-46 TE-0020-01
STP-T002(001)
Transportation Enhancement Project
Landscaping along K-150
City of Leawood, Kansas

Passed by the City Council this 4th day of December, 1995.

Marcia Rinehart
Mayor Marcia Rinehart

(SEAL)

ATTEST: Martha Heizer
Martha Heizer, City Clerk

RESOLUTION NO. 1274

The Leawood City Council has considered the request for approval of the final plat of Meadows of Ironhorse located at 151st and Linden, and hereby finds the following:

WHEREAS, the west portion of the property is zoned RP-4 and the final plat includes 9.63 acres divided into 26 lots, and

WHEREAS, the east portion of the property is zoned RP-1 and the final plat includes 22.8 acres divided into 21 lots, and

WHEREAS, the zoning is divided by a petroleum line which cuts through the center of the site, and

WHEREAS, along 151st Street there is a 30' wide landscape easement containing crabapples, white pine and shrubs, and

WHEREAS, also along 151st Street is a proposed 6' tall wrought iron fence with red brick columns similar to the existing fence at Villas of Ironhorse,

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

1. The development is limited to 21 lots in RP-1 and 26 lots in RP-4.
2. The developer is responsible for \$130 per front foot for 151st Street. This is to be paid in cash or in a one year letter of credit. It is to be paid prior to recording a final plat.
3. As this property abuts the golf course, prior to final plan and final plat approval by the City Council, the Golf course Committee is to review design criteria, restrictive covenants and/or deed restrictions to ensure compatibility with the golf course. (The Golf Course Committee has reviewed the application and unanimously recommends approval.)
4. A twenty-five foot clear unobstructed open space easement shall be established on all golf course lots. This easement shall prohibit all structures including play structures, dog houses, fences, etc.
5. A South Leawood Transportation Impact Fee in the amount of \$1015.63 per acre is to be paid at the time of final plat approval.
6. The final grading plans submitted to Public Works are to include the moving of the creek to the east.
7. Homes located on lots 32-36 & 38, are to be located on the west side of the moved creek. Lot 37 may be located on the east side.

WHEREAS, the developers/owners agree to these stipulations,

RESOLUTION NO. 1274
PAGE 2
MEADOWS OF IRONHORSE

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Meadows of Ironhorse with stipulations.

Adopted by the Governing Body this 18th day of December, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1275

The Leawood City Council has considered the request for approval of a revised preliminary site plan of Phase 2 of Town Center Plaza, not including the elevation of the shops of Phase 2; the approval of the revised preliminary site plan of Galyans, with outdoor music and signs to be considered at a later date; and approval of the revised preliminary site plan for AMC Theaters, including approximately 3100 seats in 20 theaters; all located approximately 117th and Nall and hereby finds the following:

WHEREAS, the property is zoned SD(C-R) and the proposed uses are all allowed uses in this zoning, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the application with no stipulations.

WHEREAS, the entrance onto 117th Street will be redesigned so that there is a left turn lane for vehicles exiting north bound to allow them to go west bound on 117th Street, and

WHEREAS, Galyans contains 100,000 square feet on two floors with an outdoor interactive area containing 15,000 square feet, and

WHEREAS, the shops in Phase 2 contain a total of 19,258 square feet,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary site plan of Phase 2 of Town Center Plaza, not including the elevation of the shops of Phase 2; the approval of the revised preliminary site plan of Galyans, with outdoor music and signs to be considered at a later date; and approval of the revised preliminary site plan for AMC Theaters, including approximately 3100 seats in 20 theaters; all located approximately 117th and Nall with the following stipulations:

1. There will be no video arcade or game room in conjunction with the movie theaters.
2. There will be raised pedestrian crosswalks, comparable to those used in Phase 1 of the shopping center, from the theaters and Galyans to the main building of the shopping center.
3. No movies will start later than 10:45 p.m.

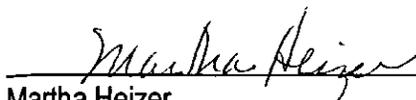
Adopted by the Governing Body this 18th day of December, 1995.

(SEAL)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1276

The Leawood City Council has considered the request for approval of rezoning from RP-3 to RP-4, Preliminary Plat, Preliminary Plan, and Change in Master Plan Designation for Villas of Leawood located at approximately 138th and Kenneth and hereby finds the following:

WHEREAS, the property contains 23.7 acres and is to be developed into 124 units arranged in four-plexes, and

WHEREAS, the current zoning of RP-3 was approved by ordinance No. 818, 07-02-84, and

WHEREAS, the property is located south of Leawood Manor apartments, and

WHEREAS, the Master Plan Designation change is from Medium Density Residential - Single Family Detached to Medium Density Residential - Single Family Attached, and

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

1. The development is limited to 124 units.
2. The developer is responsible for a Park Impact Fee in the amount of \$37,400 (124 units x \$300). This is to be paid in cash or in a one year letter of credit. It is to be paid prior to recording a final plat.
3. The streets are to be public and allowing the deviation to a 26 foot street with two 12 foot easements on either side for a total of 50'. This coincides with the sense of community that is desirable in this type of development.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the rezoning from RP-3 to RP-4, Preliminary Plat, Preliminary Plan, and Change in Master Plan Designation for Villas of Leawood with stipulations.

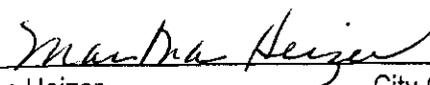
Adopted by the Governing Body this 18th day of December, 1995.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1277

A RESOLUTION DECLARING THE BOUNDARIES OF THE CITY OF LEAWOOD, KANSAS.

WHEREAS, tracts of land were excluded from the City of Leawood by Ordinance No. 1511 which took effect at 12:01 a.m., August 31, 1995; and

WHEREAS, tracts of land were annexed to the City of Leawood by Ordinance No. 1512 which took effect at 12:01 a.m., August 31, 1995; and

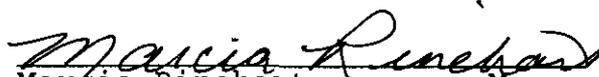
WHEREAS, K.S.A. 12-517 states that before the last day of December in any year in which any territory has been added to or excluded from any city, the governing body of such city shall declare by resolution the entire boundary of the city;

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

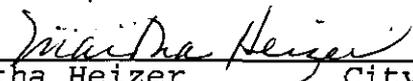
BE IT FURTHER RESOLVED that in accordance with K.S.A. 12-518, the City Clerk of the City of Leawood shall file a certified copy of this resolution with the County Clerk, the Register of Deeds, and the Election Commissioner of Johnson County, Kansas. She shall also file a certified copy of this resolution with the state transportation engineer.

Adopted by the Governing Body this 18th day of December, 1995.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk



October 12, 1993
(Revised November 30, 1995)

EXHIBIT A

REVISED
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 N½ of the SE¼ of Section 3, Township 14, Range 25, of said Johnson County; thence West, along the South line of the N½ of the SE¼ of said Section 3, to the Southwest corner thereof; thence South, along the West line of the SE¼ of said Section 3, to the Southwest corner thereof; thence South, along the East line of the North fifty acres of the NW¼ of Section 10, Township 14, Range 25, of said Johnson County, to the Southeast corner thereof; thence West, along the South line of the North fifty acres of the NW¼ of said Section 10, to a point 2409.6 feet East of the West line of the NW¼ of said Section 10; thence

S 0° 09' 53" W, along a line parallel to the West line of

- Civil Engineers
- Electrical Engineers
- Mechanical Engineers
- Landscape Architects
- Land Surveyors
- Land Planners
-

Shafer, Kline & Warren, P.A.
Kansas City, Missouri
816/756-0444
FAX: 816/756-1763

Hamilton & Associates, Inc.
Macon, Missouri
816/385-6441
FAX: 816/385-6614

the NW $\frac{1}{4}$ of said Section 10, to a point 1320 feet South of the North line of the South 110 acres of the NW $\frac{1}{4}$ of said Section 10; thence S 89° 53' 15" W, a distance of 1411.14 feet; thence N 23° 31' 14" W, a distance of 174.61 feet; thence Northeasterly, on a curve to the left having an initial tangent bearing of N 66° 28' 46" E and a radius of 325 feet, for a distance of 91.68 feet; thence Northwesterly, on a curve to the right having an initial tangent bearing of N 47° 40' 05" W and a radius of 225 feet, for a distance of 50.13 feet; thence Southwesterly, on a curve to the right having an initial tangent bearing of S 50° 36' 32" W and a radius of 275 feet, for a distance of 203.94 feet; thence N 00° 54' 18" E, a distance of 137.61 feet; thence N 15° 30' 00" W, a distance of 113.00 feet; thence N 44° 12' 00" W, a distance of 105.00 feet; thence N 73° 30' 00" W, a distance of 116.00 feet; thence S 65° 00' 00" W, a distance of 115.00 feet; thence N 08° 00' 00" W, a distance of 83.00 feet; thence N 00° 09' 53" E, parallel with the West line of said NW $\frac{1}{4}$, a distance of 129.93 feet; thence N 89° 50' 07" W, a distance of 225.32 feet; thence Southwesterly, on a curve to the left having a radius of 225 feet, for a distance of 63.85 feet; thence Southwesterly, on a curve to the right having an initial tangent bearing of S 73° 54' 16" W and a radius of 200 feet, for a distance of 56.76 feet; thence N 89° 50' 07" W, a distance of 110.00 feet, to a point on the West line of the NW $\frac{1}{4}$ of said Section 10 and 632 feet South of the North line of the South 110 acres of the NW $\frac{1}{4}$ of said Section 10; thence South, along the West line of said Section 10, to the Southeast corner of the NE $\frac{1}{4}$ of Section 9, Township 14, Range 25 of said Johnson County;

thence West, along the South line of the NE $\frac{1}{4}$ of said Section 9, to the Southwest corner thereof; thence West, along the South line of the NW $\frac{1}{4}$ of said Section 9, to a point 230 feet East of the Southwest corner thereof; thence North, parallel to the West line of the NW $\frac{1}{4}$ of said Section 9, a distance of 189 feet; thence West, parallel to the South line of the NW $\frac{1}{4}$ of said Section 9, a distance of 230 feet, to a point on the West line thereof; thence North, along the West line of the NW $\frac{1}{4}$ of said Section 9, to the Northwest corner thereof, said point also being 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 S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 33; thence East, along the North line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 33, to the East line of the SW $\frac{1}{4}$ of said Section 33; thence North, along the East line of the SW $\frac{1}{4}$ of said Section 33, to the Northeast corner thereof; thence West, along the South line of the East 68 acres of the NW $\frac{1}{4}$ 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 $\frac{1}{4}$ 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 $\frac{1}{4}$ 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 $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $SW\frac{1}{4}$ of said Section 28; thence North, along the West line of the $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $SW\frac{1}{4}$ of said Section 28, to the Northwest corner thereof; thence East, along the North line of said $E\frac{1}{2}$ to the Northeast corner thereof; thence North along the West line of the $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of said Section 28, to the Northwest corner of the $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of said Section 28; thence West, along the South line of the $NW\frac{1}{4}$ of said Section 28, to the Southwest corner of the $NW\frac{1}{4}$ of said Section 28; thence North, along the West line of the $NW\frac{1}{4}$ of said Section 28, to the Northwest corner thereof; thence continuing North, along the West line of the $S\frac{1}{2}$ of the $SW\frac{1}{4}$ of Section 21, Township 13, Range 25, Johnson County, Kansas, to the Northwest corner thereof; thence East, along the North line of the $S\frac{1}{2}$ of the $SW\frac{1}{4}$ 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 $NW\frac{1}{4}$ of said Section 21, said point being 170 feet North of the Southeast corner of the $NW\frac{1}{4}$ of said Section 21; thence East, along a line perpendicular to the West line of the $NE\frac{1}{4}$ of 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 $47^\circ 20'$ to the right from the last described course, a distance of 460.14 feet; thence continuing along a line that deflects $57^\circ 10' 30''$ to the left from the last described course, a distance of 605.19 feet; thence continuing along a line that deflects

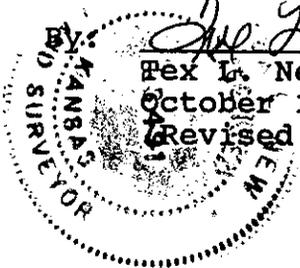
18° 05' 30" to the left from the last described course, a distance of 537.85 feet; thence continuing along a line that deflects 90° to the left from the last described course, a distance of 74.13 feet; thence continuing West, along an extension of the last described course, a distance of 418.72 feet; 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 NE $\frac{1}{4}$ of said Section 21, said point being 1762.6 feet North of the Southwest corner of the NE $\frac{1}{4}$ of said Section 21; thence North, along the West line of the NE $\frac{1}{4}$ of said Section 21, to the N $\frac{1}{2}$ 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 NE $\frac{1}{4}$ 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 SE $\frac{1}{4}$ 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 NW $\frac{1}{4}$

of said Section 3; thence East, along the South line of the NW $\frac{1}{4}$ of said Section 3, to the Southeast corner thereof; thence North, along the East line of the NW $\frac{1}{4}$ 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 S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 27; thence East, along the North line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 27; thence East, along the North line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 27, to the Southwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27; thence North, along the West line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27, to the Northwest corner thereof; thence North, along the West line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27, to the Northwest corner thereof; thence East, along the North line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27, to the Northeast corner thereof; thence North, along the West line of the NE $\frac{1}{4}$ 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 S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 27; thence East, along the North line of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 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,

REVISED
LEGAL DESCRIPTION FOR
CITY OF LEAWOOD BOUNDARY
JOHNSON COUNTY, KANSAS
OCTOBER 12, 1993
(REVISED NOVEMBER 30, 1995)
PAGE 7

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.


Rex L. New, KS LS-491
October 12, 1993
(Revised November 30, 1995)



City of Leawood, Kansas
4800 Town Center Drive
Leawood, Kansas 66211

Resolution No. 1278

A RESOLUTION ESTABLISHING THE 1996 FEE SCHEDULE FOR FEES NOT SPECIFICALLY PROVIDED FOR IN THE CODE OF THE CITY OF LEAWOOD

WHEREAS, the Code of the City of Leawood omits certain fee schedules for reasons of economy and expediency; and

WHEREAS, the City Administrator is, by Section 1-701 of the Code of the City of Leawood, authorized to make fee adjustments as 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, -

that the following fee schedule for 1996 is hereby ratified:

City of Leawood, Kansas

1996 FEE SCHEDULE

City-wide
Fire
Planning and Development
Finance
Public Works
Police
Parks and Recreation

TABLE OF CONTENTS

CITY-WIDE.....	4
Miscellaneous City-Wide Fees.....	4
Department Publications/Report Fees.....	4
Open Records Act Fees.....	4
FIRE DEPARTMENT.....	4
Fees for Permits.....	4
Fire Department-Related Fees.....	4
PLANNING AND DEVELOPMENT DEPARTMENT.....	4
Fees for Construction, Alterations and Remodeling.....	4
New Building Construction Permits.....	4
Existing Building Construction Permits - Residential.....	4
Existing Building Construction Permits - Commercial, Office, Industrial.....	5
Miscellaneous Construction, Alterations And Remodeling Fees.....	5
Fees for Improvements.....	5
Swimming Pools.....	5
Hot Tubs, Etc.....	5
Electrical.....	5
Mechanical.....	5
Plumbing.....	5
Reroofing.....	6
Lawn Sprinkler Systems.....	6
Structural Fire Sprinkler.....	6
Towers, Satellite Dish Equipment, Solar Equipment.....	6
Street Curb Cut.....	6
Fences.....	6
Walls.....	7
Patio Covers.....	7
Foundation Repair.....	7
Elevators.....	7
Fees for Zoning Procedures.....	7
Residential (Rp-A To Rp-4).....	7
Office (Cp-0).....	7
Commercial (Cp-1 To Cp-2).....	8
Recreation.....	8
Industrial (Pi).....	8
Business Park (Bp).....	8
Special Development (Sd).....	8
Mixed Zoning.....	8
Special Use Permits.....	8
Leawood Development Ordinance.....	8
Other Plan Approvals.....	9
Streets, Utility Vacation.....	9
Fees for Subdivision Regulation Procedures.....	9
Submission.....	9
Costs To Develop Arterial And Collector Streets.....	9
Fees for Sign Permits.....	9
6 Month Permit Temporary Sign.....	9
7-Day Permit Temporary Sign.....	9
Monument Signs/Structures.....	9
Permanent Sign - Wall Sign.....	9
Fees for Planning and Development Documents.....	10
Fees for Miscellaneous Planning and Development Activities.....	10
Occupancy Of Commercial Space Or Building.....	10
Reinspection Fees.....	10

Annual License Fees For Rental Dwellings.....	10
Rental Inspection Fees.....	10
Appeals Board Fees.....	10
Mowing Fees.....	10
Estate Sales.....	10
Oil And Gas Drilling And Production.....	11
FINANCE DEPARTMENT.....	11
Licensing of Dogs and Cats.....	11
Dog/Cat License.....	11
Penalties.....	11
Finance Charges.....	11
Worthless Check Fees.....	11
PUBLIC WORKS DEPARTMENT.....	11
Fees for Sidewalks and Street Activities.....	11
Sidewalks.....	11
Streets.....	11
Fees for Back Charge Recovery Costs - Mud Ordinance.....	12
Activities.....	12
Outside Contractors.....	12
Additional Labor.....	12
Fees for Miscellaneous Public Works Activities.....	12
Pre-Blast Application.....	12
Sewer Connection.....	13
Document Fees.....	13
POLICE DEPARTMENT.....	13
Alarm System Fees.....	13
System Registration Fees.....	13
False Alarms - Residential Systems.....	13
False Alarms - Commercial Systems.....	13
Miscellaneous Fees.....	13
Records Copying.....	13
PARKS AND RECREATION DEPARTMENT.....	13
Fees for Lessons, Leagues and Classes.....	13
Fees for Facility Rental.....	14
Fees for Pool and Tennis Membership.....	14
Daily Fees.....	14
Pool Only.....	14
Tennis Only.....	14
Pool And Tennis.....	15
Miscellaneous Park and Recreation Fees.....	15
IRONHORSE GOLF COURSE.....	15
Golf Course Fees.....	15
Daily Fees.....	15
Golf Car.....	15
Learning Center Fees.....	16
Practice Tee.....	16
Practice Holes.....	16
Clubhouse Rental Fees.....	16
IRONHORSE Golf Association.....	16
1996 Membership.....	16
IRONHORSE Engineers Club.....	16
1996 Membership.....	16
IRONHORSE Conductors Club.....	17
1996 Membership.....	17

CITY-WIDE

Miscellaneous City-wide Fees

DEPARTMENT-PUBLICATIONS/REPORT FEES

(Other than those specifically mentioned herein.)

Publications/reports	individually determined based on printing costs	
----------------------	---	--

OPEN RECORDS ACT FEES

Record search/record inspection	\$10.00 per hour per employee engaged in record search (minimum of \$10.00)	
Police Department copy fee	\$1.50 per page	
All other departments copy fee	\$0.50 per page	

FIRE DEPARTMENT

Fees for Permits

FIRE DEPARTMENT-RELATED PERMIT FEES

Open Burning Permit	\$100.00	New
Reissuance of Blasting Permit	\$100.00	New
All other permits as listed in the Uniform Fire Code	\$50.00	New

PLANNING AND DEVELOPMENT DEPARTMENT

Fees for Construction, Alterations and Remodeling

NEW BUILDING CONSTRUCTION PERMITS

Permit Fees	Based on valuation determined by the Building Official and figured in accordance with UBC Table No. 1A	
Subcontractor Fees (mechanical, electrical, and plumbing)	\$100.00 each	Increased from \$75.00
Residential Plan Review Fee	10% of the total building permit fee (including permit fees and subcontractor fees above)	Increased from 10%

EXISTING BUILDING CONSTRUCTION PERMITS - RESIDENTIAL

Building alterations, remodeling, additions, decks, sports courts	\$0.15 per square foot calculated on the area being added or improved (\$30 minimum)	Increased from \$0.12
Single wall or ceiling installation or replacement	\$0.06 per square foot (\$30 minimum)	Increased from \$0.05 and minimum added

Mechanical, electrical, and plumbing associated with building alterations, remodeling, additions, decks, sports courts	\$40.00 each	
Plan review for residential remodel	10% of the <u>total</u> building permit fee including the above	Increased from 5%

EXISTING BUILDING CONSTRUCTION PERMITS - COMMERCIAL, OFFICE, INDUSTRIAL

Interior finish for new construction; building alterations, remodeling	\$0.15 per square foot calculated on the interior area	
Single wall or ceiling installation or replacement	\$0.10 per square foot calculated on the area being added or improved (\$30 minimum)	Minimum added
Mechanical, electrical, and plumbing associated with interior finish for new construction; building alterations, remodeling	\$75.00 each	
Plumbing, electrical or mechanical on a single wall	\$40.00 each	
Plan review for commercial tenant space	10% of the <u>total</u> building permit fee including the above	Increased from 5%

MISCELLANEOUS CONSTRUCTION, ALTERATIONS AND REMODELING FEES

Demolition, each unit or building	\$60.00 each	
Structure moving	\$150.00 each	
Reissuance of expired permit	1/2 the original fee	

Fees for Improvements

SWIMMING POOLS

Residential - single family	\$75.00	Decreased from \$80
Other than residential - single family	\$200.00 each	

HOT TUBS, ETC.

Hot tubs, spas, whirlpools, hydro pools, etc.	\$50.00 each	
---	--------------	--

ELECTRICAL

Minor: residential pools, garages, tennis court lighting, etc.	\$25.00 each	Tennis court lighting added
Service upgrade only	\$35.00 each	
Spas	\$20.00 each	

MECHANICAL

Furnace/Air Conditioner replacement	\$25.00 each	
-------------------------------------	--------------	--

PLUMBING

Water heater replacement	\$20.00 each	
Gas line/water line replacement	\$20.00 each	
Residential pools	\$20.00 each	

REROOFING

Residential - new or more than 50% roof replacement or more than 20 squares	\$30.00 plus \$1.50/square for every square over 20 squares	
Roof repair up to 50% of roof replacement	\$20.00 up to 20 squares	
Commercial	0.1% of construction cost (minimum \$50.00)	Minimum decreased from \$100.00

LAWN SPRINKLER SYSTEMS

Residential (s.f. - single lot)	\$50.00 each	
Residential (multi units - single lot)	\$50.00 each s.f. unit or \$50.00 multi unit building	
Backflow replacement	\$25.00 each	
Commercial	Based on valuation determined by the Building Official and figured in accordance with UBC Table No. 1A	

STRUCTURAL FIRE SPRINKLER

Structural fire sprinkler	\$0.01 per square foot (\$25.00 minimum)	
---------------------------	--	--

TOWERS, SATELLITE DISH EQUIPMENT, SOLAR EQUIPMENT

Single family	\$25.00 each	
Commercial	\$100.00 each	

STREET CURB CUT

Street curb cut	\$15.00 each	
-----------------	--------------	--

FENCES

Privacy fences exceeding 3 feet in height encompassing patios	\$20.00 each	
Lot perimeter fences exceeding 3 feet in height on lots up to 22,000 square feet	\$50.00 each	
Lot perimeter fences exceeding 3 feet in height on lots greater than 22,000 square feet up to 1 acre	\$100.00 each	
Subdivision perimeter fences and lot perimeter fences exceeding 3 feet in height on lots greater than 1 acre	Based on valuation determined by the Building Official and figured in accordance with UBC Table No. 1A	
Fence replacement sections exceeding 3 feet in height and up to 10 feet in length	\$20.00 each	
Fence replacement sections exceeding 3 feet in height and greater than 10 feet in length	\$25.00 each	

Fences around perimeter of swimming pools and tennis courts only	\$25.00 each	Tennis courts added
--	--------------	---------------------

WALLS

Privacy walls over 3 feet in height encompassing patios	\$50.00 each	
Lot and subdivision perimeter walls over 3 feet in height	Based on valuation determined by the Building Official and figured in accordance with UBC Table No. 1A	
Retaining walls over 4 feet in height - building permit	Based on valuation determined by the Building Official and figured in accordance with UBC Table No. 1A (minimum \$25.00)	
Retaining walls over 4 feet in height - plan review fee	Actual cost of review (\$50.00 minimum)	

PATIO COVERS

Patio covers	\$25.00 each	
--------------	--------------	--

FOUNDATION REPAIR

Up to \$5,000 valuation	\$25.00 each	
Over \$5,000 valuation	\$50.00 each	

ELEVATORS

Residential	\$40.00 each	
Commercial	\$50.00 per car	

Fees for Zoning Procedures

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 for the cost of recording plats.
 Applicant shall be responsible for paying a late fee in the amount of \$500.00 if an application for action by the Plan Commission is submitted to the City after the deadline for submissions has expired.

RESIDENTIAL (RP-A TO RP-4)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan	
Tract size 0 - 5 acres	\$300.00	\$300.00	\$200.00	\$100.00	
Tract size 5+ acres	\$400.00	\$300.00	\$200.00	\$100.00	

OFFICE (CP-0)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan	

Tract size 0 - 5 acres	\$300.00	\$300.00	\$200.00	\$150.00	
Tract size 5+ acres	\$400.00	\$300.00	\$200.00	\$150.00	

COMMERCIAL (CP-1 TO CP-2)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan	
Tract size 0 - 5 acres	\$300.00	\$300.00	\$200.00	\$150.00	
Tract size 5+ acres	\$400.00	\$300.00	\$200.00	\$150.00	

RECREATION

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan	
Any tract size	\$300.00	\$300.00	\$200.00	\$150.00	

INDUSTRIAL (PI)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan	
Tract size 0 - 5 acres	\$400.00	\$300.00	\$200.00	\$150.00	
Tract size 5+ acres	\$500.00	\$300.00	\$200.00	\$150.00	

BUSINESS PARK (BP)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan	
Tract size 0 - 5 acres	\$400.00	\$300.00	\$200.00	\$150.00	
Tract size 5+ acres	\$500.00	\$300.00	\$200.00	\$150.00	

SPECIAL DEVELOPMENT (SD)

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan	
Tract size 0 - 5 acres	\$300.00	\$300.00	\$200.00	\$150.00	
Tract size 5+ acres	\$400.00	\$300.00	\$200.00	\$150.00	

MIXED ZONING

Combination of any two or more districts

	Rezoning Fee	Prelim. Plan	Final Plan	Revised Final Plan	
Tract size 0 - 10 acres	\$500.00	\$300.00	\$200.00	\$150.00	
Tract size 10+ acres	\$600.00	\$300.00	\$200.00	\$150.00	

SPECIAL USE PERMITS

Except oil and gas permits

Tract size 0 - 5 acres			\$300.00 each		
Tract size 5+ acres			\$400.00 each		
Temporary short term, not longer than 10 days			\$50.00 each		

LEAWOOD DEVELOPMENT ORDINANCE

Text amendment			\$300.00 each		
----------------	--	--	---------------	--	--

OTHER PLAN APPROVALS

Landscape plan	\$200.00 each	
Sign plan approval (commercial)	\$150.00 each	

STREETS, UTILITY VACATION

Utility vacation	\$200.00 each	
------------------	---------------	--

Fees for Subdivision Regulation Procedures

SUBMISSION

Preliminary Plat Submission	\$400.00 minimum plus \$2.00 per lot/tract	No change
Final Plat Submission	\$200.00 minimum plus \$2.00 per lot/tract	No change

COSTS TO DEVELOP ARTERIAL AND COLLECTOR STREETS

Fifty percent (50%) of the cost to develop a local or collector street (residential collector) is established at one hundred ten dollars (\$110.00) per foot.	
Fifty percent (50%) of the cost to develop a major collector street (primary collector) is established at one hundred thirty dollars (\$130.00) per foot.	

Fees for Sign Permits

6 MONTH PERMIT TEMPORARY SIGN

Small (5 square feet to 32 square feet)	\$40.00 each	Time changed from 90 days to 6 months; increased from \$20.00
Large (over 32 square feet)	\$100.00 each	Time changed from 90 days to 6 months; increased from \$50.00

7-DAY PERMIT TEMPORARY SIGN

Small (5 square feet to 32 square feet)	\$10.00 each	
Large (over 32 square feet)	\$30.00 each	
Inflatables (special use)	\$30.00 each	

MONUMENT SIGNS/STRUCTURES

All sizes	\$50.00 (additional electrical permit required)	
-----------	---	--

PERMANENT SIGN - WALL SIGN

All sizes	\$2.00 per square foot (minimum of \$25.00) (additional electrical permit required)	
-----------	---	--

Fees for Planning and Development Documents

Comprehensive Plan Book	\$25.00 each	
Leawood Development Ordinance	\$10.00 each	
Subdivision Regulations	\$5.00 each	
Zoning Map - black and white	\$1.00 each	
Subdivision Map - black and white	\$1.00 each	
Comprehensive Plan Map - color, 2-sided	\$5.00 each	
Comprehensive Plan Map - color, 1-sided	\$3.00 each	
Comprehensive Plan Map - black and white, 1-sided	\$1.00 each	
Leawood Street Plan Map - black and white	\$1.00 each	
Prospect Packet with Comprehensive Plan Map	\$22.50 each	New
Prospect Packet without Comprehensive Plan Map	\$20.00 each	New

Fees for Miscellaneous Planning and Development Activities

OCCUPANCY OF COMMERCIAL SPACE OR BUILDING

Application fee	\$20.00 each	
Inspection fee	\$30.00 each	

REINSPECTION FEES

Residential	\$42.00 each	
Office/Commercial	\$42.00 each	
Temporary occupancies	\$30.00 each (after second inspection)	

ANNUAL LICENSE FEES FOR RENTAL DWELLINGS

Single family dwelling	\$75.00 each dwelling	
Apartment units	\$20.00 each unit	

RENTAL INSPECTION FEES

Rental Inspection Fees	\$10.00 per inspection	
------------------------	------------------------	--

APPEALS BOARD FEES

Property Maintenance Board of Appeals	\$50.00 each	
Board of Zoning Appeals	\$75.00 each	
Building Code Board of Appeals	\$50.00 each	

MOWING FEES

Code enforcement initiated	\$100.00 per hour (minimum of \$100.00)	
----------------------------	---	--

ESTATE SALES

Estate sale	\$25.00 each	
-------------	--------------	--

OIL AND GAS DRILLING AND PRODUCTION

Special use permit	\$400.00 each	
Permit for one well	\$100.00 each	
Blanket permit for multi wells	\$300.00 each	

FINANCE DEPARTMENT

Licensing of Dogs and Cats

DOG/CAT LICENSE

Sexually altered dog/cat	\$5.00 each	
Unaltered dog/cat	\$15.00 each	
Lost tag replacement	\$2.00 each	

PENALTIES

License renewal fees are due January 1 and payable without penalty before March 1. A \$5.00 penalty will be assessed on March 1 and the 1st of each delinquent month thereafter.	Word change
The owner of any dog or cat reaching six months of age on or after March 1 shall have ten days from the day the animal becomes six months old to license the animal. If the animal is not licensed within the time required, a penalty of \$5.00 for every thirty days delinquent will be assessed in addition to the normal license fee.	
Any person bringing a dog or cat over six months old into the City on or after March 1 shall have thirty days from the day the animal is brought into the City to license the animal. If the animal is not licensed within the time required, a penalty of \$5.00 for every thirty days delinquent will be assessed in addition to the normal license fee.	

Finance Charges

WORTHLESS CHECK FEES

Fee for worthless check	\$30.00	Increased from \$20
-------------------------	---------	---------------------

PUBLIC WORKS DEPARTMENT

Fees for Sidewalks and Street Activities

SIDEWALKS

For any permit issued under the provisions of Article 1A of Chapter 13	\$20.00 each	
--	--------------	--

STREETS

For any permit issued under the provisions of Article 2 of Chapter 13	\$20.00 each	
Maintenance bond	100% of construction cost for 2 years	
Right-of-Way permit (trenching, tunneling or boring)	\$20.00 each	
Open cut in pavement permit	length x width x \$2.00 (minimum of \$15.00)	
Lane closure permit (in addition to open cut or right-of-way)	\$25.00 each	

Fees for Back Charge Recovery Costs - Mud Ordinance

This is not a service. Back charge work will be done only with the approval of the Director or the Assistant Director of Public Works.
 Costs for workers and/or equipment. There will be a one hour minimum charge. Transportation to the job site will be charged at the same rate.

ACTIVITIES

Worker with hand tool only	\$20.00 per hour	
Pick-up truck with driver	\$35.00 per hour	
Dump truck with driver	\$55.00 per hour	
Sweeper with operator	\$100.00 per hour	
Jet rodder with operator	\$100.00 per hour	
Back hoe with operator	\$80.00 per hour	
Mowing tractor with operator	\$65.00 per hour	
Bobcat, pick-up, trailer and hand tools with operator	\$80.00 per hour	
Grader with operator	\$90.00 per hour	
Loader with operator	\$90.00 per hour	

OUTSIDE CONTRACTORS

Outside contractors	\$65.00 per hour (minimum of 3 hours)	
---------------------	--	--

ADDITIONAL LABOR

Maintenance Worker I (per person)	\$20.00 per hour	
Maintenance Worker II (per person)	\$20.00 per hour	
Maintenance Worker III (per person)	\$20.00 per hour	
Crew Leader (per person)	\$25.00 per hour	
Supervisor (per person)	\$35.00 per hour	

Fees for Miscellaneous Public Works Activities

PRE-BLAST APPLICATION

Pre-blast application	\$100.00 each	
-----------------------	---------------	--

SEWER CONNECTION

Sewer connection charge	\$1,500.00 each	
Inspection fee	\$50.00 each	

DOCUMENT FEES

Construction Standards Book	\$20.00 each	
-----------------------------	--------------	--

POLICE DEPARTMENT

Alarm System Fees

SYSTEM REGISTRATION FEES

Alarm System Registration Fee	\$16.00 annually	
-------------------------------	------------------	--

FALSE ALARMS - RESIDENTIAL SYSTEMS

0-3 false alarms	No charge	
4-6 false alarms	\$25.00 each	
7-9 false alarms	\$50.00 each	
10-12 false alarms	\$75.00 each	
13 and each subsequent alarm	\$100.00 each	

FALSE ALARMS - COMMERCIAL SYSTEMS

0-3 false alarms	No charge	
4-6 false alarms	\$50.00 each	
7-9 false alarms	\$100.00 each	
10-12 false alarms	\$150.00 each	
13 and each subsequent alarm	\$200.00 each	

Miscellaneous Fees

RECORDS COPYING

Copy fee	\$1.50 per page	
----------	-----------------	--

PARKS AND RECREATION DEPARTMENT

Fees for Lessons, Leagues and Classes

	Resident Fees	Non-resident Fees	
Swim lessons	\$25.00	\$30.00	
Competitive swim (includes USS fee)	\$65.00	\$75.00	
Water exercise	\$30.00	\$35.00	
Camp	\$105.00	\$130.00	Raised from \$100 and \$125
Fishing Derby	\$4.00	\$5.00	

Softball league	\$280.00	\$280.00	
Triathlon	\$15.00	\$15.00	
Races	\$15.00	\$15.00	
Volleyball leagues	\$75.00	\$75.00	
Tennis lessons	\$25.00	\$30.00	
Other classes for adults and children	determined by staff, including supplies and facility cost	determined by staff, including supplies and facility cost	
Soccer		\$40.00 \$5.00 late fee	

Fees for Facility Rental

	Resident Fees	Non-resident Fees	
Soccer and baseball field use	\$3.50 per hour	\$3.50 per hour	
Soccer clinic		\$125.00	
Pool rental	\$50.00 per hour + guards	\$50.00 per hour + guards	
Regular Shelter reservations	\$8.00 per each .5 hours	n/a	
Large Shelter reservations		\$30.00 per 5 hours	New
Picnic table moving		\$10.00	
Tennis court rental (singles)	\$3.50 per hour	\$3.50 per hour	
Tennis court rental (doubles)	\$5.00 per hour	\$5.00 per hour	
Volleyball Court rental	\$5.00 per hour/\$25.00 per day		New

Fees for Pool and Tennis Membership

DAILY FEES

	Resident Fees	Non-resident Fees	
Pool	\$2.50	\$3.50	12 & under \$1.00
Tennis	\$2.50	\$3.50	

Res: 1282 1309

POOL ONLY

	Resident Fees	Non-resident Fees	
Family	\$70.00	\$95.00	
Individual	\$40.00	\$55.00	
Senior Citizen (60+)	\$20.00	\$20.00	
Patch	\$2.00	\$2.00	New
Additional Patches per Person	\$10.00	\$10.00	New
5 Visit Ticket	\$11.00	\$16.00	New
10 Visit Ticket	\$21.00	\$31.00	New

TENNIS ONLY

	Resident Fees	Non-resident Fees	
Family	\$60.00	\$80.00	

*Res: 1282
See 1309*

*Sw 1309
 Res. 7282*

Individual	\$35.00	\$50.00	
Senior Citizen (60+)	\$15.00	\$15.00	
Patch	\$2.00	\$2.00	New
Additional Patches per Person	\$10.00	\$10.00	New
5 Visit Ticket	\$11.00	\$16.00	New
10 Visit Ticket	\$21.00	\$31.00	New

POOL AND TENNIS

*Res.
 1282*

	Resident Fees	Non-resident Fees	
Family	\$100.00	\$125.00	No change
Individual	\$55.00	\$70.00	No change
Senior Citizen (60+)	\$25.00	\$25.00	No change
Patch	\$2.00	\$2.00	New
Additional Patches per Person	\$10.00	\$10.00	New

Miscellaneous Park and Recreation Fees

	Resident Fees	Non-resident Fees	
Registration Change	\$5.00	\$5.00	
Replacement patch	\$10.00	\$10.00	New

IRONHORSE GOLF COURSE

Golf Course Fees

DAILY FEES

"Non-Prime Time" includes Monday through Thursday; "Prime Time" includes Friday, Saturday and Sunday.
 The Junior/Senior rates apply only during non-prime time.
 The Twilight rates begin at 4:00 pm.
 A Tournament Fee includes green fee, golf car and an \$8.00 prize fee.

	Resident Fees	Non-resident Fees	
Non-Prime Time			
18 Hole	\$24.00	\$28.00	
Junior/Senior 18 Hole	\$16.00	\$19.00	
Junior/Senior 9 Hole	\$10.00	\$12.00	
Twilight Rate	\$14.00	\$17.00	
Tournament Fee	\$43.00	\$43.00	
Prime Time			
18 Hole	\$32.00	\$34.00	
Twilight Rate	\$18.00	\$20.00	
Tournament Fee	\$49.00	\$49.00	

GOLF CAR

	Resident Fees	Non-resident Fees	
18 Hole Golf Car	\$12.00	\$12.00	

Twilight Golf Car	\$7.00	\$7.00	
Senior Golf Car	\$11.00	\$11.00	

Learning Center Fees

PRACTICE TEE

Regular Size Bag		\$3.50	
Large Size Bag		\$6.00	

PRACTICE HOLES

3 Hole Round		\$3.00	
--------------	--	--------	--

Clubhouse Rental Fees

All parties must cater through IRONHORSE. Rentals subject to approval.

Wedding Reception, Christmas Party, etc.		\$300	
Meeting		\$150	
Non-Profit Organizational Meeting		\$75	

IRONHORSE Golf Association

The IRONHORSE Golf Association signs the player up on the GHIN handicap system. The player will also receive a reduced entry fee to all IRONHORSE sponsored events.

1996 MEMBERSHIP

1996 Membership		\$29	
-----------------	--	------	--

IRONHORSE Engineers Club

The IRONHORSE Engineers Club allows the member to mix practice, lessons and play together to improve their game. The members will receive 1) One large bag of practice balls per day; 2) Private lesson package including two (2) golf lessons; 3) punchcard for the Practice Holes (five (5) practice rounds); and 4) reduced fees to all IRONHORSE sponsored events.
 This Club is open to both residents and non-residents.

1996 MEMBERSHIP

1996 Individual Membership		\$250	
1996 Couple Membership		\$475	
1996 Family Membership		\$575	
1996 Junior Membership		\$150	

IRONHORSE Conductors Club

The IRONHORSE Conductors Club is limited to 125 members. The fee is due at the beginning of the year; benefits end November 30.

The members will receive 1) Seven (7) day advance privileges for starting time reservations; 2) handicap service; 3) 25% discount on Clubhouse rentals; 4) IRONHORSE windshirt; 5) reduced fees to all IRONHORSE sponsored events; and 6) Conductor's Club sale.

Non-residents may only sign up if the 125 memberships are not filled by residents.

1996 MEMBERSHIP

1996 Resident Membership	\$400	
1996 Non-Resident Membership	\$500	

Adopted by the Governing Body this 2nd day of January, ~~1994~~ 1996.



Marcia Rinehart Mayor

(S E A L)

Attest:



Martha Heizer City Clerk

Orig. + Mrs. Reed

CITY OF LEAWOOD

RESOLUTION NO. 1279

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

-ADOPTED by the Governing Body this 2nd day of January, 1996.

APPROVED AND SIGNED by the Mayor this 2nd day of January, 1996.

City of Leawood, Kansas

(S E A L)

Marcia Rinehart
Marcia Rinehart, Mayor

ATTEST:

Martha Heizer
Martha Heizer, City Clerk

RESOLUTION OF RECOGNITION

WHEREAS, Sid Mitchell was first employed by the City as a police officer on January 5, 1976; and

WHEREAS, Captain Mitchell has progressed through the Police Department, serving as a Police Officer, Master Police Officer, Sergeant, and finally as a Captain since 1990; and

WHEREAS, Captain Mitchell has throughout his career demonstrated a deep commitment to the law enforcement profession; and

WHEREAS, Captain Mitchell has demonstrated the same degree of commitment to his coworkers and the community; and

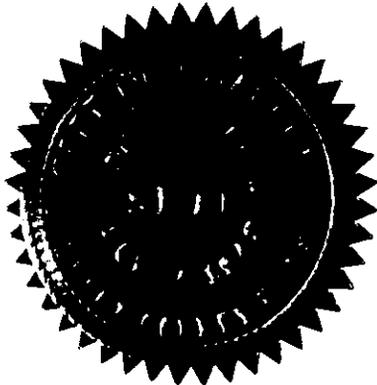
WHEREAS, Captain Mitchell has proven himself to be a capable and competent law enforcement officer; and

WHEREAS, Captain Mitchell 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 commends him for his outstanding dedication to the City, and expresses its gratitude to him for the vital services he has performed; and

BE IT FURTHER RESOLVED, that the Governing Body extends to him sincere congratulations on his 20th Anniversary of continuous service in the Leawood Police Department.

ADOPTED by the Governing Body this 15th day of January, 1996.



Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1280

The Leawood City Council has considered the request for approval of the revised final plat of Edgewood, Replat of Lots 27 thru 31, located at Town Center Drive and Rosewood and hereby finds the following:

WHEREAS, the applicant is requesting approval of a revised final plat for Lots 27-31, and

WHEREAS, the replat allows for a 30' build line instead of the 35' originally platted and it allows access to Lot 28 from the cul-de-sac, and

WHEREAS, there are technical deficiencies on the plat, and

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

1. All deficiencies must be corrected and a revised plat submitted prior to recording at the County.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised final plat of Edgewood, Replat of Lots 27 thru 31, with stipulations.

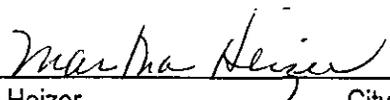
Adopted by the Governing Body this 5th day of February, 1996.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1281

The Leawood City Council has considered the request for approval of the final plat of Villas of Iron Horse, 2nd Plat located at approximately 151st and Linden and hereby finds the following:

WHEREAS, the applicant is requesting approval of a revised final plat in order to change the front setback on Lots 21-27 to 22.5', and

WHEREAS, the lot line between lots 25 and 26 is realigned in order to make lot 25 larger, and

WHEREAS, none of the affected lots abut the golf course, and

WHEREAS, the rear yard on lots 23 thru 27 is to be reduced from 20' to 18.5'.

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

1. The Golf Course Impact Fee is to be paid at application for building permits.
2. This plat is subject to "Golf Course Committee Recommendation" dated October 25, 1993 as referenced in Resolution No. 1132.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised final plat of Villas of Iron Horse, 2nd Plat with stipulations.

Adopted by the Governing Body this 5th day of February, 1996.

(s e a l)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

Superseded by Res. 1309

RESOLUTION NO. 1282

A RESOLUTION RELATING TO PARKS & RECREATION FEES, SUCH FEES NOT SPECIFICALLY PROVIDED FOR IN THE CODE OF THE CITY OF LEAWOOD, AND WHICH SUPERCEDE PARKS & RECREATION FEES IN THE 1996 FEE SCHEDULE RESOLUTION NO. 1278 ADOPTED BY THE GOVERNING BODY ON JANUARY 2, 1996.

BE IT RESOLVED that the following fees are hereby ratified:

PARKS & RECREATION DEPARTMENT

Tennis Memberships/ Park Memberships (Residents and Non-residents)

No longer offer Tennis or Park Memberships -	Daily Fees Only
	Residents \$2.50
	Non-resident \$3.50
	12 and Under \$1.00

Field and Facility Rental (for profitable athletic clinics)

Staff negotiations -	Flat fee plus percentage of total clinic gross
	Straight percentage regardless of total gross
	Departmental clinic hiring agencies as contract employees

Adopted by the Governing Body the 20th day of February, 1996

(SEAL)

Marcia Rinehart
Marcia Rinehart Mayor

Attest :

Martha Heizer
Martha Heizer City Clerk

CITY OF LEAWOOD

RESOLUTION NO. 1283

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

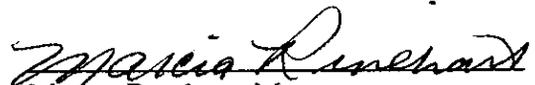
WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

ADOPTED by the Governing Body this 20 day of February, ~~1995~~x 1996.

APPROVED AND SIGNED by the Mayor this 20 day of February ~~x1995~~x 1996.

City of Leawood, Kansas


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk

APPROVED AS TO FORM:

Legal Description

Proposed Expansion of Blue River No. 7
Consolidated Main Sewer District

Beginning at the Northwest corner of the SW 1/4 of Section 34, T13S, R25E, Johnson County, Kansas; thence South along the West line of said SW 1/4 to the Northwest corner of the S 1/2, of the S 1/2, of the NW 1/4, of said SW 1/4; said point also being the TRUE POINT OF BEGINNING, thence East along the North line of the S 1/2, of the S 1/2, of the NW 1/4, of said SW 1/4 to a point which is 959.99 feet East of the West line of said SW 1/4; thence South along a line parallel with the West line of said SW 1/4, to a point on the North line of Tract "A", BLUE VALLEY ELEMENTARY SCHOOL NO. 14 & MIDDLE SCHOOL NO. 6, a subdivision of land in the city of Leawood, Johnson County, Kansas; thence West along the North line of said Tract "A", to the West line of said SW 1/4, thence North along the West line of said SW 1/4 to the TRUE POINT OF BEGINNING; containing 10.2 acres more or less.

POINT OF BEGINNING
NW Cor. SW 1/4
(Sec. 34, T13S, R25E)

W. Line SW 1/4

TRUE POINT OF BEGINNING
NW Cor., S 1/2, S 1/2
NW 1/4, SW 1/4,

N. Line S 1/2, S 1/2 NW 1/4,
SW 1/4

141st St.

Merry Lea Farms

MISSION RD.

N. Line SW 1/4, SW 1/4

959.99'

364.65'

N. Line Tract "A"

WINDSOR

CHARLEMAINE MANOR
PROPOSED B.R. #7

142nd Dr.

BLUE VALLEY ELEMENTARY SCHOOL NO. 14
AND MIDDLE SCHOOL NO.6
HP0574

East Line
SW 1/4 SW 1/4

1"=200'



EXHIBIT A

PAYNE & BROCKWAY P.A.
ENGINEERS
OLATHE, KANSAS

DATE 1/31/96

BLB

CITY OF LEAWOOD

RESOLUTION NO. 1284

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

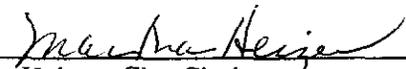
ADOPTED by the Governing Body this 20 day of February, 1996.

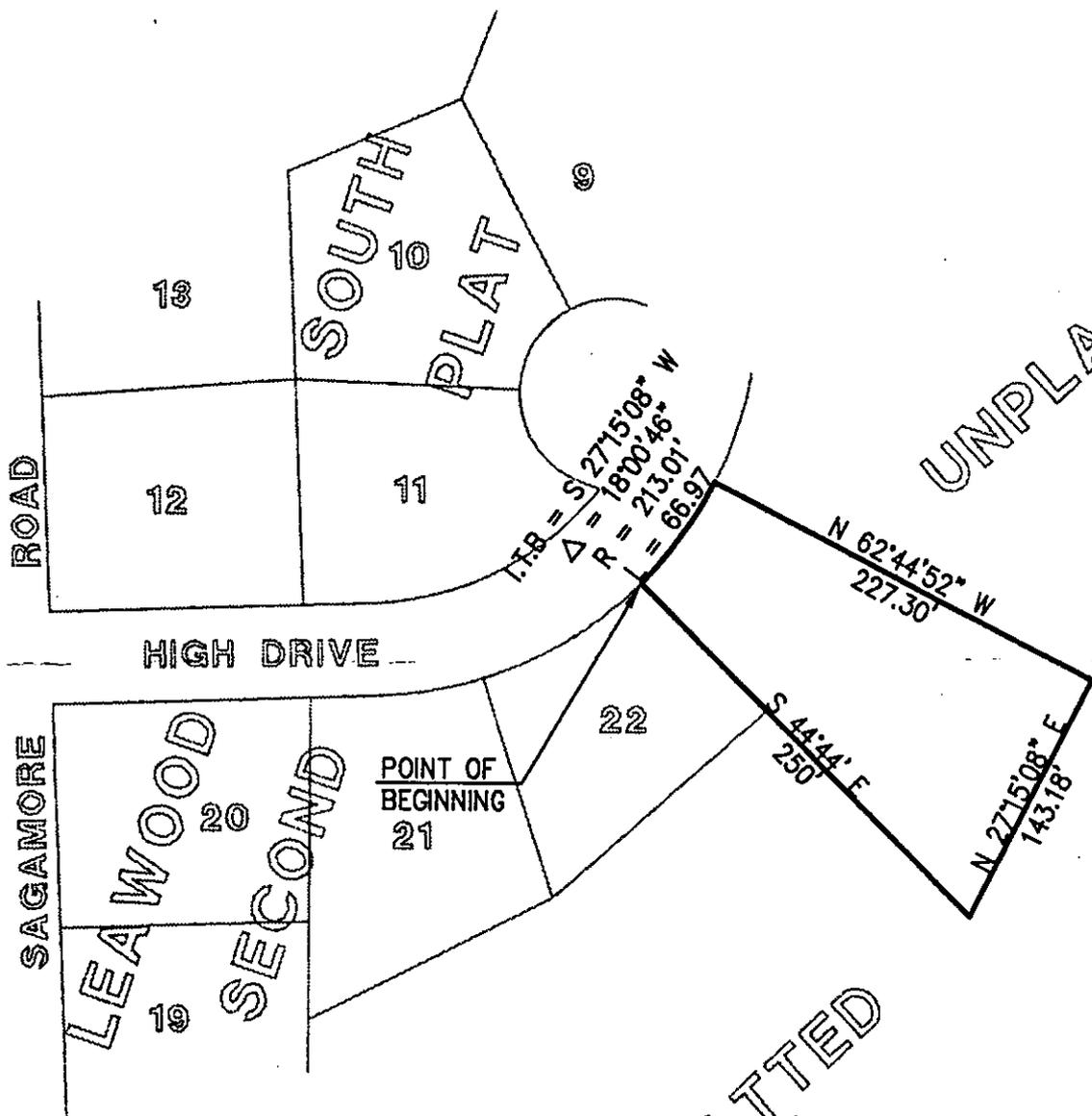
APPROVED AND SIGNED by the Mayor this 20 day of February, 1996.

City of Leawood, Kansas

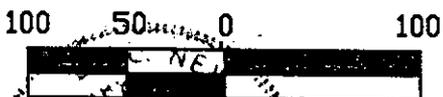

Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk



SCALE 1"=100'



THIS EXHIBIT DOES NOT REPRESENT A SURVEY OF THIS LEGAL DESCRIPTION, AND IS INTENDED FOR VISUAL PURPOSES ONLY. THE DIMENSIONS SHOWN HEREON ARE EITHER PLATTED OR DEEDED DISTANCES.

BY: *[Signature]* DATE: 2-6-96
 TEX L. NEW, KS LS-491

JOB NO. 56414	DATE: 2-5-96	BY: ILN/gsw
PLAT OF LEGAL DESCRIPTION PROPOSED ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT AND THE ENLARGEMENT OF LATERAL SEWER DISTRICT NO. 1 OF TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 1 JOHNSON COUNTY, KANSAS		
SHAFER, KLINE & WARREN, P.A. CIVIL ENGINEERS - LAND SURVEYORS TRAFFIC & TRANSPORTATION ENGINEERING LAND PLANNING - LANDSCAPE ARCHITECTURE 11100 W. 91st STREET, OVERLAND PARK, KANSAS 66214 OFFICE: 913-888-7800 FAX: 913-888-7868		



Tuttle-Ayers-Woodward Co. founded 1885
A.C. Kirkwood & Associates founded 1947
Shafer, Kline & Warren, P.A. founded 1950
Hamilton & Associates, Inc. founded 1981

February 5, 1996

LEGAL DESCRIPTION FOR
PROPOSED ENLARGEMENT OF
CONSOLIDATED MAIN SEWER DISTRICT
AND THE ENLARGEMENT OF LATERAL SEWER DISTRICT NO. 1
(PART OF NE¼, SECTION 27-13-25)
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

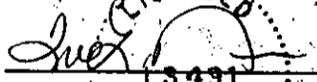
All that part of the NE¼ of Section 27, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows:

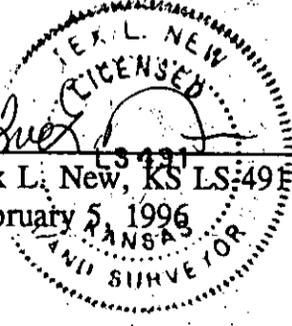
Beginning at the most Northerly corner of Lot 22, Block 7, LEAWOOD SOUTH, SECOND PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence S 44° 44' E, along the Northeasterly line and its extension of said Lot 22, a distance of 250 feet; thence N 27° 15' 08" E, a distance of 143.18 feet; thence N 62° 44' 52" W, a distance of 227.30 feet, to a point on the Easterly right-of-way line of High Drive, as now established; thence Southwesterly, along the Easterly right-of-way line of said High Drive, said line being on a curve to the right having a radius of 213.01 feet, a central angle of 18° 00' 46" and whose initial tangent bearing is S 27° 15' 08" W, a distance of 66.97 feet, to the point of beginning.

- Civil Engineers
- Electrical Engineers
- Mechanical Engineers
- Landscape Architects
- Land Surveyors
- Land Planners

The above described tract of land contains 0.560 acres, more or less.

By:



 Tex L. New, KS LS:49E
 February 5, 1996


Shafer, Kline & Warren, P.A.
Kansas City, Missouri
816/756-0444
FAX: 816/756-1763

Hamilton & Associates, Inc.
Macon, Missouri
816/385-6441
FAX: 816/385-6614

CITY OF LEAWOOD

Resolution No. 1285

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS CONSENTING TO THE ENLARGEMENT OF CONSOLIDATED MAIN SEWER DISTRICT, BLUE RIVER #5 SUBDISTRICT OF JOHNSON COUNTY, KANSAS, BY THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO JOHNSON COUNTY CHARTER RESOLUTION NO. 29-92.

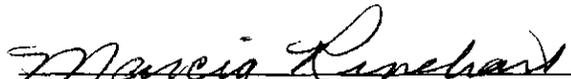
WHEREAS, there comes before the Governing Body for the City of Leawood, Kansas, the matter of the enlargement of Consolidated Main Sewer District, Blue River #5 Subdistrict of Johnson County, Kansas. The tract to be included within the sewer district governed by the County is described on attached Exhibit "A" attached hereto and made a part of this Resolution. The provisions of Charter Resolution No. 29-92, Johnson County, Kansas, and any amendments thereto, provide that when any such sewer district extends into the city limits of any incorporated city, the Board of County Commissioners shall not have power to create or extend such sewer district within the city limits without consent of the governing body of the city:

NOW, 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 a sewer district which is governed by the Board of County Commissioners of Johnson County, Kansas.

ADOPTED by the Governing Body this 20 day of February, 1996.

APPROVED AND SIGNED by the Mayor this 20 day of February, 1996.

City of Leawood, Kansas


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk

APPROVED AS TO FORM:



SHAFFER, KLINE & WARREN, P.A. • 11100 West 91st Street, Overland Park, Kansas 66214 • 913/888-7800 FAX: 913/888-7868

Infield Ayrer-Woodward Co. founded 1885
A.C. Kibwood & Associates founded 1947
Shelton, Elmer & Warren, P.A. founded 1950
Hamilton & Associates, Inc. founded 1981

December 21, 1995

EXHIBIT "A" SEWER RESOLUTION LEAWOOD, KS
CORRECTED
LEGAL DESCRIPTION FOR
PROPOSED RESIDENTIAL AREA (RP-1)
PART OF NW¼, SECTION 10-14-25
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

All that part of the North 50 acres of the NW¼ of Section 10, Township 14, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the NW¼ of said Section 10; thence S 2° 04' 56" E, along the West line of the NW¼ of said Section 10, a distance of 784.71 feet; thence N 85° 32' 33" E, a distance of 335.73 feet; thence N 77° 58' 31" E, a distance of 108.65 feet; thence N 46° 19' 17" E, a distance of 41.63 feet; thence N 54° 07' 10" E, a distance of 174.51 feet; thence N 36° 38' 27" E, a distance of 120.94 feet; thence N 82° 03' 04" E, a distance of 194.18 feet; thence S 87° 12' 25" E, a distance of 95.23 feet; thence N 80° 37' 59" E, a distance of 63.98 feet; thence N 78° 30' 26" E, a distance of 162.86 feet; thence N 37° 01' 36" E, a distance of 232.94 feet; thence N 69° 41' 25" E, a distance of 36.90 feet; thence S 79° 01' 56" E, a distance of 112.97 feet; thence N 75° 17' 11" E, a distance of 45.89 feet; thence S 80° 10' 11" E, a distance of 96 feet; thence S 65° 39' 12" E, a distance of 94.18 feet; thence S 79° 01' 56" E, a distance of 371.62 feet; thence N 69° 56' 20" E, a distance of 194.48 feet; thence N 66° 07' 26" E, a distance of 98.78 feet; thence N 73° 41' E, a distance of 100.64 feet; thence N 84° 02' 58" E, a distance of 183.43 feet, to a point on the East line of the NW¼ of said Section 10; thence N 2° 06' 04" W, along the East line of the NW¼ of said Section 10, a distance of 334.06 feet, to the Northeast corner thereof; thence S 87° 38' 42" W, along the North line of the NW¼ of said Section 10, a distance of 2640.73 feet, to the point of beginning, except that part thereof described as follows: Beginning at the Northwest corner of the NW¼ of said

- Civil Engineers
- Electrical Engineers
- Mechanical Engineers
- Landscape Architects
- Land Surveyors
- Land Planners

Shaffer, Kline & Warren, P.A.
Kansas City, Missouri
816/756-0444
FAX: 816/756-1763

Hamilton & Associates, Inc.
Kansas, Missouri
816/385-6441
FAX: 816/385-6619

CORRECTED
LEGAL DESCRIPTION FOR
PROPOSED RESIDENTIAL AREA (RP-1)
PART OF NW¼, SECTION 10-14-25
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS
DECEMBER 21, 1995
PAGE 2

Section 10; thence S 2° 04' 56" E, along the West line of the NW¼ of said Section 10, a distance of 649.58 feet; thence N 87° 55' 04" E, along a line perpendicular to the last described course, a distance of 40 feet; thence S 68° 56' 56" E, a distance of 61.22 feet; thence S 80° 54' 06" E, a distance of 148.92 feet; thence Northeasterly, along a curve to the left having a radius of 125 feet, a central angle of 59° 29' 39" and whose initial tangent bearing is N 69° 25' 59" E, a distance of 129.80 feet, to a point of tangency; thence N 9° 56' 20" E, a distance of 264.15 feet, to a point of curvature; thence Northeasterly, along a curve to the right having a radius of 350 feet and a central angle of 51° 29' 37", a distance of 314.56 feet; thence N 28° 34' 03" W, a distance of 60.14 feet; thence N 2° 21' 18" W, a distance of 60 feet, to a point on the North line of the NW¼ of said Section 10; thence S 87° 38' 42" W, along the North line of the NW¼ of said Section 10, a distance of 539.17 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

By:

Tex L. New, KS LS-491
December 21, 1995
Corrected



SHAFFER, KLINE & WARREN, P.A. • 11100 West 91st Street, Overland Park, Kansas 66214 • 913/888-7800 FAX: 913/888-7868

Tuttle-Ayers-Woodward Co. founded 1885
A.C. Kirkwood & Associates founded 1947
Shaffer, Kline & Warren, P.A. founded 1950
Hamilton & Associates, Inc. founded 1981

December 21, 1995

CORRECTED
LEGAL DESCRIPTION FOR
PROPOSED RETAIL AREA (CP-2)
PART OF NW¼, SECTION 10-14-25
CITY OF LEAWOOD
JOHNSON COUNTY, KANSAS

All that part of the North 50 acres of the NW¼ of Section 10, Township 14, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the NW¼ of said Section 10; thence S 2° 04' 56" E, along the West line of the NW¼ of said Section 10, a distance of 649.58 feet; thence N 87° 55' 04" E, along a line perpendicular to the last described course, a distance of 40 feet; thence S 68° 56' 56" E, a distance of 61.22 feet; thence S 80° 54' 06" E, a distance of 148.92 feet; thence Northeasterly, along a curve to the left having a radius of 125 feet, a central angle of 59° 29' 39" and whose initial tangent bearing is N 69° 25' 59" E, a distance of 129.80 feet, to a point of tangency; thence N 9° 56' 20" E, a distance of 264.15 feet, to a point of curvature; thence Northeasterly, along a curve to the right having a radius of 350 feet and a central angle of 51° 29' 37", a distance of 314.56 feet; thence N 28° 34' 03" W, a distance of 60.14 feet; thence N 2° 21' 18" W, a distance of 60 feet, to a point on the North line of the NW¼ of said Section 10; thence S 87° 38' 42" W, along the North line of the NW¼ of said Section 10, a distance of 539.17 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

- Civil Engineers
- Electrical Engineers
- Mechanical Engineers
- Landscape Architects
- Land Surveyors
- Land Planners

The above described tract of land contains 6.433 gross acres, more or less.

By: _____
Tex L. New, KS LS-491
December 21, 1995
Corrected

Shaffer, Kline & Warren, P.A.
Kansas City, Missouri
816/756-0444
FAX 816/756-1743

Hamilton & Associates, Inc.
Joplin, Missouri
816/285-6441
FAX 816/285-6614

RESOLUTION NO. 1286

The Leawood City Council has considered the request for approval of a revised preliminary site plan for Town Center Plaza, Phase II, AMC Theaters, located at approximately 117th and Nall, and hereby finds the following:

WHEREAS, the property is zoned SD C-R, and

WHEREAS, the applicant is requesting approval of a revised preliminary site plan to allow construction of a 62,122 sq.ft. movie theater containing 20 screens and 3096 seats, and

WHEREAS, the Governing Body requested a pedestrian link back to the main shopping center and this site plan includes this link, and

WHEREAS, the landscape design is in compliance with the Special Development District guidelines, and

WHEREAS, the signage is in compliance with the sign criteria for Town Center Plaza, and

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

1. The complex is limited to a 62,122 sq.ft. movie theater to contain a maximum of 20 screens and 3096 seats.
2. No movies will start later than 10:45 p.m.
3. There will be no video arcade or game room.

WHEREAS, the developers/owners agree to these stipulations,

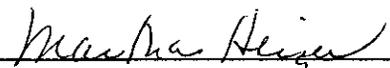
NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary site plan for Town Center Plaza, Phase II, AMC Theaters, located at approximately 117th and Nall with stipulations.

Adopted by the Governing Body this 20th day of February, 1996.

(s e a l)


 Marcia Rinehart Mayor

Attest:


 Martha Heizer City Clerk

RESOLUTION NO. 1287

The Leawood City Council has considered the request for approval of the final plat of Hazelwood 2nd Plat, located at 119th and Pawnee and hereby finds the following:

WHEREAS, this property is in the northwest corner of the site, and

WHEREAS, the plat contains 15 lots on 9.6 acres, and

WHEREAS, lot 35 will be accessed from an easement that connects back to 117th Terrace, and

WHEREAS, the property is zoned R-1, and

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

1. All streets are to be public.
2. All 22' wide streets will restrict parking to only one side and will be marked as such.
3. Prior to submitting the final plat for recording the developer will submit a site plan that sets out for each lot the area that may be cleared and noting any trees that are 6" or greater caliper that will be cleared. The staff will review this information.
4. The information that details fence locations and materials has not been submitted and must be submitted prior to submitting this plat for recording.
5. The final plat will note restricted access on the street side of lots that will not have driveways.
6. All landscape islands will be maintained by the homes association or developer.
7. The deed restrictions will be filed with staff prior to recording the plat.

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 Hazelwood, 2nd Plat, with stipulations.

Adopted by the Governing Body this 4th day of March, 1996.

(SEAL)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1288

The Leawood City Council has considered the request for approval of a Revised Final Plat of Town Center Plaza, located at approximately 119th Street between Roe and Nall, and hereby finds the following:

WHEREAS, the Plan Commission has reviewed the application and recommends approval of the revised final plat of Town Center Plaza, with no stipulations, and

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised final plat of Town Center Plaza with no stipulations.

Adopted by the Governing Body this 4th day of March, 1996.

(seal)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1289

The Leawood City Council has considered the request for approval of preliminary site plan of Yahooz, located on Lot 9, Town Center Plaza, and hereby finds the following:

WHEREAS, the proposed use is a restaurant containing 5,989 square feet, and

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

1. No access shall be granted to Town Center Drive or Roe Avenue directly from the site.
2. All landscaping shall be installed prior to issuance of a certificate of occupancy.
3. Sign color to be approved by the Plan Commission at a later date.
4. Additional landscaping around the parking lot must be submitted and approved by staff prior to issuance of a building permit.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the preliminary site plan for Yahooz located at Lot 9, Town Center Plaza with stipulations.

Adopted by the Governing Body this 4th day of March, 1996.

(seal)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1290

The Leawood City Council has considered the request for approval of rezoning from AG to RP-1, preliminary site plan and preliminary plat for Forrest Greens located at approximately 151st Street and Mission Road and hereby finds the following:

WHEREAS, the property is zoned RP-1, Planned Single Family Residential, and

WHEREAS, this property has 20.4 acres and a total of 31 lots, and

WHEREAS, the streets are to be public, and

WHEREAS, there is no Golf Course Impact Fee as this property owner dedicated property that has been incorporated into the Ironhorse Golf Course, and

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

1. Before consideration of a final plat for any part of this property, this plat must be submitted to the Golf Course Review Committee for their review and recommendation. The final plat will incorporate any restrictions or changes as requested by the Golf Course Review Committee.
2. The developer is responsible for street improvements for 151st Street as per the subdivision regulations. At the current time the assessment is \$130 per front foot, estimated cost \$273,000 for 151st Street. This assessment is reevaluated each year. The developer will pay the fee that is in effect at the time that the final plat is approved by the Governing Body, if not developed by December 31, 1996.
3. The South Leawood Transportation Impact Fee is \$1250 per acre, estimated cost \$25,500. This fee is payable at the time of final plat approval by the Governing Body.
4. The development is limited to 31 single family lots.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the rezoning from AG to RP-1, preliminary site plan and preliminary plat for Forrest Greens with stipulations.

Adopted by the Governing Body this 4th day of March, 1996.

(seal)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1291

The Leawood City Council has considered the request for approval of rezoning from AG to CP-1, preliminary site plan and preliminary plat for Forrest Green Retail located at approximately 151st Street and Mission Road and hereby finds the following:

WHEREAS, the zoning is CP-1, Planned Neighborhood Retail, and

WHEREAS, the building is 45,000 square foot on 6.433 acres, and

WHEREAS, there is no Golf Course Impact Fee as this property owner dedicated property that has been incorporated into the Ironhorse Golf Course, and

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

1. The developer is responsible for street improvements for 151st Street as per the subdivision regulations. At the current time the assessment is \$130 per front foot, estimated cost \$65,097 for 151st Street. This assessment is reevaluated each year. The developer will pay the fee that is in effect at the time that the final plat is approved by the Governing Body, if not developed by December 31, 1996.
2. The South Leawood Transportation Impact Fee is \$1250 per acre, estimated cost \$8,041.25. This fee is payable at the time of final plat approval by the Governing Body.
3. The development is limited to 45,000 square feet.
4. There is to be a stormwater report indicating protection for the golf course property.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the rezoning, preliminary site plan and preliminary plat for Forrest Greens Retail with stipulations.

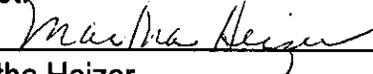
Adopted by the Governing Body this 4th day of March, 1996.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1292

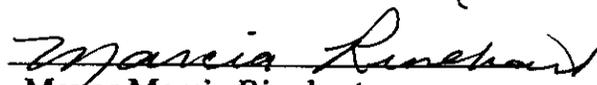
RESOLUTION REQUESTING JOHNSON COUNTY, KANSAS, PARTICIPATION IN THE CITY OF LEAWOOD'S FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM THROUGH THE COUNTY'S ASSISTANCE ROAD SYSTEM (C.A.R.S.) 1997-2001.

WHEREAS, the Governing Body of the City of Leawood has reviewed and approved the submittal of the attached five-year road and bridge improvement program, and

WHEREAS, pursuant to the Johnson County Commissioners' commitment to hold Leawood harmless from any loss, 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. 44-90 and Resolution No. 088-91.

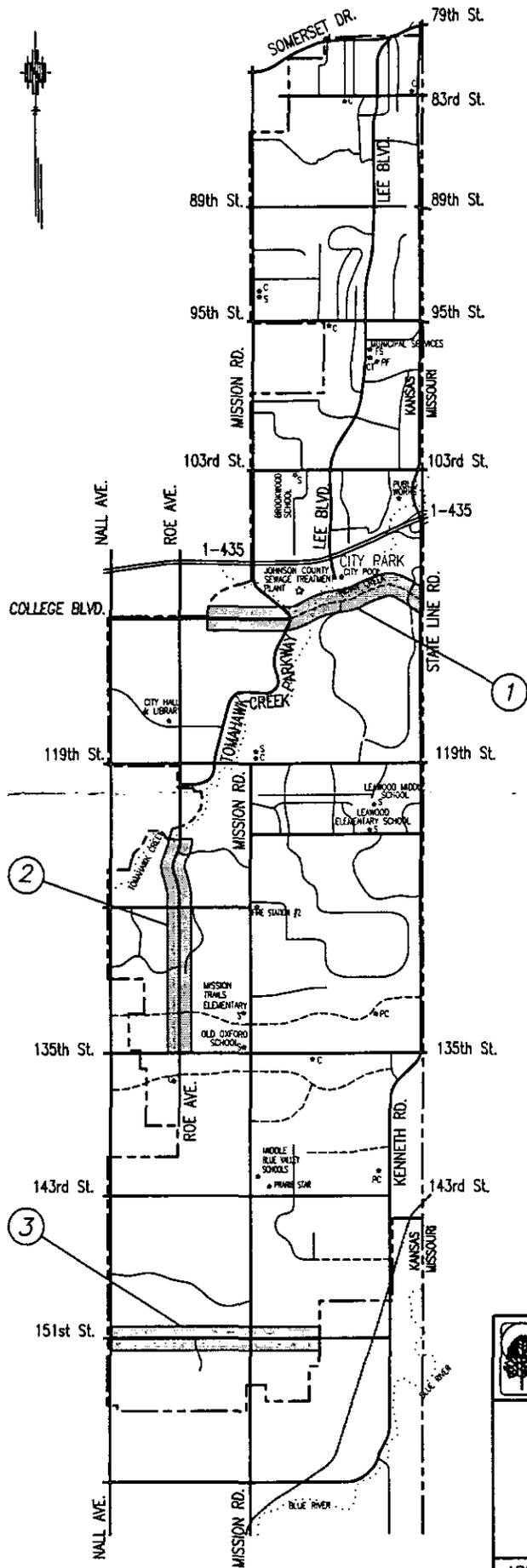
Adopted by the Governing Body this 4th Day of March, 1996.


Mayor Marcia Rinehart

ATTEST:



Martha Heizer, City Clerk



1997 - 2001 PROJECTS

- ① COLLEGE BOULEVARD
EL MONTE TO STATE LINE ROAD
- ② ROE AVENUE
124TH STREET TO 135TH STREET
- ③ 151ST STREET
CHADWICK TO NALL AVENUE

 <p>CITY OF LEAWOOD DEPARTMENT OF PUBLIC WORKS</p>	DATE:
	DRAWN BY:
CARS PROJECTS	
APPROVED	REVISIONS DATE
	SHEET NO.

County Assistance Road System 1997-2001 Program Summary Sheet

Participating City:

Priority	Project Location	Proposed Start/Finish	Existing Facility/Deficiencies	Scope of Project	ADT Current Year	CARS Program Funding Request	Total Project Cost	Commission District Number
*Continuation 1997	College Boulevard El Monte to State Line Rd.	July 1995 June 1997	3 Lane with Curb & Gutter	4 Lane Roadway with Bridge	11,388	1,000,000	13,065,000	3
*Continuation 1998	College Boulevard El Monte to State Line Rd.	June 1995 June 1997	3 Lane with Curb & Gutter	4 Lane Roadway with Bridge	11,388	1,000,000	13,065,000	3
*Continuation 1999	College Boulevard El Monte to State Line Rd.	June 1995 June 1997	3 Lane with Curb & Gutter	4 Lane Roadway with Bridge	11,388	1,000,000	13,065,000	3
2000	Roe Avenue 124th to 135th Street	March 2000 Oct. 2001	2 Lane Asphalt Road No Curb & Gutter	4 Lane Undivided Roadway	8,368	1,660,000	3,320,000	3
2001	151st Street Nall to Chadwick	March 2001 Oct. 2002	2 Lane Asphalt Road	4 Lane Divided Roadway	5,480	1,750,000	3,500,000	3
* CARS Each	Program Funding request is year will be reconciled at	estimated net year end with	of City collected Sales Tax, final settlement at year end	in accordance with Interlocal. 1999.				

RESOLUTION NO. 1293

**A RESOLUTION RELATING TO BENEFITS
OBTAINABLE BY CITIES UNDER PROGRAM FOR
FEDERAL AID ON HIGHWAY CONSTRUCTION**

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

That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of Leawood, Kansas, Supplemental No. 1, Agreement No. 28-94 between the City and Kansas Department of Transportation, giving the Secretary of Transportation of the State of Kansas authority to act for the City, and in its place and stead, to obtain of the City such benefits as are obtainable under the program of the Federal Aid Plan of Highway Construction and obtain the benefits of such legislation for the City on the terms and conditions set forth in such agreement as may be prepared and approved by the Secretary of Transportation for the improvement of Mission Road/89th Street in the City and known as Project No. 46 N-0043-01 (CMQ-N004(301)).

Passed by the (Council)(~~Commission~~) this 4 day of March, 1996

(Approved)(Signed)

Marcia R. ... Mayor

(SEAL)

ATTEST:

Martha Heizer
-City Clerk

RESOLUTION NO. 1294

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 limits permitted under State law and Section 33 of the "Standard Traffic Ordinance for Kansas Cities," 1995 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.

STREET	PORTION CONTROLLED	APPLICABLE SPEED LIMIT
College Boulevard	Nall Ave. to Roe Ave.	45 mph
College Boulevard	Roe Ave. to Tomahawk Creek Parkway	35 mph
Constitution Court	Mission Rd. to .30 miles east of Mission Rd.	30 mph
Constitution Court	.30 miles east of Mission Rd. to road termination	20 mph
Interstate 435	State Line Rd. to Mission Rd. (*or as posted by KDOT)	60 mph*
Kenneth Road	135 th Street (K-150) South to State Line Rd.	35 mph
Kenneth Road	State Line Rd. to South City limits	45 mph
Lee Boulevard	81 st Street to 103 rd Street	35 mph
Lee Boulevard	100 ft. North of I-435 bridge to Constitution Court	20 mph
Mission Road	North City limits to 250 ft. North of I-435	35 mph
Mission Road	Indian Creek Bridge to College Blvd.	35 mph
Mission Road	119 th Street to South City limits	35 mph
Nall Avenue	College Blvd. to 119 th Street	45 mph
Nall Avenue	Tomahawk Creek to 13000 block	45 mph
Nall Avenue	South City limits to 14100 block	35 mph
Roe Avenue	College Blvd. to Tomahawk Creek Bridge	45 mph
Roe Avenue	Tomahawk Creek Bridge to 140 th Drive	35 mph

STREET	PORTION CONTROLLED	APPLICABLE SPEED LIMIT
State Line Road	North City limits to Carondelet Drive	35 mph
State Line Road	Carondelet Drive to 135 th Street (K-150)	40 mph
State Line Road	135 th Street to Kenneth Road	45 mph
Tomahawk Creek Pkwy	College Blvd. to Roe Ave.	35 mph
Town Center Drive	Nall Ave. to Roe Ave.	35 mph
83 rd Street	West City limit to State Line Rd.	30 mph
89 th Street	State Line Rd. west to road termination	20 mph
89 th Street	Lee Blvd. east to road termination	20 mph
89 th Street	Mission Rd. to Lee Blvd.	30 mph
95 th Street	State Line Rd. to Mission Rd.(westbound)	35 mph
95 th Street	West City limit to State Line Rd. (eastbound)	35 mph
103 rd Street	State Line Rd. to Mission Rd.	35 mph
117 th Street	Roe Ave. to Tomahawk Creek Parkway	30 mph
119 th Street	State Line Rd. to Roe Ave.	35 mph
119 th Street	Roe Ave. to Nall Ave.	45 mph
123 rd Street	State Line Rd. to Mission Rd.	30 mph
127 th Street	Mission Rd. to Nall Ave.	35 mph
135 th Street (K-150)	State Line Rd. to West City limits (*or as posted by KDOT) 45 mph*	
143 rd Street	East City limit to Kenneth Rd.	35 mph
143 rd Street	Kenneth Rd. to Nall Ave.	30 mph
151 st Street	Nall Ave. to East City limits	45 mph
All other streets	Within the City limits	25 mph

Adopted by the Governing Body this 25th day of March, 1996.

(SEAL)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:


Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1295

The Leawood City Council has considered the request for approval of the final plat of Gates Subdivision located at 2001 West 103rd Terrace and hereby finds the following:

WHEREAS, the property is zoned PI, Planned Industrial, and

WHEREAS, the property has never been platted, and

WHEREAS, a final site plan for an addition has been approved for an addition to the kitchen, and

WHEREAS, this enables the City to request that this property be plated, and

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

1. The plat must be recorded prior to release of a building permit for the addition.

WHEREAS, the developers/owners agree to this stipulation,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the final plat of Gates Subdivision with stipulations.

Adopted by the Governing Body this 25th day of March, 1996.

(s e a l)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

RESOLUTION NO. 1296

The Leawood City Council has considered the request for approval of final plat of Villas of Leawood, First Plat, located at approximately 138th Terrace and Kenneth Road and hereby finds the following:

WHEREAS, the plat contains 11.89 acres, and

WHEREAS, a final site plan has been approved by the Plan Commission for this property, and

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

1. The first phase is limited to 60 units and 15 buildings.
2. The developer is responsible for a Park Impact Fee in the amount of \$18,000 (60 units x \$300). This is to be paid in cash or in a one year letter of credit. It is to be paid prior to recording a final plat.
3. The streets are to be public and allowing the deviation to a 26 foot street with two 12 foot easements on either side for a total of 50'. This coincides with the sense of community that is desirable in this type of development.
4. Revised landscape plans and entry monument plans are to be submitted to staff prior to release of building permits. These must contain plant types, more trees in the common areas, and building materials and specs for the sign.
5. The main street is to be connected by grading and placement of an AB3 surface material to allow for emergency access. This will provide 2 ways in and out for this development.
6. Prior to Certificate of Occupancy for each building, a plat of its specific lot must be done and recorded at the County.

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 Villas of Leawood, First Plat, with stipulations.

Adopted by the Governing Body this 25th day of March, 1996.

(seal)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1297

The Leawood City Council has considered the request for approval of the revised preliminary plat and final plat of Whitehorse 2nd Plat located at approximately 148th and Nall and hereby finds the following:

WHEREAS, the property is zoned R-1, Single Family Residential, and

WHEREAS, the revised preliminary plat contains 235 lots on 135.43 acres, and

WHEREAS, the final plat contains 21 lots on 11.64 acres, and

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

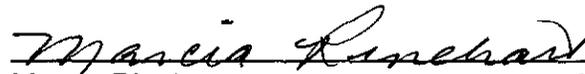
1. The final plat is limited to 21 single family homes on 11.64 acres.
2. The revised preliminary plat is limited to 235 single family homes that will be served by a sewer.

WHEREAS, the developers/owners agree to these stipulations,

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby approve the revised preliminary plat and final plat of Whitehorse 2nd plat with stipulations.

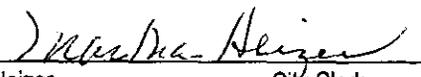
Adopted by the Governing Body this 25th day of March, 1996.

(s e a l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

RESOLUTION NO. 1298

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

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

1. Resolution No. 634 as adopted January 3, 1984 is hereby repealed.
2. It is hereby declared to be the policy of the City of Leawood that all public records which are made, maintained or kept by or are in the possession of the city, its officers and employees, shall be open for public inspection as provided by, and subject to the restrictions imposed by the Kansas Open Records Act (K.S.A. 1983 Supp. 45-205:214).
3. Any person, upon request, shall have access to such open public records for the purpose of inspecting, abstracting or copying such records while they are in the possession, custody and control of the appointed or designated record custodian thereof, or his or her designated representative.
4. The record custodian(s) appointed and designated pursuant to Resolution No. 636 shall preserve and protect all public records from damage, disorganization and theft and shall assist, in a timely and efficient manner, any person making request for access to any open public record.
5. All city offices keeping and maintaining open public records shall establish office hours during which any person may make a request for access to an open public record. Such hours shall be no fewer than the hours each business day the office is regularly open to the public. For any city office not open Monday through Friday, hours shall be established by the record custodian for each such day at which time any person may request access to an open public record.
6. All city offices keeping and maintaining open public records shall provide suitable facilities to be used by any person desiring to inspect and/or copy an open public record. The office of the City Clerk, being the principle recordkeeper of the City, shall be used as the principle office for providing access to and providing copies of open records to the maximum extent practicable. Requesters of records shall be referred to the office of the City clerk except when the requested records are not in that office and are available in another City office.
7. In the event that the City staff or the City Council has prepared or has caused to be prepared a study, the purpose of which is to assist the decision making process of an authorized City committee or the City Council, on the completion of such study, it and any materials used in its preparation, or referred to within such study, in the possession of or accessible to the City, shall be considered a public record, except as exempted by the Kansas Open Records Act, as amended. At such time as a member of the public requests a copy of the study, said study will also be distributed to the members of the City committee and/or the City Council.

8. Any person requesting access to an open public record for purposes of inspecting or copying such record, or obtaining a copy thereof, shall abide by the procedures adopted by the Governing Body for record inspection and copying, including those procedures established by record custodians as authorized by the Governing Body. Such procedures shall be posted in each city office keeping and maintaining open public records.
9. The record custodians of the City are hereby charged with carrying out the intent of this resolution and the Kansas Open Records Act.

Adopted by the Governing Body of the City of Leawood, Kansas, this the 25th day of March, 1996.



Mayor

Attest:



City Clerk

RESOLUTION NO. 1299

The Leawood City Council has considered the request for approval of rezoning from AG, Agriculture to SD C-R, Special Development District, Commercial-Retail subdistrict, preliminary plat and preliminary plan of Price Chopper Center located at approximately 135th and Mission and hereby finds the following:

WHEREAS, the property contains 28.578 acres (gross), and

WHEREAS, the proposal includes 190,035 square feet, and

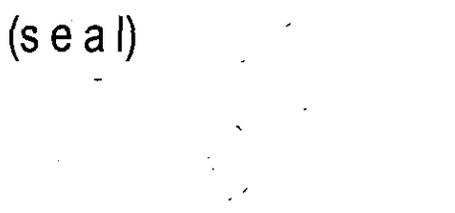
WHEREAS, the site includes a grocery store and attached retail space, offices to the northeast, 2 pad sites for offices, a bank site and 3 pad sites for retail use, and

WHEREAS, the Plan Commission has reviewed the application and recommends approval with stipulations.

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby deny the request for rezoning from AG to SD C-R, Preliminary plan and Preliminary Plat of Price Chopper Center for reasons as stated in the minutes.

Adopted by the Governing Body this 25th day of March, 1996.

(s e a l)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

RESOLUTION NO. 1300

The Leawood City Council has considered the request for approval of rezoning from AG, Agriculture to RP-4, Planned Cluster Residential, preliminary site plan and preliminary plat of Mission Pointe, located at approximately 133rd and Mission and hereby finds the following:

WHEREAS, the property contains 12.309 acres, and

WHEREAS, the applicant is proposing it be divided into 23 lots to be built as duplexes for a total of 46 dwelling units, and

WHEREAS, the density is 3.3 units per acre, and

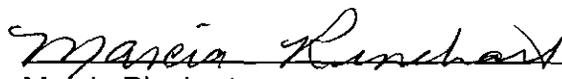
WHEREAS, the Master Plan indicates this area as Medium Density Residential - Single Family Detached, and

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

NOW, THEREFORE BE IT RESOLVED that the Leawood City Council does hereby deny the rezoning from AG to RP-4, Preliminary Site Plan and Preliminary Plat of Mission Pointe for reasons as stated in the minutes.

Adopted by the Governing Body this 25th day of March, 1996.

(s.e.a.l)



Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk