

**EDGERTON CITY COUNCIL
SPECIAL MEETING AGENDA
CITY HALL
404 EAST NELSON STREET
FEBRUARY 7, 2020
9:00 AM**

Call to Order

1. **Roll Call** ___ Roberts ___ Longanecker ___ Conus ___ Lewis ___ Smith ___ Beem
2. **Welcome**
3. **Pledge of Allegiance**

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Approve Deed of Dedication of Right-of-Way and Permanent Utility Easement for 207th Grade Separation Project

Regular Agenda

5. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.
6. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

Business Requiring Action

7. **CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319(B)(2) FOR CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY, CITY ADMINISTRATOR AND PUBLIC WORKS DIRECTOR FOR THE PURPOSES OF CONTRACT NEGOTIATIONS**

Motion: _____ Second: _____ Vote: _____

8. **CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319 (b) (1) PERSONNEL MATTERS OF NONELECTED PERSONNEL TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR**
9. **Adjourn** Motion: _____ Second: _____ Vote: _____

DEED OF DEDICATION

This deed of dedication is made on this ____ day of _____, 2019.

ALBERT L. CHAPMAN and HILDA D. CHAPMAN, a married couple (hereinafter "Grantors"), for the consideration of One Thousand, Four Hundred Sixty-Eight Dollars (\$1,468.00) in hand paid, sells, conveys, and deeds to the City of Edgerton, Kansas (hereinafter "Grantee"), free and clear of all liens and encumbrances, fee title to the following described real property in Johnson County, Kansas:

SEE ATTACHMENT "A" ATTACHED HERETO
AND BY REFERENCE MADE A PART HEREOF.

IN WITNESS WHEREOF, the parties above named have hereunto set their hands and seals the date first above written.

GRANTOR:

ALBERT L. CHAPMAN and HILDA D. CHAPMAN

By: Albert L. Chapman
Printed Name: _____
Title: _____
Street Address: 3730 S W 207
City, State & Zip: Edgerton Kansas 66021

By: Hilda D Chapman
Printed Name: _____
Title: _____
Street Address: 3730 S W 207
City, State & Zip: Edgerton, Kansas 66021

GRANTEE:

(SEAL)

CITY OF EDGERTON, KANSAS,
A Municipal Corporation

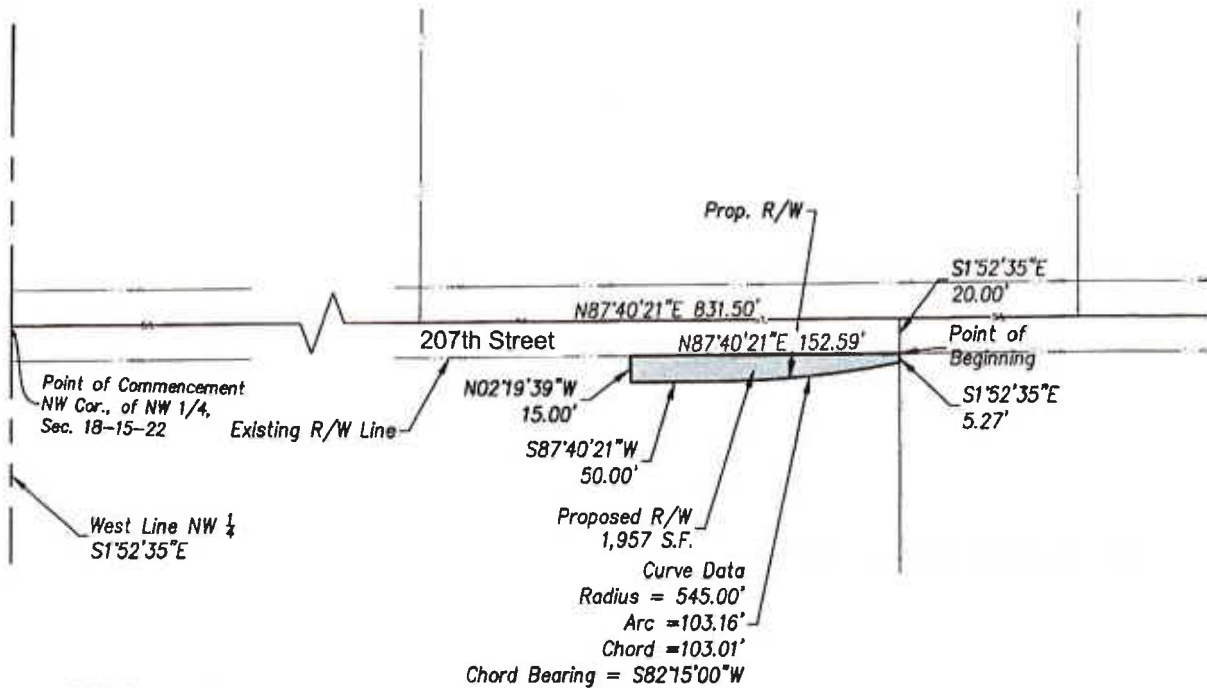
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Notary Public

My Appointment Expires:

**PROPERTY ACQUISITION EXHIBIT
RIGHT OF WAY**

Albert L. Chapman and Hilda D. Chapman, as Trustees of the
Albert L. Chapman and Hilda D. Chapman Revocable Living Trust
dated the 19th day of April 2016



R/W Description

All that part of the Northwest Quarter of Section 18, Township 15 South, Range 22 East, in Johnson County, Kansas, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter; thence North 87°40'21" East along the north line of said Northwest Quarter a distance of 831.50 feet; thence South 01°52'35" East along a line parallel to the west line of said Northwest Quarter a distance of 20.00 feet to the Point of Beginning; thence continuing South 01°52'35" East along a line parallel to the west line of said Northwest Quarter a distance of 5.27 feet; thence southwesterly, along a non-tangent curve to the right, said curve having a radius of 545.00 feet, a chord bearing of South 82°15'00" West, a chord distance of 103.01 feet, for an arc length distance of 103.16 feet; thence South 87°40'21" West parallel to the north line of said Northwest Quarter a distance of 50.00 feet; thence North 02°19'39" West a distance of 15.00 feet to a point on the existing south R/W line of 207th Street; thence North 87°40'21" East along said existing R/W line a distance of 152.59 feet to the Point of Beginning, containing 1,957 square feet, or 0.045 acres, more or less.



Donald E Hovey - KS PS 1027
dhovey@ric-consult.com

Sheet 1 of 1
Prepared 09-11-19
Prepared By: DEH

**Renaissance
Infrastructure
Consulting**

132 Abbie Avenue
Kansas City, Kansas 66103

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City Project: 207th Street Grade Separation
Parcel No. 4F221518-1012

PERMANENT UTILITY EASEMENT

THIS AGREEMENT, Made and entered into this _____ day of _____, 2019, by and between **ALBERT L. CHAPMAN** and **HILDA D. CHAPMAN**, a married couple, hereinafter called Grantors, and the **CITY OF EDGERTON, KANSAS**, a Municipal Corporation, located in the County of Johnson, State of Kansas, hereinafter called Grantee.

NOW, THEREFORE, for the consideration hereinafter described, the parties hereto agree as follows:

SECTION ONE
GRANT OF PERMANENT EASEMENT

In consideration of Five Hundred and Seventy-Five Dollars (\$575.00) in hand paid and other valuable consideration, including just compensation paid for all property damage resulting from the public improvement and from those factors set forth in K.S.A. 26-513 and other factors arising from the public improvement to be made, including but not limited to increased water run-off or drainage; loss of trees and landscaping; and erosion, receipt of which is hereby acknowledged, the Grantors do hereby grant and convey to the Grantee, its successors and assigns, a permanent easement for installation of utilities and other appurtenances in, over, on, under and through the following described land in the County of Johnson, State of Kansas (such land is referred to herein as the premises):

SEE EXHIBIT "A" ATTACHED HERETO
AND BY REFERENCE MADE A PART HEREOF.

SECTION TWO
RESTRICTED USE BY GRANTORS

Grantor shall not interfere with the exercise by grantee of the rights granted herein. Grantor shall not construct or permit to be constructed any structure or obstruction on the above described easement area or interfere with the construction, maintenance, or operation of sanitary sewer lines and appurtenance constructed pursuant to this instrument.

SECTION THREE
WARRANTY OF TITLE

Grantor covenants that they are the owner of the premises and have the right, title and capacity to grant the easement granted herein.

SECTION FOUR
EFFECT OF AGREEMENT

This agreement shall be binding upon the heirs, legal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

GRANTOR:

ALBERT L. CHAPMAN and HILDA D. CHAPMAN

By: Albert L. Chapman

Printed Name: _____

Title: _____

Street Address: 37305 W 207

City, State & Zip: Edgerton, Kansas 66021

By: Hilda D Chapman

Printed Name: _____

Title: _____

Street Address: 37305 W 207

City, State & Zip: Edgerton, Ks 66021

GRANTEE:

CITY OF EDGERTON, KANSAS,
A Municipal Corporation

By: _____
Beth Linn, City Administrator

ATTEST:

_____, City Clerk

(SEAL)

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

BE IT REMEMBERED, that on this 14th day of February, 2020, before me, the undersigned, a Notary Public within and for the County and State aforesaid, came **ALBERT L. CHAPMAN** and **HILDA D. CHAPMAN**, a married couple, who are personally known to me to be the same persons who executed the within document of their own free will and accord and have the authority to do so.

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

Alexandria Clower
Notary Public

My Appointment Expires:

7/5/2022



ACKNOWLEDGMENT

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

BE IT REMEMBERED, That on this _____ day of _____, 2020, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **BETH LINN**, City Administrator of the City of Edgerton, Kansas, and _____, City Clerk of said City, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

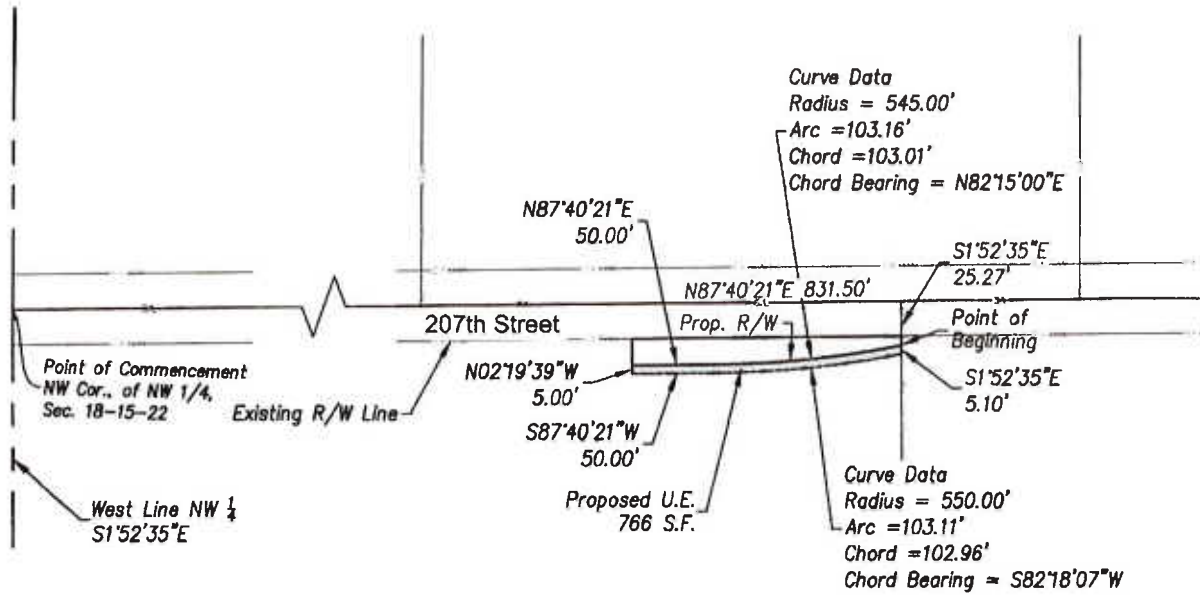
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Notary Public

My Appointment Expires:

**PROPERTY ACQUISITION EXHIBIT
PERMANENT UTILITY EASEMENT**

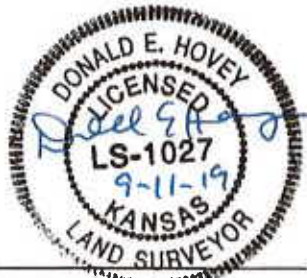
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Permanent Utility Easement Description

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Donald E Hovey - KS PS 1027
dhovey@ric-consult.com

Sheet 1 of 1
Prepared 09-11-19
Prepared By: DEH



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Kansas City, Kansas 66103

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Sep 11, 2019-12:11pm \\RIC-RIVERSIDE\Library\RIC Design\2017\17-0242 207th Street Grade Separation Edgerton\Draw\Exhibits\Chapman.dwg