

ORDINANCE NO. 1004

AN ORDINANCE APPROVING THE DESCRIPTION AND SURVEY OF LANDS NECESSARY FOR ACQUISITION OF EASEMENTS AND ROAD RIGHT-OF-WAY NEEDED FOR CONSTRUCTING WAVERLY ROAD AND ASSOCIATED IMPROVEMENTS

WHEREAS, K.S.A. 26-201 requires that, prior to commencing condemnation proceedings, the Governing Body, by passage of an ordinance, authorize and provide for the acquisition of land or interest needed by the City, set forth the land or interest to be condemned, state for what purpose the condemned land or interest in land is to be used, and, if applicable, designate, as a benefit district, property specifically benefited by the proposed improvement.

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

Section 1. That the description and survey of permanent drainage easement and a temporary construction easement necessary for the construction of Waverly Road -- in the vicinity of the Southwest corner of 196th Street and Waverly Road within Johnson County, Kansas -- as prepared by the City's retained engineering consultants, approved by the City Engineer, and filed with the City Clerk pursuant to Resolution No. 11-12-15A (adopted by the Governing Body of the City of Edgerton, Kansas on November 12, 2015), are hereby approved.

Section 2. That the action of the Governing Body of the City of Edgerton, Kansas in acquiring easements and right-of-way necessary for construction of Waverly Road within Johnson County, Kansas (in the vicinity of the Southwest corner of 196th Street and Waverly Road) has been declared necessary by the Governing Body.

Section 3. That the acquisition of temporary and permanent easements, as described hereinafter, is all in accordance with and under the provisions of Chapter 26 of the Kansas Statutes Annotated.

Section 4. That there be and there is hereby declared to be public necessity to acquire, by Eminent Domain Proceedings for the purpose of constructing Waverly Road -- in the vicinity of the Southwest corner of 196th Street and Waverly Road -- all as described in Section I of this Ordinance, the land hereinafter described:

Permanent Drainage Easement

All that part of the South Half of the Southeast Quarter of Section 3, Township 15 South, Range 22 East, Johnson County, Kansas, more particularly described as follows:

Beginning at the northeast corner of the South Half of said Southeast Quarter; thence coincident with the north line of the South Half of said Southeast Quarter, South

88°22'30" West, 352.98 feet to the Point of Beginning; thence South 29°13'04" West, 119.23 feet; thence North 60°46'56" West, 40.00 feet; thence North 29°13'04" East, 95.34 feet to a point on the north line of the South Half of said Southeast Quarter; thence coincident with said north line, North 88°22'30" East, 46.59 feet to the Point of Beginning, containing 4,291 square feet, or 0.099 acres, more or less.


Temporary Construction Easement

All that part of the South Half of the Southeast Quarter of Section 3, Township 15 South, Range 22 East, Johnson County, Kansas, more particularly described as follows:

Commencing at the northeast corner of the South Half of said Southeast Quarter; thence coincident with the north line of the South Half of said Southeast Quarter, South 88°22'30" West, 20.00 feet to the Point of Beginning; thence coincident with a line 20 feet west of and parallel with the east line of said Southeast Quarter, South 02°00'15" East, 20.00 feet; thence coincident with a line 20 feet south of and parallel with the north line of the South Half of said Southeast Quarter, South 88°22'30" West, 323.34 feet; thence South 01°37'30" East, 191.91 feet; thence coincident with a line 211.91 feet south of and parallel with the north line of the South Half of said Southeast Quarter, South 88°22'30" West, 146.00 feet; thence North 01°37'30" West, 191.91 feet; thence coincident with a line 20 feet south of and parallel with the north line of the South Half of said Southeast Quarter, South 88°22'30" West, 1,914.00 feet; thence North 01°37'30" West, 20.00 feet to a point on the north line of the South Half of said Southeast Quarter; thence coincident with said north line, North 88°22'30" East, 2,383.21 feet to the Point of Beginning, less that part taken for Permanent Drainage Easement, containing 71,390 square feet, or 1.639 acres, more or less.

Section 5. That this Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

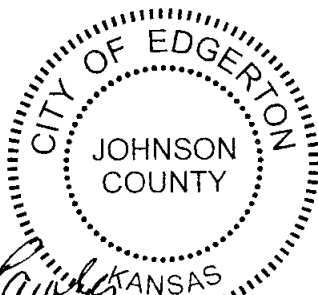
PASSED by the Governing Body of the City of Edgerton, Kansas, and approved by the Mayor on the 19th day of November, 2015.




Donald Roberts, Mayor

(Seal)


ATTEST:





Janeice Rawles, City Clerk

APPROVED AS TO FORM:



Patrick G. Reavey, City Attorney

Permanent Drainage &
Temporary Construction Easements

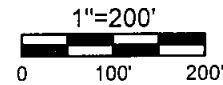
Exhibit ___



D/E = DRAINAGE EASEMENT

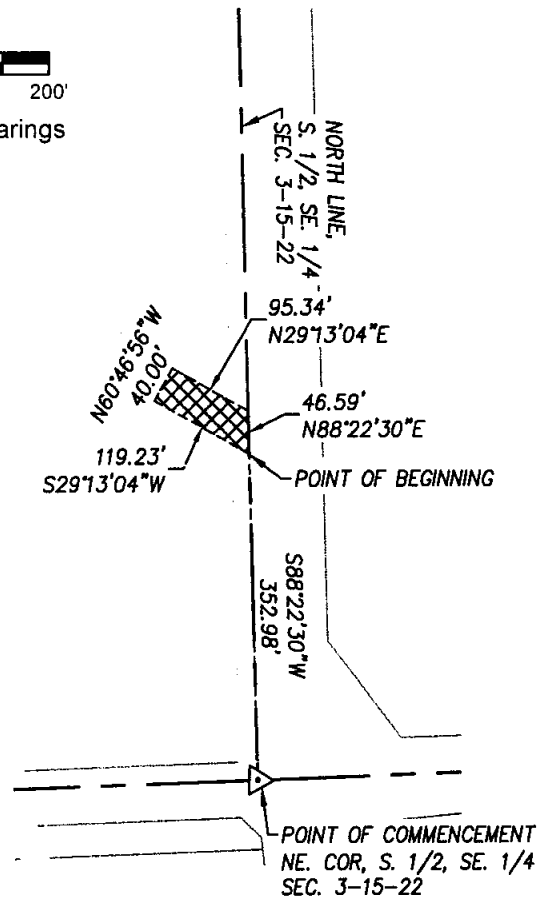
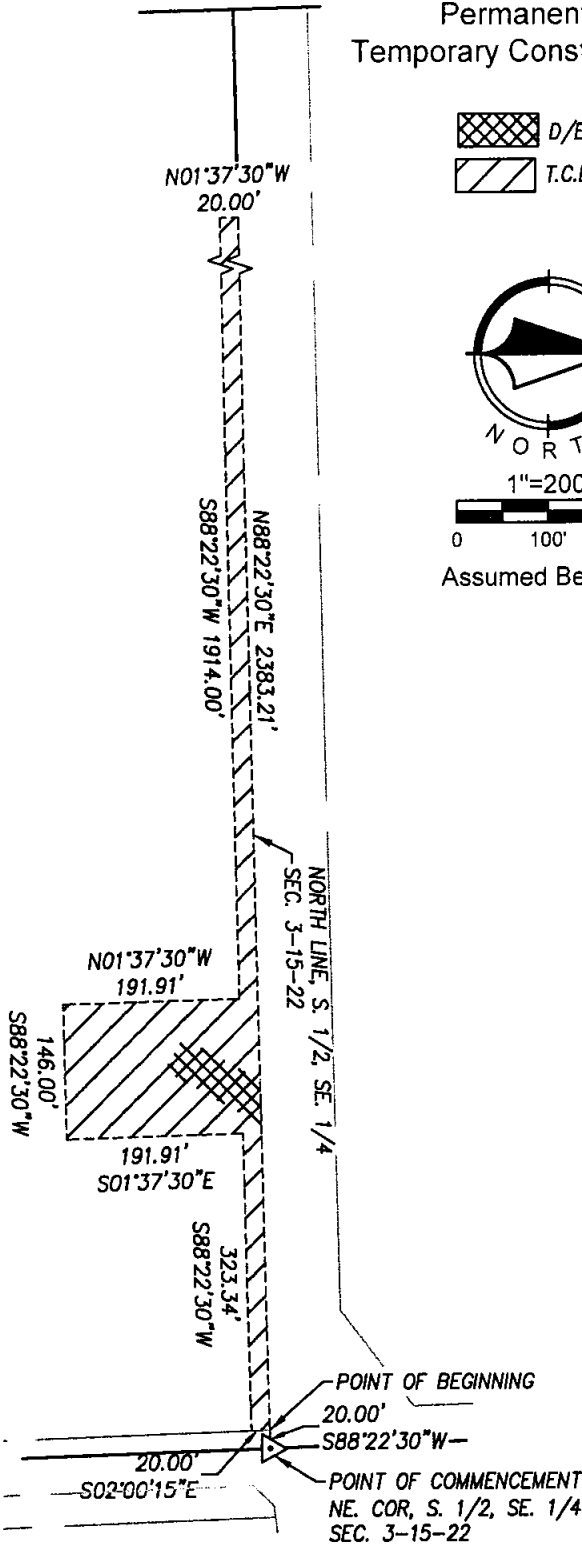


T.C.E. = TEMPORARY CONSTRUCTION EASEMENT



Assumed Bearings

D/E CONTAINS 4,291 S.F., 0.099 Ac.
T.C.E. CONTAINS 71,390 S.F., 1.639 Ac.



REVISED 11-17-15

**Renaissance
Infrastructure
Consulting**

PARCEL ID NO.: 2F221503-4002
OWNER: PRAIRIE TREE, LLC

15-0106
Sheet 1 of 1

1138 WEST CAMBRIDGE CIRCLE DRIVE
KANSAS CITY, KANSAS 66103
913.317.9500
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