

ORDINANCE NO. CON-3319

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF LANDS OR INTERESTS THEREIN BY CONDEMNATION FOR THE REPLACEMENT OF STORM WATER INFRASTRUCTURE, 2021 STORM DRAINAGE IMPROVEMENTS, IN THE CITY OF OVERLAND PARK, JOHNSON COUNTY, KANSAS (PROJECT NO. SD-1653).

WHEREAS, the Governing Body of the City of Overland Park, Kansas, did by Resolution No. 4679 (the “Resolution”), declare the necessity for the acquisition of certain interests in property, and did authorize and direct a survey and description of lands or interests therein to be condemned by the City for certain improvements (the “Survey”); and

WHEREAS, the Resolution was published one time in an official City newspaper on the 2nd day of February, 2021; and

WHEREAS, the revised Survey was filed with the City Clerk of the City of Overland Park, Kansas, on the 25th day of February, 2021.

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

Section 1. It is hereby authorized and provided that the lands or interests therein hereafter described be acquired for the purposes stated herein to construct certain public improvements, to wit:

The City’s 2021 Storm Drainage Improvements, City Project number SD-1653, located at or near 101st Street & Connell Drive to Knox Drive in the City of Overland Park, Kansas (Indian Creek Tributary 5), consisting of replacement of aging and deteriorating concrete ditch liner, a concrete box culvert under Connell Drive and the relocation of a portion of the sanitary sewer main and gas main, including restoration and other items incidental to the construction and necessary appurtenances thereto (the “Improvements”).

TRACT NO. 1

OWNERS: SANDRA R. ROMER, a married person

PERMANENT SIDEWALK EASEMENT

All that part of Lot 43, Block 16, HANOVER, a recorded subdivision filed in Book 34, at Page 14, and being a part of a tract of land described in Warranty Deed found in Volume 3432, at Page 875 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 24th Day of July 2020

as follows:

BEGINNING at the North corner of said Lot 43; thence South 50°15'56" East (this and all following bearings are based on the Kansas State Plane System, North Zone 1983) on the Northeasterly line of said Lot 43, a distance of 15.00 feet to a point; thence South 72°47'54" West, a distance of 28.54 feet to a point on the Northwesterly line of said Lot 43; thence North 41°05'10" East on said Northwesterly line, a distance of 23.92 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 179 square feet more or less.

TEMPORARY CONSTRUCTION EASEMENT

All that part of Lot 43, Block 16, HANOVER, a recorded subdivision filed in Book 34, at Page 14, and being a part of a tract of land described in Warranty Deed found in Volume 3432, at Page 875 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 24th Day of July 2020 as follows:

Commencing at the North corner of said Lot 43; thence South 50°15'56" East (this and all following bearings are based on the Kansas State Plane System, North Zone 1983) on the Northeasterly line of said Lot 43, a distance of 15.00 feet to the **POINT OF BEGINNING**; thence continuing South 50°15'56" East on said Northeasterly line, a distance of 10.00 feet to a point; thence South 80°51'08" West, a distance of 39.08 feet to a point on the Northwesterly line of said Lot 43; thence North 41°05'10" East on said Northwesterly line, a distance of 5.53 feet to a point; thence North 72°47'54" East, a distance of 28.54 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 189 square feet more or less.

TRACT NO. 2

OWNERS: AMY E. BARTLEY and MATHEW J. BARTLEY, wife and husband

TEMPORARY CONSTRUCTION EASEMENT

All that part of Lot 33, Block 16, HANOVER, a recorded subdivision filed in Book 34, at Page 14, and being a part of a tract of land described in Warranty Deed found in Book 201802, at Page 004843 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 24th Day of July 2020 as follows:

BEGINNING at the East corner of said Lot 33; thence South 41°05'11" West (this and all

following bearings are based on the Kansas State Plane System, North Zone 1983) on the Southeasterly line of said Lot 33, a distance of 10.01 feet to a point; thence North 60°36'40" West, a distance of 30.11 feet to a point; thence North 54°06'45" West, a distance of 37.00 feet to a point; thence North 07°43'54" West, a distance of 23.45 feet to a point on the Southeasterly line of an existing 5.00 foot Utility Easement as shown on said plat; thence North 54°55'54" East on last said Southeasterly line, a distance of 13.27 feet to a point on the Northeasterly line of said Lot 33; thence on a non-tangent curve to the left, on said Northeasterly line, having an initial tangent bearing of South 38°47'20" East, a radius of 602.96 feet, a delta angle of 07°43'49" and an arc length of 81.35 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 1,539 square feet more or less.

TRACT NO. 4

OWNERS: WESLEY GOODNIGHT and SKYLIE GOODNIGHT, husband and wife

PERMANENT UTILITY EASEMENT

All that part of Lot 31, Block 16, HANOVER, a recorded subdivision filed in Book 34, at Page 14, and being a part of a tract of land described in Warranty Deed found in Book 200911, at Page 006507 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 24th Day of July 2020 as follows:

Commencing at the Northeast corner of said Lot 31; thence Southeasterly on a curve to the left, on the Northeasterly line of said Lot 31, having an initial tangent bearing of South 15°38'29" East (this and all following bearings are based on the Kansas State Plane System, North Zone 1983), a radius of 602.96 feet, a delta angle of 05°44'08" and an arc length of 60.36 feet to the **POINT OF BEGINNING**; thence continuing on said Northeasterly line, on a curve to the left, tangent to the last described course, a radius of 602.96 feet, a delta angle of 00°53'13" and an arc length of 9.33 feet to a point on the Northwesterly line of an existing 50.00 foot wide Drainage Easement as shown on said plat; thence on a non-tangent curve to the left, on said Northwesterly line, having an initial tangent bearing of South 46°19'52" West, a radius of 360.00 feet, a delta angle of 23°52'09" and an arc length of 149.97 feet to a point; thence North 14°18'39" East, a distance of 7.85 feet to a point; thence on a non-tangent curve to the right, having an initial tangent bearing of North 23°57'23" East, a radius of 360.00 feet, a delta angle of 10°46'51" and an arc length of 67.74 feet to a point; thence North 33°31'17" East, a distance of 51.50 feet to a point; thence North 37°51'00" East, a distance of 27.88 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 375 square feet or 0.009 acres more or less.

TEMPORARY CONSTRUCTION EASEMENT

All that part of Lot 31, Block 16, HANOVER, a recorded subdivision filed in Book 34, at Page 14, and being a part of a tract of land described in Warranty Deed found in Book 200911, at Page 006507 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 24th Day of July 2020 as follows:

BEGINNING at the Northeast corner of said Lot 31; thence Southeasterly on a curve to the left, on the Northeasterly line of said Lot 31, having an initial tangent bearing of South 15°38'29" East (this and all following bearings are based on the Kansas State Plane System, North Zone 1983), a radius of 602.96 feet, a delta angle of 05°44'08" and an arc length of 60.36 feet to a point; thence South 37°51'00" West, a distance of 27.88 feet to a point; thence South 33°31'17" West, a distance of 51.50 feet to a point; thence on a non-tangent curve to the left, having an initial tangent bearing of South 34°44'13" West, a radius of 360.00 feet, a delta of 10°46'51" and an arc length of 67.74 feet to a point; thence South 14°18'39" West, a distance of 7.85 feet to a point on the Northwesterly line of an existing 50.00 foot wide Drainage Easement as shown on said plat; thence Southwesterly on a non-tangent curve to the left, on said Northwesterly line, having an initial tangent bearing of South 22°27'43" West, a radius of 360.00 feet, a delta angle of 02°07'10" and an arc length of 13.32 to a point of reverse curve; thence Southwesterly on a curve to the right, on said Northwesterly line, tangent to the last described course, having a radius of 25.00 feet, a delta of 69°23'13" and an arc length of 30.28 feet to a point; thence on a non-tangent curve to the right, having an initial tangent bearing of North 17°00'35" East, a radius of 375.54 feet, a delta angle of 15°28'25" and an arc length of 101.42 feet to a point; thence South 57°31'00" East, a distance of 7.00 feet to a point; thence North 29°28'47" East, a distance of 51.41 feet to a point; thence North 60°25'16" West, a distance of 10.05 feet to a point; thence North 16°58'18" East, a distance of 22.62 feet to a point; thence North 58°12'04" West, a distance of 27.44 feet to a point; thence North 25°22'30" East, a distance of 8.31 feet to a point; thence North 66°20'12" West, a distance of 15.86 feet to a point; thence North 32°35'36" West, a distance of 24.33 feet to a point on the North line of said Lot 31; thence Easterly on a non-tangent curve to the left, on said North line, having an initial tangent bearing of North 87°16'45" East, a radius of 362.05 feet, a delta angle of 10°30'32" and an arc length of 66.41 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 5,861 square feet or 0.135 acres more or less.

TRACT NO. 5

OWNER: DONAVON D. COUP and MARILYN J. COUP, husband and wife as joint tenants

PERMANENT SIDEWALK EASEMENT

All that part of Lot 16, Block 10, HANOVER, a recorded subdivision filed in Book 34, at Page 14, and being a part of a tract of land described in Warranty Deed found in Volume 3735, at Page 470 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of

Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 22nd Day of February 2021 as follows:

BEGINNING at the Southeast corner of said Lot 16; thence Westerly on a curve to the right, on the South line of said Lot 16, having an initial tangent bearing of South 76°46'33" West (this and all following bearings are based on the Kansas State Plane System, North Zone 1983), a radius of 312.05 feet, a delta angle of 05°10'05" and an arc length of 28.15 feet to a point; thence North 53°28'53" East, a distance of 26.17 feet to a point; thence North 80°11'55" East, a distance of 4.65 feet to a point on the East line of said Lot 16; thence Southeasterly on a non-tangent curve to the left, on said East line, having an initial tangent bearing of South 09°48'38" East, a radius of 603.79 feet, a delta angle of 01°04'39" and an arc length of 11.36 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 193 square feet or 0.004 acres more or less.

TEMPORARY CONSTRUCTION EASEMENT

All that part of Lot 16, Block 10, HANOVER, a recorded subdivision filed in Book 34, at Page 14, and being a part of a tract of land described in Warranty Deed found in Volume 3735, at Page 470 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 22nd Day of February 2021 as follows:

Commencing at the Southeast corner of said Lot 16; thence Westerly on a curve to the right, on the South line of said Lot 16, having an initial tangent bearing of South 76°46'33" West (this and all following bearings are based on the Kansas State Plane System, North Zone 1983), a radius of 312.05 feet, a delta angle of 05°10'05" and an arc length of 28.15 feet to the **POINT OF BEGINNING**; thence continuing on said South line, on a curve to the right, tangent to the last described course, having a radius of 312.05 feet, a delta angle of 04°41'54" and an arc length of 25.59 feet to a point; thence North 14°33'58" East, a distance of 5.26 feet to a point; thence North 73°03'07" East, a distance of 26.58 feet to a point; thence North 27°27'32" East, a distance of 25.21 feet to a point; thence Northerly on a non-tangent curve to the right, 10.00 feet West of and parallel with the East line of said Lot 16, having an initial tangent bearing of North 08°06'21" West, a radius of 612.96 feet, a delta angle of 05°50'25" and an arc length of 62.48 feet to a point; thence North 02°15'56" West on a line 10.00 feet West of and parallel with said East line, a distance of 2.74 feet to a point on the South line of an existing 10.00 foot wide Utility Easement as shown on said plat; thence North 87°44'47" East on last said South line, a distance of 10.00 feet to a point on said East line; thence South 02°15'56" East on said East line, a distance of 2.74 feet to a point; thence Southeasterly on a curve to the left, on said East line, tangent to the last described course, having a radius of 602.96 feet, a delta angle of 07°32'40" and an arc length of 79.39 feet to a point; thence South 80°11'55" West, a distance of 4.65 feet to a point; thence South 53°28'53" West, a distance of 26.17 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 1,260 square feet or 0.029 acres more or less.

TRACT NO. 9

OWNERS: GREGORY A. HOWARD; and the ESTATE OF RICHARD L. LOWE

TEMPORARY CONSTRUCTION EASEMENT

All that part of Lot 22, Block 3, HANOVER, a recorded subdivision filed in Book 34, at Page 14, and being a part of a tract of land described in Quitclaim Deed found in Book 201203, at Page 008347 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 24th Day of July 2020 as follows:

Commencing at the Southeast corner of said Lot 22; thence South 81°24'11" West (this and all following bearings are based on the Kansas State Plane System, North Zone 1983) on the South line of said Lot 22, a distance of 75.48 feet to a point on the West line of an existing Storm Sewer Easement found in Book 191, at Page 193 as filed in said Register of Deeds Office and the **POINT OF BEGINNING**; thence continuing South 81°24'11" West on said South line, a distance of 7.52 feet to a point; thence North 02°07'28" West, a distance of 78.80 feet to a point on the North line of said Lot 22; thence North 77°27'10" East on said North line, a distance of 7.60 feet to a point on said West line; thence South 02°07'26" East on said West line, a distance of 79.32 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 591 square feet or 0.014 acres more or less.

TRACT NO. 13

OWNERS: NICHOLAS BENNET, a single person and ANNA BROVER, as joint tenants

PERMANENT UTILITY EASEMENT

All that part of Lot 18, Block 3, HANOVER, a recorded subdivision filed in Book 31, at Page 33, and being a part of a tract of land described in Warranty Deed found in Book 202101, at Page 008934 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 22nd Day of February 2021 as follows:

Commencing at the Southeast corner of said Lot 18; thence South 64°43'53" West (this and all following bearings are based on the Kansas State Plane System, North Zone 1983) on the South line of said Lot 18, a distance of 28.38 feet to a point; thence North 39°23'03" West, a distance of 5.16 feet to a point on the North line of an existing 10.00 foot wide Utility Easement as shown on said plat and the **POINT OF BEGINNING**; thence continuing North 39°23'03" West, a distance of 107.53 feet to a point on the North line of said Lot 18; thence Northeasterly on a non-tangent curve to the left, on said North line, having an initial tangent bearing of North 48°52'37" East, a radius of 225.00 feet, a delta angle of 00°53'30" and an arc length of 3.50 feet to a point on the Southwesterly line of an existing 50.00 foot wide Utility Easement as shown on said plat; thence South 38°54'56" East on said Southwesterly line, a distance of 108.32 feet to a point on the North

line of said 10.00 foot wide Utility Easement; thence South 64°43'53" West on last said North line, a distance of 2.69 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains a gross area of 330 square feet or 0.008 acres more or less.

TEMPORARY CONSTRUCTION EASEMENT

All that part of Lot 18, Block 3, HANOVER, a recorded subdivision filed in Book 31, at Page 33, and being a part of a tract of land described in Warranty Deed found in Book 202101, at Page 008934 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 22nd Day of February 2021 as follows:

Commencing at the Southeast corner of said Lot 18; thence South 64°43'53" West (this and all following bearings are based on the Kansas State Plane System, North Zone 1983) on the South line of said Lot 18, a distance of 28.38 feet to a point; thence North 39°23'03" West, a distance of 5.16 feet to a point on the North line of an existing 10.00 foot wide Utility Easement as shown on said plat and the **POINT OF BEGINNING**; thence South 64°43'53" West on said North line, a distance of 19.59 feet to a point; thence North 39°23'03" West, a distance of 82.95 feet to a point; thence North 65°04'09" West, a distance of 23.07 feet to a point on the North line of said Lot 18; thence Northeasterly on a non-tangent curve to the left, on said North line, having an initial tangent bearing of North 56°16'16" East, a radius of 225.00 feet, a delta angle of 07°23'39" and an arc length of 29.04 feet to a point; thence South 39°23'03" East, a distance of 107.53 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains a gross area of 2,097 square feet or 0.048 acres more or less.

TRACT NO. 19

OWNERS: RICHARD S. YOUNG and MELANIE R. YOUNG, husband and wife as joint tenants and not as tenants in common

PERMANENT UTILITY EASEMENT

All of the North 2.25 feet of the South 7.25 feet of Lot 17, Block 13, REGENCY PARK, a recorded subdivision filed in Book 24, at Page 33, and being a part of a tract of land described in Kansas Warranty Deed found in Volume 3451, at Page 176 as filed in the Johnson County Register of Deeds Office, lying in the Southeast Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 16th Day of October 2020, contains 259 square feet or 0.006 acres more or less.

Except that part of an existing Utility Easement being the West 10.00 feet of and the South 5.00 feet of said Lot 17.

TEMPORARY CONSTRUCTION EASEMENT

All that part of Lot 17, Block 13, REGENCY PARK, a recorded subdivision filed in Book 24, at Page 33, and being a part of a tract of land described in Kansas Warranty Deed found in Volume 3451, at Page 176 as filed in the Johnson County Register of Deeds Office, lying in the Southeast Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 16th Day of October 2020 as follows:

Commencing at the Southeast corner of said Lot 17; thence North 02°16'13" West (this and all following bearings are based on the Kansas State Plane System, North Zone 1983) on the East line of said Lot 17, a distance of 7.25 feet to the **POINT OF BEGINNING**; thence South 87°44'11" West on a line 7.25 feet North of and parallel with the South line of said Lot 17, a distance of 115.02 feet to a point on the East line of an existing 10.00 foot Utility Easement as shown on said plat; thence North 02°07'26" West on said East line, a distance of 7.75 feet to a point; thence North 87°44'11" East on a line 15.00 feet North of and parallel with said South line, a distance of 51.44 feet to a point; thence South 02°15'49" East, a distance of 3.15 feet to a point; thence North 87°44'11" East on a line 11.85 feet North of and parallel with said South line, a distance of 3.59 feet to a point; thence South 02°15'49" East, a distance of 3.60 feet to a point; thence North 87°44'11" East on a line 8.25 feet North of and parallel with said South line, a distance of 24.36 feet to a point; thence North 02°15'49" West, a distance of 6.75 feet to a point; thence North 87°44'11" East on a line 15.00 feet North of and parallel with said South line, a distance of 35.62 feet to a point on the East line of said Lot 17; thence South 02°16'13" East on said East line, a distance of 7.75 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 716 square feet or 0.016 acres more or less.

TRACT NO. 28

OWNERS: JAMES D. BOYD and MICHAEL A. BOYD as Co-Trustees of the JAMES D. BOYD AND MICHAEL A. BOYD CO-GRANTOR TRUST dated 06/09/18

TEMPORARY CONSTRUCTION EASEMENT

All that part of Lot 27, Block 3, HANOVER, a recorded subdivision filed in Book 34, at Page 14, and being a part of a tract of land described in a Kansas Warranty Deed found in Book 201806, at Page 005358 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 16th Day of October 2020 as follows:

BEGINNING at the Northwest corner of said Lot 27; thence North 63°01'46" East (this and all following bearings are based on the Kansas State Plane System, North Zone 1983) on the North line

of said Lot 27, a distance of 20.03 feet to a point; thence South 14°34'52" East, a distance of 33.23 feet to a point; thence South 53°46'49" East, a distance of 19.46 feet to a point; thence South 37°01'60" East, a distance of 22.50 feet to a point on the North line of an existing 10.00 foot wide Utility Easement as shown on said plat; thence South 54°56'18" West on last said North line, a distance of 16.36 feet to a point on the Southwesterly line of said Lot 27; thence Northwesterly on a non-tangent curve to the right, on said Southwesterly line, having an initial tangent bearing of North 38°08'50" West, a radius of 542.96 feet, a delta angle of 07°54'29" and an arc length of 74.94 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 1,114 square feet or 0.026 acres more or less.

TRACT NO. 31

OWNERS: ANDREW WIN NGUYEN, a married person

PERMANENT SIDEWALK EASEMENT

All that part of Lot 15, Block 7, REGENCY PARK, a recorded subdivision in Book 24, at Page 33, and being a part of a tract of land described in Kansas Warranty Deed Book 202012, at Page 006304, as filed in the Johnson County Register of Deeds Office, lying in the Southeast Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 22nd Day of February 2021 as follows:

BEGINNING at the Northwest corner of said Lot 15; thence North 87°43'41" East (this and all following bearings are based on the Kansas State Plane System, North Zone 1983) on the North line of said Lot 15, a distance of 4.13 feet to a point; thence South 29°03'51" West, a distance of 7.95 feet to a point on the West line of said Lot 15; thence North 02°16'13" West on said West line, a distance of 6.79 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 14 square feet more or less.

TEMPORARY CONSTRUCTION EASEMENT

All that part of Lot 15, Block 7, REGENCY PARK, a recorded subdivision in Book 24, at Page 33, and being a part of a tract of land described in Kansas Warranty Deed Book 202012, at Page 006304, as filed in the Johnson County Register of Deeds Office, lying in the Southeast Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 22nd Day of February 2021 as follows:

Commencing at the Northwest corner of said Lot 15; thence North 87°43'41" East (this and all following bearings are based on the Kansas State Plane System, North Zone 1983) on the North line of said Lot 15, a distance of 4.13 feet to the **POINT OF BEGINNING**; thence continuing North 87°43'41" East on said North line, a distance of 10.37 feet to a point; thence South 02°16'13" East on

a line 14.50 feet East of and parallel with the West line of said Lot 15, a distance of 5.00 feet to a point; thence South 87°43'41" West on a line 5.00 feet South of and parallel with said North line, a distance of 9.50 feet to a point; thence South 02°16'13" East on a line 5.00 feet East of and parallel with said West line, a distance of 35.84 feet to a point; thence South 88°01'47" West, a distance of 5.00 feet to a point on said West line; thence North 02°16'13" West on said West line, a distance of 34.03 feet to a point; thence North 29°03'51" East, a distance of 7.95 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 238 square feet or 0.005 acres more or less.

TRACT NO. 32

OWNERS: BRENT W. ADAMS, a single person

TEMPORARY CONSTRUCTION EASEMENT

All that part of Lot 17, Block 10, HANOVER, a recorded subdivision filed in Book 34, at Page 14, and being a part of a tract of land described in Quit Claim Deed found in Book 200407, at Page 012912 as filed in the Johnson County Register of Deeds Office, lying in the Southwest Quarter of Section 1, Township 13 South, Range 24 East, of the Sixth Principle Meridian, Overland Park, Johnson County, Kansas, described by Kenneth J. Dedrick, PS-1067, on this 24th Day of July 2020 as follows:

Commencing at the Southeast corner of said Lot 17; thence North 02°15'56" West (this and all following bearings are based on the Kansas State Plane System, North Zone 1983) on the East line of said Lot 17, a distance of 5.00 feet to a point on the North line of an existing 10.00 foot wide Utility Easement as shown on said plat and the **POINT OF BEGINNING**; thence South 87°44'47" West on said North line, a distance of 10.00 feet to a point; thence North 02°15'56" West on a line 10.00 feet West of and parallel with said East line, a distance of 12.20 feet to a point; thence North 87°44'04" East, a distance of 10.00 feet to a point on said East line; thence South 02°15'56" East on said East line, a distance of 12.20 feet to the **Point of Beginning**.

The above description was created with the benefit of ground survey performed June 9, 2020 (KVE project C19S0392) and contains 122 square feet or 0.003 acres more or less.

Section 2. It is further authorized and provided that, as soon as practicable after the passage of this Ordinance, action be initiated to exercise the power of eminent domain in accordance with K.S.A. 26-501 *et seq.*, the Eminent Domain Procedure Act, to condemn all lands and interests therein hereinbefore described.

Section 3. This Ordinance shall take effect and be in force as of the date of its passage, approval and publication as provided by law.

[Remainder of Page Intentionally Left Blank.]

PASSED by the City Council this 15th day of March, 2021.

APPROVED by the Mayor this 15th day of March, 2021.

CITY OF OVERLAND PARK, KANSAS

(s) Carl Gerlach
Carl Gerlach, Mayor

(SEAL)

ATTEST:

(s) Elizabeth Kelley
Elizabeth Kelley, City Clerk

APPROVED AS TO FORM:

(s) Trevor L. Stiles
Trevor L. Stiles
Senior Assistant City Attorney