

RESOLUTION NO. 22-08

A RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE PRIVATE PROPERTY FOR THE USE OF THE CITY OF ANDOVER, KANSAS, PURSUANT TO K.S.A. 26-201.

WHEREAS, pursuant to K.S.A. 26-201, the Governing Body of the City of Andover, Kansas (the "City") desires to declare the necessity to appropriate private property for the use of the City.

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

1. The City and the Kansas Department of Transportation have approved a program for the construction and improvements of 159th Street From US-54/400 to Central (Project 8-N-0692-01).
2. To accomplish the anticipated highway and drainage improvements, it will be necessary to acquire easements in certain real property as follows:

PERMANENT RIGHT-OF-WAY EASEMENT:

OWNER: Jeffrey and C. Lynne Greenberg

A TRACT OF LAND SITUATED IN A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION NINETEEN (19), TOWNSHIP TWENTY-SEVEN SOUTH (T27S), RANGE THREE EAST (R03E) OF THE SIXTH PRINCIPAL MERIDIAN (6TH PM), BUTLER COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING (P.O.C.) at the Northwest corner of the Northwest Quarter of Section 19, Township 27 South, Range 3 East; THENCE S 00°44'14" E along the West line of said Northwest Quarter a distance of 1325.14 feet to the Northwest corner of parent tract described in Book 368, Page 362; THENCE N 89°31'35" E along the North line of said parent tract a distance of 25.00 feet to a point on the East Road Right of Way (ROW) line per Road Book C, Page 109, said point being the POINT OF BEGINNING (P.O.B.); THENCE continuing N 89°31'35" E along the North line of said parent tract a distance of 25.00 feet; THENCE S 00°44'14" E a distance of 324.79 feet to a point on the South line of said parent tract; THENCE S 89°26'56" W along the South line of said parent tract a distance of 25.00 feet to said East ROW line; THENCE N 00°44'14" W along said East ROW line a distance of 324.82 feet to the POINT OF BEGINNING (P.O.B.).

Said Tract contains an area of 8120 square feet (0.19 acres) more or less.

Basis of Bearing: The West line of the Northwest Quarter of Section 19, Township 27 South, Range 3 East being measured as S 00°44'14" E.

TEMPORARY CONSTRUCTION EASEMENT:

Owner: Jeffrey and C. Lynne Greenberg

A TRACT OF LAND SITUATED IN A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION NINETEEN (19), TOWNSHIP TWENTY-SEVEN SOUTH (T27S), RANGE THREE EAST (R03E) OF THE SIXTH PRINCIPAL MERIDIAN (6TH PM), BUTLER COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING (P.O.C.) at the Northwest corner of the Northwest Quarter of Section 19, Township 27 South, Range 3 East; THENCE S 00°44'14" E along the West line of said Northwest Quarter a distance of 1325.14 feet to the Northwest corner of parent tract described in Book 368, Page 362; THENCE N 89°31'35" E along the North line of said parent tract a distance of 50.00 feet THENCE S 00°44'14" E a distance of 13.02 feet to the POINT OF BEGINNING (P.O.B.); THENCE N 89°15'46" E a distance of 20.50 feet; THENCE S 00°44'14" E a distance of 33.00 feet; THENCE S 89°15'46" W a distance of 20.50 feet; THENCE N 00°44'14" W a distance of 33.00 feet to the POINT OF BEGINNING (P.O.B.).

Said Tract contains an area of 676.5 square feet (0.02 acres) more or less.

Basis of Bearing: The West line of the Northwest Quarter of Section 19, Township 27 South, Range 3 East being measured as S 00°44'14" E.

3. A survey and description of the land or interest to be condemned is to be made by a licensed land surveyor or a professional engineer who is competent to conduct a land survey and filed with the City Clerk.

4. This Resolution shall be published once in the Butler County Times-Gazette and at www.andoverks.com.

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PASSED, ADOPTED and APPROVED by the governing body of the City of Andover,
Kansas this ____ day of _____, 2022.

CITY OF ANDOVER, KANSAS

[seal]

Ronnie Price, Mayor

ATTEST:

Lance Onstott, Deputy City Clerk