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## **RESOLUTION NO. 23-11**

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 intends to construct and develop a project known as the Yorktown Parkway Improvements.

2. To construct and develop the Yorktown Parkway Improvements, it will be necessary for the City to acquire easements in certain real property by condemnation pursuant to K.S.A. 26-201 *et seq.* and K.S.A. 26-501 *et seq.* The easements to be acquired are as follows:

### **PERMANENT STREET RIGHT-OF-WAY EASEMENT:**

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 27 SOUTH, RANGE 3 EAST OF THE 6TH P.M., BUTLER COUNTY, KANSAS; BEARING S00°49'33"E ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 60.00 FEET; THENCE BEARING S89°26'46"W, PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 75.00 FEET; THENCE BEARING N00°49'33"W, PARALLEL WITH THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 25.00 FEET; THENCE BEARING S89°26'46"W, PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 1246.68 FEET; THENCE BEARING N00°48'22"W, A DISTANCE OF 35.00 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE BEARING N89°29'46"W, ALONG SAID NORTH LINE A DISTANCE OF 1321.67 FEET TO THE POINT OF BEGINNING.

TOTAL AREA ENCOMPASSING 1.10 ACRES, MORE OR LESS.

**TEMPORARY CONSTRUCTION EASEMENT – EXPIRING DECEMBER 31, 2025:**

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 27 SOUTH, RANGE 3 EAST OF THE 6<sup>TH</sup> P.M., BUTLER COUNTY, KANSAS; BEARING S89°26 46 W, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 544.83 FEET; THENCE BEARING S00°33 14 E, PERPENDICULAR FROM THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE BEARING S00°33'14 E, PERPENDICULAR FROM THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 15.00 FEET; THENCE BEARING S89°26 46 W, PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 60.00 FEET; THENCE BEARING S00°33 14 E, PERPENDICULAR FROM THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 30.00 FEET; THENCE BEARING S89°26 46 W, PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 276.68 FEET; THENCE BEARING S00°33 14 E, PERPENDICULAR FROM THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 29.00 FEET; THENCE BEARING S89°26 46 W, PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 95.00 FEET; THENCE BEARING N00°33 14 W, PERPENDICULAR TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 25.00 FEET; THENCE BEARING S89°26'46 W, PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 75.00 FEET; THENCE BEARING N00°33 14 W, PERPENDICULAR TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 49.00 FEET; THENCE BEARING N89°26 46 E, PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 506.68 FEET TO THE POINT OF BEGINNING.

TOTAL AREA ENCOMPASSING 0.55 ACRES, MORE OR LESS.

**PERMANENT STREET RIGHT-OF-WAY EASEMENT:**

A PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 27 SOUTH, RANGE 02 EAST OF THE SIXTH PRINCIPAL MERIDIAN, BUTLER COUNTY, KANSAS, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE  $S00^{\circ}57'54''E$  (BEARINGS BASED ON THE KANSAS COORDINATE SYSTEM 1983 SOUTH ZONE) ALONG THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 420.99 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 610.00 AND A CHORD THAT BEARS  $N17^{\circ}33'39''W$  A DISTANCE OF 235.72 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE A DISTANCE OF 237.21 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 610.00 FEET AND A CHORD THAT BEARS  $N03^{\circ}40'28''W$  A DISTANCE OF 58.45 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE A DISTANCE OF 58.48 FEET; THENCE  $N00^{\circ}55'41''W$  A DISTANCE OF 137.08 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER; THENCE  $N89^{\circ}20'37''E$  ALONG SAID NORTH LINE A DISTANCE OF 70.00 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER AND THE POINT OF BEGINNING.

TOTAL AREA ENCOMPASSING 0.53 ACRES MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT – EXPIRING DECEMBER 31, 2025:

A PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 27 SOUTH, RANGE 02 EAST OF THE SIXTH PRINCIPAL MERIDIAN, BUTLER COUNTY, KANSAS, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE  $S89^{\circ}20'37''W$  (BEARINGS BASED ON THE KANSAS COORDINATE SYSTEM 1983 SOUTH ZONE) ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING  $S89^{\circ}20'37''W$  ALONG SAID NORTH LINE A DISTANCE OF 10.00 FEET; THENCE  $S00^{\circ}55'41''E$  A DISTANCE OF 137.13 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 620.00 FEET AND CHORD THAT BEARS  $S03^{\circ}40'28''E$  A DISTANCE OF 59.41 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE A DISTANCE OF 59.44 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 620.00 FEET AND A CHORD THAT BEARS  $S18^{\circ}24'56''E$  A DISTANCE OF

257.70 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE A DISTANCE OF 259.59 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE N00°57'54"W ALONG SAID EAST LINE A DISTANCE OF 20.89 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 610.00 FEET AND CHORD THAT BEARS N17°33'39"W A DISTANCE OF 235.72 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE A DISTANCE OF 237.21 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 610.00 FEET AND A CHORD THAT BEARS N03°40'28"W A DISTANCE OF 58.45 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE A DISTANCE OF 58.48 FEET; THENCE N00°55'41"W A DISTANCE OF 137.08 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER AND THE POINT OF BEGINNING.

TOTAL AREA ENCOMPASSING 0.10 ACRES MORE OR LESS.

3. A survey and description of the land or interest to be acquired 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.

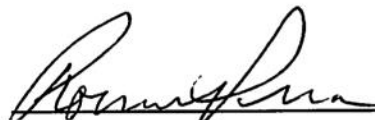
4. This Resolution shall be published once in the Butler County Times-Gazette and at [www.andoverks.com](http://www.andoverks.com).


PASSED, ADOPTED and APPROVED by the governing body of the City of Andover, Kansas this 28<sup>th</sup> day of March 2023.



ATTEST:

CITY OF ANDOVER, KANSAS

  
Ronnie Price, Mayor

  
Susan C. Renner, City Clerk

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WJ



**APEC**  
POTRSHUENGINRIHG CQHSUUAim, PA.

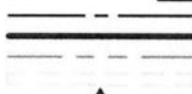
YORKTOWN PRWY. AND COMMERCE ST.  
STRIP MAP  
ANDOVER, KS







# LEGEND


  
 SECTION LINE  
 PROPERTY LINE  
 ROAD R/W LINE  
 TEMPORARY EASEMENT  
 SECTION CORNER  
 RIGHT OF WAY  
 POINT OF BEGINNING / COMMENCING

# AERIAL EXHIBIT

0 100



**PEC**

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.  
 303 SOUTH TOPEKA WICHITA, KS 67202  
 316-262-6457 www.pec1.com

ANDOVER - YORKTOWN  
 AERIAL MAP WITH TEMPORARY EASEMENT

COUNTY  
 BUTLER

TRACT NO.  
 BU004

PROJ. NO. ----  
 DATE: 01/20/2023