

(Published in *The Butler County Times-Gazette*
and at www.andoverks.com on May 6, 2023)

ORDINANCE NO. 1863

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE CONDEMNATION AND ACQUISITION OF PRIVATE PROPERTY BY EMINENT DOMAIN FOR THE USE OF THE CITY OF ANDOVER, KANSAS, PURSUANT TO K.S.A. 26-201.

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

SECTION 1. The City of Andover, Kansas, pursuant to K.S.A. 26-201, hereby authorizes and provides for the condemnation and acquisition of the private property described below by eminent domain for use by the City in the Yorktown Parkway Improvements:

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 6TH 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°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 RIGHHAVING A RADIUS OF 610.00 AND A 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; THENCE N89°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°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°20'37"W ALONG SAID NORTH LINE A DISTANCE OF 10.00 FEET; THENCE S00°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°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°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.

SECTION 2. This Ordinance shall take effect and be in full force from and after (1) its adoption by the governing body of the City, (2) approval by the Mayor, and (3) publication once in the official newspaper of the City.

PASSED, ADOPTED and APPROVED by the governing body of the City of Andover, Kansas this 25th day of April 2023.



CITY OF ANDOVER, KANSAS

Ronnie Price, Mayor

ATTEST:

Susan C. Renner, City Clerk

(Crescent, LLC)