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RESOLUTION NO. 23-15

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 "Founders' Parkway" Development.
2. To construct and develop the "Founders' Parkway" Development, 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:

A PORTION OF LAND SITUATED IN LOT 1, BLOCK 1, BRAUM'S ADDITION, ANDOVER, BUTLER COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING (P.O.B.) at the Northeast corner of Lot 1, Block 1 of said Braum's Addition; THENCE South 00°02'45" East along with the East line of said Lot 1 a distance of 44.40 feet; THENCE North 89°59'34" West a distance of 233.06 feet; THENCE South 66°25'52" West a distance of 51.25 feet to the West line of said Lot 1; THENCE North 00°00'00" West along the West line of said Lot 1 a distance of 54.98 feet to a point of deflection in said West lot line; THENCE North 21°52'10" East along said West line a distance of 35.00 feet to the Northwest Corner of said Lot 1; THENCE along the North line of said Lot 1 being a non-tangent curve to the left, said curve having a radius of 314.00 feet, an arc distance of 119.81 feet, a central angle of 21°51'45", and a chord of 119.09 feet bearing South 78°57'44" East to a point of tangency; THENCE North 89°55'21" East a distance of 150.08 feet to the POINT OF BEGINNING (P.O.B.). Said tract contains an area of 13,832 square feet (0.318 acres) more or less.

TEMPORARY CONSTRUCTION EASEMENT – EXPIRING DECEMBER 31, 2025:

A PORTION OF LAND SITUATED IN LOT 1, BLOCK 1, BRAUM'S ADDITION, ANDOVER, BUTLER COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING (P.O.C.) at the Northeast corner of Lot 1, Block 1 of said Braum's Addition; THENCE South 00°02'45" East along with the East line of said Lot 1 a distance of 44.40 feet to the POINT OF BEGINNING (P.O.B.); THENCE North 89°59'34" West a distance of 233.06 feet; THENCE South 66°25'52" West a distance of 51.25 feet to the West line of said Lot 1; THENCE South 00°00'00" West along said West line a distance of 41.67 feet; THENCE South 89°51'55" East a distance of 9.24 feet; THENCE North 57°24'14" East a distance of 61.85 feet; THENCE North 00°32'29" East a distance of 20.15 feet; THENCE South 89°59'34" East a distance of 141.67 feet; THENCE South 00°00'26" West a distance of 16.29 feet; THENCE South 89°59'34" East a distance of 71.85 feet; THENCE South 00°02'45" East a distance of 16.17 feet; THENCE South 87°15'23" East a distance of 5.01 feet to the East line of said Lot 1; THENCE North 00°02'45" West along the East line of said Lot 1 a distance of 41.41 feet to the POINT OF BEGINNING (P.O.B.). Said tract contains an area of 5,706 square feet (0.131 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.

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



ATTEST:

Susan Renner, City Clerk

CITY OF ANDOVER, KANSAS

Ronnie Price, Mayor