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### **ORDINANCE NO. 1870**

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 “Founders Parkway” development:

#### **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.

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 9<sup>th</sup> day of May 2023.

CITY OF ANDOVER, KANSAS

[seal]

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Ronnie Price, Mayor

ATTEST:

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Susan C. Renner, City Clerk