

ORDINANCE NO. 2172

AN ORDINANCE APPROVING THE DESCRIPTION AND SURVEY OF LANDS NECESSARY FOR ACQUISITION OF EASEMENTS NEEDED FOR CONSTRUCTING THE 2ND STREET RECONSTRUCTION PROJECT AND ASSOCIATED IMPROVEMENTS CONFIRMING THE NECESSITY TO CONDEMN SUCH PROPERTY AND AUTHORIZATION OF PROCEEDINGS TO EXERCISE THE POWER OF EMINENT DOMAIN BY THE CITY

WHEREAS, K.S.A. 26-201 requires that, prior to commencing condemnation proceedings, the Governing Body, by passage of an ordinance, authorize and provide for the acquisition of land or interest needed by the City, set forth the land or interest to be condemned, state for what purpose the condemned land or interest in land is to be used, and, if applicable, designate, as a benefit district, property specifically benefited by the proposed improvement.

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

Section 1. That the description and survey temporary and permanent easements necessary for the reconstructing of East 2nd Street / COOP Road from Nelson Street to the south City Limits and East Edgewood/West Edgewood Road from East 2nd Street / COOP Road to West 4th Street (2nd Street Reconstruction project) within Johnson County, Kansas -- as prepared by the Design Engineer and City Staff, and filed with the City Clerk pursuant to Resolution No. 10-24-24H (adopted by the Governing Body of the City of Edgerton, Kansas on October 24, 2024), are hereby approved.

Section 2. That the action of the Governing Body of the City of Edgerton, Kansas in acquiring temporary and permanent easements necessary for construction of the 2nd Street Reconstruction project within Johnson County, Kansas has been declared necessary by the Governing Body.

Section 3. That the acquisition of rights-of-way, permanent and temporary easements, as described hereinafter, is authorized by Kansas law in accordance with and under the provisions of Chapter 26 of the Kansas Statutes Annotated, and the City is thus empowered to use eminent domain to acquire the property for its lawful purposes of improvements to roads, sidewalks and drainage.

Section 4. That the City and its officers, agents are hereby authorized to commence all necessary proceedings to acquire, by Eminent Domain property for the purpose of constructing of the 2nd Street Reconstruction project all as described in Section 1 of this Ordinance, and the land hereinafter described:

Temporary Construction Easement - Tract 2

A temporary construction easement in part of Lot 1, COUNTY CLERK'S SUBDIVISION, Northeast Quarter of the Southwest Quarter of Section 7, Township 15, Range 22, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 23, 2024, as follows: Beginning at the Northeast corner of Lot 1 of said subdivision; thence along the East line of said Lot 1 South $10^{\circ}52'30''$ West, 160.36 feet; thence departing said East line North $69^{\circ}38'58''$ West, 24.29 feet; thence North $19^{\circ}53'01''$ East, 18.20 feet; thence South $71^{\circ}14'13''$ East, 19.64 feet; thence North $09^{\circ}14'02''$ East, 140.16 feet to the North line of said Lot 1; thence South $88^{\circ}55'01''$ East, 5.75 feet to the Point Of Beginning, containing 938 square feet.

Temporary Construction Easement – Tract 3

A temporary construction easement in part of Lot 51 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 29, 2024, as follows: Beginning at Point "A", being the Northwest corner of Lot 51 in said subdivision; thence along the West line of said Lot 51 South $01^{\circ}04'59''$ West, 8.00 feet; thence departing said West line South $19^{\circ}39'44''$ East, 28.34 feet; thence South $88^{\circ}55'01''$ East, 20.04 feet; thence North $01^{\circ}04'59''$ East, 12.87 feet; thence North $83^{\circ}57'00''$ East, 64.02 feet to the East line of said Lot 51; thence along said East line North $02^{\circ}19'31''$ West, 13.71 feet to the North line of Lot 51; thence along the North line of Lot 51 North $88^{\circ}55'01''$ West 92.79 feet to the Point Of Beginning, containing 2,021 square feet. Also, commencing at the Southeast corner of Lot 51; thence North $88^{\circ}55'01''$ West, 7.16 feet along the South line of said Lot 51 to the Point Of Beginning, also know as Point "B"; thence continuing along said South line North $88^{\circ}55'01''$ West, 1.41 feet; thence departing said South line North $02^{\circ}19'31''$ West 30.80 feet; thence North $06^{\circ}48'22''$ East, 53.91 feet to the East line of said Lot 51; thence along said East line South $02^{\circ}19'31''$ East, 21.82 feet; thence departing said East line along a curve to the right with a chord bearing South $03^{\circ}27'24''$ West, 54.37 feet, with a radius of 270.30 and an arch length of 54.46 feet; thence South $09^{\circ}12'46''$ West, 8.36 feet to the Point Of Beginning, containing 342 square feet.

Permanent Street Easement – Tract 3

A tract for new road Right of Way, in part of Lot 51 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 29, 2024, as follows: Beginning at the Southeast corner of Lot 51 in said subdivision; thence along the South line of said Lot 51 North 88°55'01" West, 7.16 feet; thence departing said South line North 09°12'46" East, 8.36 feet; thence along a curve to the left with a chord bearing North 03°27'24" East, 54.37 feet, a radius of 270.30 feet and an arch length of 54.46 feet to the Eastline of said Lot 51; thence South 02°19'41" East, 62.71 feet to the Point Of Beginning, containing 152 square feet.

Temporary Construction Easement – Tract 5

A temporary construction easement in part of the East 10 feet of Lot 11, all of Lots 12, 13 and 14, Block 2, and the South half of vacated alley adjacent on the North, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 28, 2024, as follows: Beginning at the Southeast corner of Lot 14, Block 2, in said subdivision; thence along the South line of said Lot 14 South 88°13'52" West, 24.05 feet; thence departing said South line North 12°41'38" East, 73.67 feet; thence North 01°25'02" West, 58.66 feet to the North line of said Lot 14; thence along said North line South 88°13'52" West, 12.95 feet; thence departing said North line North 01°22'07" West, 5.00 feet to the center line of a vacated 10 foot alley; thence along said center line North 88°13'52" East, 3.00 feet; thence departing said centerline South 01°22'07" East, 2.00 feet; thence North 88°13'52" East, 15.22 feet to the West Right of Way line of 2nd Street; thence along said West Right of Way line South 01°46'08" East 135.00 feet to the Point Of Beginning, containing 1,441 square feet.

A drainage easement in part of the East 10 feet of Lot 11, all of Lots 12, 13 and 14, Block 2, and the South half of vacated alley adjacent on the North, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 28, 2024, as follows: Commencing at the Northeast corner of Lot 14, Block 2 in said subdivision; thence along the West Right of Way line of 2nd Street North 01°46'08" West, 3.00 feet to the Point Of Beginning; thence continuing along said West Right of Way line of 2nd St. North 01°46'08" West, 2.00 feet to the centerline of a vacated 10 foot alley; thence departing said West Right of Way line along the center line of said alley South 88°13'52" West, 15.20 feet; thence departing said centerline South 01°22'07" East, 2.00 feet; thence North 88°13'52" East, 15.22 feet to the Point Of Beginning, containing 31 square feet.

Temporary Construction Easement – Tract 6

A temporary construction easement in part of Lots 1, 2, 3, 4, 5, 6 and 7, Block 2, TOWN OF MARTIN, commonly called CITY OF EDGERTON, and the North half of the vacated alley adjacent to Lost 1, 2 and 3 on the South, as recorded in Book 5007, Page 283 of the Johnson County Recorder's Office, all in the City of Edgerton, Johnson County, Kansas. said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 28, 2024, as follows: Beginning at the Northeast corner of Lot 1, Block 08, in said subdivision; thence along the East line of said Lot 1 South 01°46'08" East, 120.99 feet; thence South 88°13'52" West, 15.10 feet; thence South 01°22'07" West, 14.00 feet to the centerline of a vacated 10.00 foot alley; thence along said centerline South 88°13'52" West, 3.00 feet; thence departing said centerline North 01°22'07" West, 17.06 feet; thence North 88°37'53" East, 8.05 feet; thence North 01°23'28" West 117.99 feet to the North line of said Lot 14; thence along the North line North 88°13'52" East 9.26 feet to the Point Of Beginning, containing 1,235 square feet.

Permanent Drainage Easement – Tract 6

A drainage easement All of Lots 1, 2, 3, 4, 5, 6 and 7, Block 2, TOWN OF MARTIN, commonly called CITY OF EDGERTON, and the North half of the vacated alley adjacent to Lost 1, 2 and 3 on the South, as recorded in Book 5007, Page 283 of the Johnson County Recorder's Office, all in the City of Edgerton, Johnson County, Kansas. Said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 28, 2024, as follows: Beginning at the Southeast corner of Lot 1, Block 2, of said subdivision; thence along the West Right of Way of 2nd street South 01°46'08" East, 5.00 feet to a point on the center line of a vacated 10 foot alley; thence along the center line of said alley South 88°13'52" West, 15.20 feet; thence departing said centerline of said alley North 01°22'07" West, 14.00 feet; thence North 88°13'52" East, 15.10 feet to the West Right of Way line of 2nd St; thence South 01°46'08" East, 9.00 feet to the Point Of Beginning, containing 212 square feet

Temporary Construction Easement – Tract 7

A temporary construction easement in Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, and that part of vacated alley adjacent thereto, Block 3, TOWN OF MARTIN, commonly called Edgerton, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 18, 2024, as follows: Beginning at the Northeast corner of Lot 1, Block 3, in said subdivision; thence along the East line of said Lot 1 South 01°22'07" East, 103.81 feet; thence departing said East line South 88°37'53" West, 20.00 feet to a point also known as POINT "A"; thence North 06°51'11" West, 104.89 feet to the North line of said Lot 1; thence North 88°39'58" East, 5.00 feet to the Point Of Beginning, containing 1,298 square feet. Also beginning at aforesaid POINT "A"; South 88°37'53" West, 20.00 feet to the West line of said Lot 1; thence continuing along said West line of said Lot 1 South 01°22'07" East, 60.00 feet to a point now on the West line of Lot 14, Block 3, in said subdivision; thence departing said West line of said Lot 14 North 88°37'53" East, 20.00 feet to a point also know as POINT "B"; thence North 01°21'07" West, 60.00 feet to the Point of beginning, containing 1,200 square feet. Also beginning at aforesaid POINT "B"; South 01°22'07" East, 10.00 feet; thence North 88°37'53" East, 11.33 feet; thence South 01°22'07" East, 96.15 feet to the South line of said Lot 14; thence along the South line of said Lot 14 North 88°42'41" East, 8.67 feet to the East line of said Lot 14; thence along said Lot 14 North 01°22'07" West, 106.17 feet; thence departing said East line of Lot 14 South 88°37'53" West 20.00 to the Point Of Beginning, containing 1,036 square feet. Together containing 3,534 square feet.

Permanent Drainage Easement – Tract 7

A drainage easement in Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, and that part of vacated alley adjacent thereto, Block 3, TOWN OF MARTIN, commonly called Edgerton, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 18, 2024, as follows: Beginning at the Northeast corner of Lot 1, Block 3, in said subdivision; thence along the East line of said Lot 1 South 01°22'07" East, 103.81 feet to the Point Of Beginning; thence departing said East line South 88°37'53" West, 20.00 feet; thence South 01°22'07" East, 60.00 feet; thence North 88°37'53" East, 20.00 feet to the East line of Lot 14, Block 3, in said subdivision; thence along said East line North 01°22'07" West, 60.00 feet to the Point Of Beginning, containing 1,200 square feet.

Temporary Construction Easement – Tract 8

A temporary construction easement in Lots 1, 2, 3 and 4, in Block 08, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 18, 2024, as follows: Beginning at the Northeast corner of Lot 1, Block 08, in said subdivision; thence along the East line of said Lot 1 South 01°22'07" East, 130.00 feet to the South line of said Lot 14; thence along said South line South 88°38'55" West, 10.00 feet; thence North 01°22'07" West, 30.00 feet; thence North 88°37'53" East, 5.00 feet; thence North 01°22'07" West, 49.98 feet; thence South 88°37'53" West, 13.00 feet; thence North 01°22'07" West 50.00 feet to the North line of said Lot 14; thence along the North line North 88°39'23" East 18.00 feet to the Point Of Beginning, containing 1,450 square feet.

Temporary Construction Easement – Tract 9

A temporary construction easement in Lots 1, 2, 3 and 4, in Block 08, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 28, 2024, as follows: Beginning at the Northeast corner of Lot 1, Block 08, in said subdivision; thence along the East line of said Lot 1 South 01°23'18" East, 130.00 feet to the South line of Lot 1; thence departing said East line South 88°40'08" West along said South line, 49.78 feet; thence North 01°06'23" West, 19.20 feet; thence North 79°52'59" East, 11.91 feet; thence North 59°49'24" East, 23.72 feet; thence North 45°02'43" East, 14.86 feet; thence North 01°20'02" West, 87.28 feet to the North line of said Lot 1; thence North 88°39'58" East, 6.28 feet to the Point Of Beginning, containing 2,022 square feet.

Temporary Construction Easement – Tract 10

A temporary construction easement in Lots 14 and the East Half of Lot 13, in Block 09, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 18, 2024, as follows: Beginning at the Northeast corner of Lot 14, Block 09, in said subdivision; thence along the East line of said Lot 14 South 01°26'05" East, 130.00 feet to the South line of said Lot 14; thence departing said East line South 88°33'55" West, 7.00 feet; thence North 01°26'05" West, 47.45 feet; thence South 88°33'55" West, 3.00 feet; thence North 01°26'05" West, 77.33 feet; thence South 88°33'55" West, 8.00 feet; thence North 01°26'05" West, 5.23 feet to the North line of said Lot 14; thence along the North line of said Lot 14 North 88°33'55" East, 18.00 feet to the Point Of Beginning, containing 1,200 square feet.

Temporary Construction Easement – Tract 11

A temporary construction easement in Lots 1 and 2, in Block 09, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 18, 2024, as follows: Beginning at the Northeast corner of Lot 1, Block 09, in said subdivision; thence along the East line of said Lot 1 South 01°26'05" East, 130.00 feet to the South line of said Lot 1; thence departing said East line South 88°39'58" West, 18.00 feet; thence North 01°26'05" West, 15.88 feet; thence North 88°33'53" East, 11.00; thence North 01°26'05" West, 74.12 feet; thence South 88°33'42" West, 6.00 feet; thence North 01°26'05" West, 11.54 feet; thence North 88°33'55" East, 6.00 feet; thence North 01°26'05" West, 28.43 feet to the North line of said Lot 1; thence North 88°39'58" East, 7.00 feet to the Point Of Beginning, containing 1,154 square feet.

Temporary Construction Easement – Tract 12

A temporary construction easement in the South 80 feet of Lots 12, 13 and 14, in Block 17, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 18, 2024, as follows: Being the East 4.00 feet of the South 80.00 feet of Lot 14, Block 17, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, containing 320 square feet.

Temporary Construction Easement – Tract 13

A temporary construction easement in the North 50 feet of Lots 12, 13 and 14, in Block 17, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 18, 2024, as follows: Beginning at the Northeast corner of Lot 14, Block 17, in said subdivision; thence along the East line of said Lot 14 South 01°26'05" East, 50.00 feet to the South line of the North 50 feet of said Lot 14; thence departing said East line South 88°39'58" West, 5.75 feet; thence North 01°36'30" West, 50.00 feet to the North line of said Lot 14; thence along the North line of said Lot 14 North 88°39'58" East, 5.90 feet to the Point Of Beginning, containing 291 square feet.

Temporary Construction Easement – Tract 14

A temporary construction easement in part of Lots 1, 2 and 3, Block 17, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 29, 2024, as follows: Commencing at the Northeast corner of Lot 1, Block 17, in said subdivision; thence along the East line of said Lot 1 South 01°26'05" East, 40.01 feet to the Point Of Beginning; thence continuing along said East line South 01°26'05" East, 26.21 feet; thence departing said East line North 16°35'03" West, 57.80 feet; thence North 46°26'05" West, 14.82 feet to the North line of said Lot 1; thence along the North line of said Lot 1 North 88°39'58" East, 6.21 feet; thence departing said North line South 59°31'44" East, 5.81 feet; thence along a tangent curve to the left with a chord bearing South 73°11'30" East, 9.21 feet, with a radius of 19.50 feet and an arch length of 9.30 feet; thence along a non tangent curve to the left with a chord bearing South 10°54'48" East, 34.56 feet, with a radius of 116.55 feet and an arch length of 34.69 feet to the Point Of Beginning, containing 423 square feet. Also Beginning at the Southeast corner of said Lot 1, Block 17, in said subdivision; thence along the South line of said Lot 1 South 88°39'58" West 16.00 feet; thence departing said South line North 01°26'05" West, 48.78 feet; thence North 88°33'55" East 16.00 feet to the East line of said Lot 1; thence along the East line of said Lot 1 South 01°26'05" East 48.81 feet to the Point Of Beginning, containing 781 square feet.

Permanent Pedestrian Easement – Tract 14

A pedestrian easement in part of Lots 1, 2 and 3, Block 17, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 29, 2024, as follows: Beginning at the Northeast corner of Lot 1, Block 17, in said subdivision; thence along the East line of said Lot 1 South 01°26'05" East, 40.01 feet; thence departing said East line along a non tangent curve to the right with a chord bearing North 10°54'48" West, 34.56 feet, a radius of 116.55 feet and an arch length of 34.69 feet; thence along another non tangent curve to the right with a chord bearing North 73°11'30" West, 9.21 feet, a radius of 19.50 feet and an arch length of 9.30 feet; thence North 59°31'44" West, 5.81 feet to the North line of said Lot 1; thence along said North line North 88°39'58" East, 19.37 feet to the Point Of Beginning, containing 211 square feet.

Temporary Construction Easement – Tract 16

A temporary construction easement in part of The North 20 feet of Lots 7 thru 12 Inclusive, Block 4 and the South 50 feet of vacated Rankin Street adjacent thereto, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 22, 2024, as follows: Being the West 8.00 feet of the South 50.00 feet of vacated Rankin Street, also the West 8.00 feet of said Lot 12, Block 4 TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, containing 560 square feet.

Temporary Construction Easement – Tract 17

A temporary construction easement in the South 60.00 feet of Lots 13 through 18 inclusive, Block 07, and the North 10 feet of vacated Rankin Street adjacent thereto, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 22, 2024, as follows: Being the West 6.00 feet of the South 60.00 feet of said Lot 13 and the West 6.00 feet of the North 10.00 feet of vacated Rankin Street adjacent thereto, containing 420 square feet.

Temporary Construction Easement – Tract 19

A temporary construction easement in Lots 9, 10, 11, and 12, Block 07, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 22, 2024, as follows: Beginning at the Northwest corner of Lot 12, Block 07, in said subdivision; thence along the North line of said Lot 12 North 88°39'58" East, 6.00 feet; thence departing said North line South 01°20'02" East, 123.42 feet; thence North 88°39'58" East, 14.12 feet; thence South 01°20'02" East, 6.58 feet to the South line of said Lot 12; thence along said South line of Lot 12 South 88°39'58" West, 20.00 feet to the West line of said Lot 12; thence along the said West line North 01°23'18" West, 130.00 feet to the Point Of Beginning, containing 863 square feet.

Temporary Construction Easement – Tract 20

A temporary construction easement in Lots 13, 14, AND 15, in Block 10, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 22, 2024, as follows: Beginning at the Northwest corner of Lot 13, Block 10, in said subdivision; thence along the North line of said Lot 13 North 88°39'20" East, 19.00 feet; thence departing said North line South 01°26'05" East, 17.37 feet; thence South 88°33'55" West, 16.00 feet; thence South 01°26'05" East, 112.60 feet to the South line of said Lot 13; thence along said South line South 88°33'55" West, 3.00 feet to the West line of said Lot 13; thence along the West line of Lot 13 North 01°26'05" West, 130.00 feet to the Point Of Beginning, containing 668 square feet.

Temporary Construction Easement – Tract 21

A temporary construction easement in Lots 9, 10, 11, and 12, in Block 10, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 22, 2024, as follows: Beginning at the Northwest corner of Lot 12, Block 10, in said subdivision; thence along the North line of said Lot 12 North 88°39'58" East, 16.06 feet; thence departing said North line South 01°20'02" East, 31.31 feet; thence South 88°33'55" East, 11.00 feet; thence South 01°26'05" East, 96.94 feet; thence North 88°39'58" East, 14.00 feet; thence South 01°26'05" East, 1.75 feet to the South line of said Lot 12; thence along the South line of said Lot 12 South 88°39'58" West, 19.00 feet to the West line of said Lot 12; thence along the West line of said Lot 12 North 01°26'05" West, 130.00 feet to the Point Of Beginning, containing 1,020 square feet.

Temporary Construction Easement – Tract 22

A temporary construction easement in Lots 13, 14, 15 and 16, in Block 16, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 28, 2024, as follows: Beginning the South 55.00 feet of the West 10.00 feet of Lot 13, Block 16, of said subdivision, containing 550 square feet.

Temporary Construction Easement – Tract 23

A temporary construction easement in part of Lots 10, 11 and 12, Block 16, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 29, 2024, as follows: Commencing at the Northwest corner of Lot 12, Block 16, in said subdivision; thence along the North line of said Lot 12 North 88°25'35" East, 6.63 feet to the Point Of Beginning; thence continuing along said North line North 88°25'35" West, 8.37 feet; thence departing said North line South 20°59'34" West, 39.32 feet to the West line of said Lot 12; thence along said West line North 01°26'05" West, 17.61 feet; thence along a non tangent curve to the left with a chord bearing North 23°03'24" East, 16.07 feet, with a radius of 19.05 feet and an arch length of 16.59 feet; thence North 01°53'28" West, 4.08 feet to the Point Of Beginning, containing 178 square feet. Also beginning at the Southwest corner of said Lot 12, Block 16, in said subdivision; thence along the West line of said Lot 12 North 01°26'05" West 29.40 feet; thence departing said West line North 87°27'34" East, 7.39 feet; thence South 02°32'26" East 29.53 feet to the South line of said Lot 12; thence along the South line of said Lot 12 South 88°25'35" West 7.96 feet to the Point Of Beginning, containing 226 square feet.

Permanent Pedestrian Easement – Tract 23

A pedestrian easement in part of Lots 10, 11 and 12, Block 16, TOWN OF MARTIN, commonly called CITY OF EDGERTON, a subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 29, 2024, as follows: Beginning at the Northwest corner of Lot 12, Block 16, in said subdivision; thence along the North line of said Lot 12 North 88°25'35" East, 6.63 feet; thence departing said North line South 01°53'28" East, 4.08 feet; thence along a tangent curve to the right with a chord bearing South 23°03'24" West, 16.07 feet, with a radius of 19.50 feet and an arch length of 16.59 feet to the West line of said Lot 12; thence along said West line North 01°26'05" West, 18.69 feet to the Point Of Beginning, containing 95 square feet.

Temporary Construction Easement – Tract 24

A temporary construction easement in part of Lot 3 of GLENDELL ACRES SECOND PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Southwest corner of Lot 3 in said subdivision; thence along the West line of said Lot 3 North 12°12'12" East, 7.64 feet; thence departing said West line South 88°42'46" East, 28.72 feet; thence North 01°17'14" East, 6.72 feet; thence South 88°42'46" East, 18.78 feet; thence South 01°17'14" West, 8.41 feet; thence South 88°42'46" East, 119.06 feet to the East line of said Lot 3; thence along said East line South 14°06'31" West, 5.97 feet to the South line of Lot 3; thence along the South line of Lot 3 North 88°42'46" West 166.68 feet to the Point Of Beginning, containing 1,177 square feet.

Temporary Construction Easement – Tract 26

A temporary construction easement in part of Lot 2 of GLENDELL ACRES SECOND PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Southwest corner of Lot 2 in said subdivision; thence along the West line of said Lot 3 North 01°57'06" West, 9.49 feet; thence departing said West line South 88°18'43" East, 42.88 feet; thence North 01°17'14" East, 11.72 feet; thence South 88°42'46" East, 26.47 feet to the East line of Lot 2; thence along said East line South 01°57'06" East, 20.93 feet to the South line of lot 2; thence along the South line of said Lot 2 North 88°42'46" West 69.99 feet to the Point Of Beginning, containing 963 square feet.

Temporary Construction Easement – Tract 27

A temporary construction easement in part of Lot 1 of GLENDELL ACRES SECOND PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Southwest corner of Lot 1 in said subdivision; thence along the West line of said Lot 1 North 01°57'06" West, 6.03 feet; thence departing said West line South 88°50'02" East, 33.40 feet; thence North 01°00'59" East, 36.02 feet to the East line of Lot 1; thence along said East line South 02°02'52" East, 20.03 feet to the South line of lot 1; thence along the South line of said Lot 1 North 88°42'46" West, 70.18 feet to the Point Of Beginning, containing 931 square feet.

Temporary Construction Easement – Tract 28

A temporary construction easement in part of Lot 15 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Southwest corner of Lot 15 in said subdivision; thence along the West line of said Lot 15 North 02°02'52" West, 20.03 feet; thence departing said West line South 88°50'02" East, 3.98 feet; thence South 01°03'04" West, 17.99 feet; thence South 88°55'01" East, 81.01 feet; thence North 01°04'59" East, 3.00 feet; thence South 88°55'01" East, 21.15 feet; thence North 35°52'02" East, 24.35 feet to the East line of said Lot 15; thence along said East line South 02°09'21" East, 25.04 feet to the South line of Lot 15; thence along the South line of Lot 15 North 88°55'01" West 120.35 feet to the Point Of Beginning, containing 563 square feet.

Temporary Construction Easement – Tract 29

A temporary construction easement in part of Lot 16 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Commencing at the Southwest corner of Lot 16 in said subdivision; thence along the West line of said Lot 16 North 02°09'21" West, 20.14 feet to the Point of beginning; thence continuing along said West line North 02°09'21", West 5.95 feet; thence departing said West line South 50°09'46" East, 27.89 feet; thence South 88°55'01" East, 41.32 feet; thence North 42°31'07" East, 10.28 feet; thence South 88°55'01" East, 50.86 feet to the East line of Lot 16; thence along said East line South 02°09'21" East, 16.32 feet to the South line of Lot 16; thence along the South line of Lot 16 North 88°55'01" West 96.06; thence departing the South line of Lot 16 North 50°23'16" West, 32.29 feet to the Point Of Beginning, containing 1,391 square feet.

Permanent Drainage Easement – Tract 29

A drainage easement in part of Lot 16 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Southwest corner of Lot 16 in said subdivision; thence along the West line of said Lot 16 North 02°09'21" West, 20.14 feet; thence departing said West line South 50°23'16" East, 32.29 feet to the South line of Lot 16; thence along said South line North 88°55'01" West, 24.12 feet to the Point Of Beginning, containing 243 square feet.

Temporary Construction Easement – Tract 30

A temporary construction easement in part of Lot 40 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Southwest corner of Lot 40 in said subdivision; thence along the West line of said Lot 40 North 02°09'21" West, 6.31 feet; thence departing said West line South 88°55'01" East, 23.42 feet; thence North 79°33'48" East, 27.55 feet; thence South 88°55'01" East, 53.38 feet; thence North 50°21'31" East, 20.23 feet to the East line of Lot 40; thence along said East line South 02°09'21" East, 25.04 feet to the South line of Lot 40; thence along said South line North 88°55'01" West, 120.18 feet to the Point Of Beginning, containing 1,321 square feet.

Temporary Construction Easement – Tract 31

A temporary construction easement in part of Lot 32 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Commencing at the Southwest corner of Lot 32 in said subdivision; thence along the West line of said Lot 32 North 02°09'21" West, 24.19 feet to the Point Of Beginning; thence continuing along said West line North 02°09'21" West, 3.77 feet; thence departing said West line South 47°48'17" East, 31.34 feet; thence South 88°55'01" East, 19.32 feet; thence North 01°04'59" East, 12.63 feet; thence South 88°55'01" East, 6.84 feet; thence South 67°30'31" East, 35.12 feet; thence South 88°55'01" East, 39.15 feet to the East line of Lot 32; thence along said East line South 02°09'21" East, 7.12 feet to the South line of Lot 32; thence along said South line North 88°55'01" West, 94.15 feet; thence departing said South line North 47°48'17" West 36.72 feet to the Point Of Beginning, containing 1,076 square feet.

Permanent Drainage Easement – Tract 31

A drainage easement in part of Lot 32 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Southwest corner of Lot 32 in said subdivision; thence along the West line of said Lot 32 North 02°09'21" West, 24.19 feet; thence departing said West line South 47°48'17" East, 36.72 feet to the South line of Lot 32; thence along said South line North 88°55'01" West, 26.30 feet to the Point Of Beginning, containing 318 square feet.

Temporary Construction Easement – Tract 33

A temporary construction easement in part of Lot 31 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Southwest corner of Lot 31 in said subdivision; thence along the West line of said Lot 31 North 02°09'21" West, 3.19 feet; thence departing said West line South 88°55'01" East, 38.29 feet; thence North 01°04'59" East, 9.65 feet; thence South 88°55'01" East, 33.54 feet; thence South 35°07'56" East, 10.73 feet; thence South 88°55'01" East, 34.91 feet; thence North 37°54'47" East, 10.81 feet to the East line of Lot 31; thence along said East line South 02°19'31" East, 12.86 feet to the South line of Lot 31; thence along said South line North 88°55'01" West, 120.15 feet; to the Point Of Beginning, containing 812 square feet.

Temporary Construction Easement – Tract 34

A temporary construction easement in part of Lot 176 of GLENDELL ACRES SECOND PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Northwest corner of Lot 176 in said subdivision; thence along the North line of said Lot 176 South 88°42'46" East, 172.37 feet to the East line of said Lot 176; thence along said East line South 14°06'31" West, 12.31 feet; thence North 88°42'46" West, 116.88 feet; thence North 01°17'14" East, 3.00 feet; thence North 88°42'46" West, 54.49 feet to the West line of Lot 176; thence along said West line North 12°12'12" East, 9.17 feet to the Point Of Beginning, containing 1,902 square feet.

Temporary Construction Easement – Tract 35

A temporary construction easement in part of Lot 162 of GLENDELL ACRES SECOND PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 22, 2024, as follows: Beginning at the Northwest corner of Lot 162 in said subdivision; thence along the North line of said Lot 162 South 88°42'46" East, 24.06 feet; thence departing said North line South 80°44'22" East, 72.09 feet; thence North 88°42'46" West, 97.73 feet to the West line of Lot 162; thence along said West line North 14°06'31" East, 10.26 feet to the Point Of Beginning, containing 609 square feet.

Permanent Sanitary Sewer Easement – Tract 35

A Sanitary Sewer easement in part of Lot 162 of GLENDELL ACRES SECOND PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 22, 2024, as follows: Beginning at the Northeast corner of Lot 162 in said subdivision; thence along the East line of said Lot 162 South 13°22'13" West, 16.25 feet; thence departing said East line North 80°44'22" West, 114.56 feet to the North line of Lot 162; thence along said North line South 88°42'46" East, 116.88 feet to the Point Of Beginning, containing 929 square feet.

Temporary Construction Easement – Tract 36

A temporary construction easement in part of Lot 160 and 161 of GLENDELL ACRES SECOND PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 22, 2024, as follows: Commencing at the Northwest corner of Lot 161 in said subdivision; thence along the West line of said Lot 161 South 13°22'13" West, 10.37 feet to the Point Of Beginning; thence departing said West line South 88°55'01" East, 42.16 feet; thence South 01°04'59" West, 6.80 feet; thence South 88°55'01" East, 2.00 feet to the East line of said Lot 161; thence along said East line North 01°04'59" East, 12.11 feet; thence departing said East line South 84°13'56" West, 44.47 feet to the Point Of Beginning, containing 131 square feet.

Permanent Sanitary Sewer Easement – Tract 36

A sanitary sewer easement in part of Lot 160 and 161 of GLENDELL ACRES SECOND PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 22, 2024, as follows: Beginning at the Northwest corner of Lot 161 in said subdivision; thence along the West line of said Lot 161 South 13°22'13" West, 10.37 feet; thence departing said West line North 84°13'56" East, 44.47 feet to the East line of said Lot 161; thence along said East line North 01°04'59" East, 4.82 feet to the North line of said Lot 161; thence along said North line North 88°55'01" West 41.95 feet to the Point Of Beginning, containing 319 square feet.

Temporary Construction Easement – Tract 37

A temporary construction easement in part of Lot 41 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Commencing at the Northwest corner of Lot 41 in said subdivision; thence along the West line of said Lot 41 South 01°04'59" West, 4.82 feet to the Point Of Beginning; thence continuing along the West line of said Lot 41 South 01°04'59" West, 12.11 feet; thence departing said West line South 88°55'01" East, 12.69 feet; thence North 01°04'59" East, 6.00 feet; thence South 88°55'01" East, 28.25 feet; thence South 01°04'59" West, 9.34 feet; thence South 88°55'01" East, 32.36 feet; thence South 01°04'59" West, 4.62 feet; thence South 88°55'01" East, 2.00 feet to the East line of Lot 41; thence along said East line North 01°04'59" East, 24.89 feet to the North line of lot 41; thence along said North line North 88°55'01" West, 35.14 feet; thence departing said North line South 84°13'56" West, 40.45 feet to the Point Of Beginning, containing 1,132 square feet.

Permanent Sanitary Sewer Easement – Tract 37

A sanitary sewer easement in part of Lot 41 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 22, 2024, as follows: Beginning at the Northwest corner of Lot 41 in said subdivision; thence along the West line of said Lot 41 South 01°04'59" West, 4.82 feet; thence departing said West line North 84°13'56" East, 40.45 feet to the North line of said Lot 41; thence along said North line North 88°55'01" West, 40.16 feet to the Point Of Beginning, containing 97 square feet

Temporary Construction Easement – Tract 38

A temporary construction easement in part of Lot 42 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Northwest corner of Lot 42 in said subdivision; thence along the West line of said Lot 42 South 01°04'59" West, 24.89 feet; thence departing said West line South 88°55'01" East, 15.35 feet; thence North 01°04'59" East, 9.66 feet; thence South 88°55'01" East, 59.64 feet to the East line of Lot 42; thence along said East line North 01°04'59" East, 15.23 feet to the North line of Lot 42; thence along said North line North 88°55'01" West, 74.99 feet to the Point Of Beginning, containing 1,290 square feet.

Temporary Construction Easement – Tract 39

A temporary construction easement in part of Lot 43 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Northwest corner of Lot 43 in said subdivision; thence along the West line of said Lot 43 South 01°04'59" West, 19.09 feet; thence departing said West line South 88°56'33" East, 16.70 feet; thence North 01°04'41" East, 10.51 feet; thence South 88°37'28" East, 58.29 feet to the East line of Lot 43; thence along said East line North 01°04'59" East, 8.87 feet to the North line of Lot 43; thence along said North line North 88°55'01" West, 74.99 feet to the Point Of Beginning, containing 827 square feet.

Temporary Construction Easement – Tract 40

A temporary construction easement in part of Lot 44 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Northwest corner of Lot 44 in said subdivision; thence along the West line of said Lot 44 South 01°04'59" West, 15.56 feet; thence departing said West line South 88°54'50" East, 32.15 feet; thence North 01°04'59" East, 10.56 feet; thence South 88°55'01" East, 42.85 feet to the East line of Lot 44; thence along said East line North 01°04'59" East, 5.00 feet to the North line of Lot 44; thence along said North line North 88°55'01" West, 74.99 feet to the Point Of Beginning, containing 715 square feet.

Temporary Construction Easement – Tract 41

A temporary construction easement in part of Lot 45 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Northwest corner of Lot 45 in said subdivision; thence along the West line of said Lot 45 South 01°04'59" West, 9.61 feet; thence departing said West line South 88°55'01" East, 25.00 feet; thence North 01°04'59" East, 1.61 feet; thence South 88°55'01" East, 49.99 feet to the East line of said Lot 45; thence along said East line North 01°04'59" East, 8.00 feet to the North line of Lot 45; thence along said North line North 88°55'01" 74.99 feet to the Point Of Beginning, containing 640 square feet.

Temporary Construction Easement – Tract 42

A temporary construction easement in part of Lot 46 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Northwest corner of Lot 46 in said subdivision; thence along the West line of said Lot 46 South 01°04'59" West, 11.61 feet; thence departing said West line South 88°55'01" East, 33.73 feet; thence North 01°04'59" East, 6.26 feet; thence South 88°55'01" East, 41.27 feet to the East line of said Lot 46; thence along said East line North 01°04'59" East 5.35 feet to the North line of Lot 46; thence along said North line North 88°55'01" West, 74.99 feet to the Point Of Beginning, containing 612 square feet.

Temporary Construction Easement – Tract 43

A temporary construction easement in part of Lot 47 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Northwest corner of Lot 47 in said subdivision; thence along the West line of said Lot 47 South 01°04'59" West, 5.35 feet; thence departing said West line South 88°55'01" East, 17.93 feet; thence South 01°04'59" West, 4.65 feet; thence South 88°55'01" East, 57.06 feet to the East line of said Lot 47; thence along the East line North 01°04'59" East 10.00 feet to the North line of Lot 47; thence along the North line North 88°55'01" West, 74.99' feet to the Point Of Beginning, containing 667 square feet.

Temporary Construction Easement – Tract 44

An 8 foot temporary construction easement in part of Lot 48 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: The North 8.00 feet of Lot 48 of said subdivision, containing 600 square feet.

Temporary Construction Easement – Tract 45

An 8 foot temporary construction easement in part of Lot 49 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: The North 8.00 feet of Lot 49 of said subdivision, containing 600 square feet.

Temporary Construction Easement – Tract 46

A temporary construction easement in part of Lot 50 of GLENDELL ACRES FIRST PLAT, a Subdivision in the City of Edgerton, Johnson County, Kansas, said part being more particularly described by Wayne E. Malnicof, Kansas P.S.-1239, October 17, 2024, as follows: Beginning at the Northwest corner of Lot 50 in said subdivision; thence along the West line of said Lot 50 South 01°04'59" West, 8.00 feet; thence departing said West line South 88°55'01" East, 8.81 feet; thence South 01°04'59" West, 14.24 feet; thence South 88°55'01" East, 20.94 feet; thence North 01°04'59" East, 14.24 feet; thence South 88°55'01" East, 45.24 feet to the East line of said Lot 50; thence along said East line North 01°04'59" East, 8.00 feet to the North line of Lot 50; thence along said North line North 88°55'01" West 74.99 feet to the Point Of Beginning, containing 897 square feet.

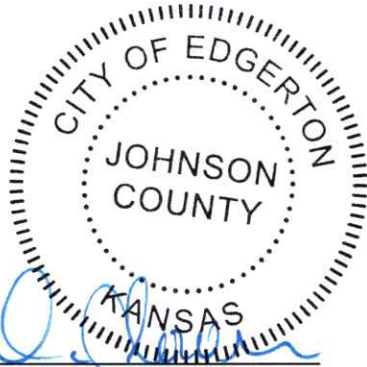
Section 5. That this Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

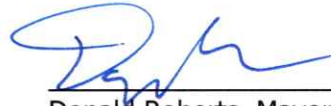
PASSED by the Governing Body of the City of Edgerton, Kansas, and approved by the Mayor on the 14th day of November 2024.

(Seal)

ATTEST:


ALEXANDRIA CLOWER, CITY CLERK




Donald Roberts, Mayor

APPROVED AS TO FORM:


TODD LUCKMAN for
Stumbo Hanson, LLP, City Attorneys