

ORD. NO.	DATE PASSED	DATE PUBLISHED	REV. ORD. BK. PGS. DISTR.	SUBJECT OF ORD.
648	9/17/79	9/21/79	X	AN ORD. RELATING TO ACCEPTANCE OF DRAINAGE EASEMENT FOR STORM SEWER PURPOSES FROM TOM MASTERSON - Mission Rd. project - 109th to 111th
649	9/17/79	9/21/79		AN ORD. RELATING TO ACCEPTANCE OF DRAINAGE EASEMENT FOR STORM SEWER PURPOSES FROM ANDREW-LEVY, LTD. - Mission Rd. project - 109th to 111th
650	9/17/79	9/21/79		AN ORD. RELATING TO ACCEPTANCE OF RIGHT-OF-WAY GRANT FOR STREET PURPOSES FROM LEAWOOD CORPORATE MANOR I, LTD. - West side of Roe Ave. from 111th to 112th
651	9/17/79	9/21/79	X	AN ORD. RELATING TO ACCEPTANCE OF EASEMENT FOR UTILITY PURPOSES FROM DONALD ALPERT - Mission Rd. improvement; BD79-1
652	9/17/79	9/21/79	X	AN ORD. RELATING TO ACCEPTANCE OF EASEMENT FOR UTILITY PURPOSES FROM DONALD ALPERT - Mission Rd. improvement; BD79-1
653	9/17/79	9/21/79	X	AN ORD. RELATING TO ACCEPTANCE OF EASEMENT FOR UTILITY PURPOSES FROM CENTRAL ESTATES, INC. - Mission Rd. improvement; BD79-1
654	9/17/79	9/21/79	X	AN ORD. RELATING TO ACCEPTANCE OF R-O-W GRANT FOR STREET PURPOSES FROM DONALD ALPERT - Mission Rd. improvement; BD79-1
655	9/17/79	9/21/79		AN ORD. RELATING TO ACCEPTANCE OF R-O-W GRANT FOR STREET PURPOSES FROM DONALD ALPERT - Mission Rd. improvement; BD79-1
656	9/17/79	9/21/79	X	AN ORD. RELATING TO ACCEPTANCE OF R-O-W GRANT FOR STREET PURPOSES FROM CENTRAL ESTATES - Mission Rd. improvement; BD79-1
657	9/17/79	9/21/79		AN ORD. RELATING TO ACCEPTANCE OF R-O-W GRANT FOR STREET PURPOSES FROM TOMAHAWK CREEK SEWER SUB-DISTR. #1 - 123rd St. improvement; BD79-1

ORD. NO.	DATE PASSED	DATE PUBLISHED	REV. ORD. BK. PGS. DISTR.	SUBJECT OF ORD.
637	7/2/79	7/11/79	X	AN ORD. RELATING TO ACCEPTANCE OF RIGHT-OF-WAY GRANT FOR STREET PURPOSES FROM JOSEPH LEE MILLER & DIANE F. MILLER--14420 Mission Rd.
638	7/2/79	8/31/79	X	AN ORD. RE OCCUPATION LICENSE FEES, ETC.
639	7/2/79	7/13/79	X	AN ORD. AUTHORIZING AND PROVIDING FOR ISSUANCE OF TEMPORARY NOTES - BD78-1 - \$550,000.00
640	7/2/79	7/13/79	X	AN ORD. AUTHORIZING AND PROVIDING FOR ISSUANCE OF TEMPORARY NOTES - BD79-1 - \$1,200,000.00
641	7/16/79	7/20/79	X	AN ORD. VACATING EASEMENT FOR STREET PURPOSES - 103rd St. Terr.
642	8/6/79	8/10/79	X	AN ORD. CREATING OFFICE OF CITY ADMINISTRATOR, ETC.
643	8/20/79	8/24/79	X	AN ORD. RELATING TO CITY OFFICERS APPOINTED; DATE OF APPOINTMENT - to allow for indefinite term of City Administrator
644	8/20/79	8/24/79	<i>Approved</i>	AN ORD. ACCEPTING DEED FROM KROH BROS. DEV. CO., CONVEYING TRACT OF GROUND TO BE USED FOR PUBLIC WORKS FACILITY PURPOSES - 2008 W. 104th St.
645	9/4/79	9/12/79	X	AN ORD. RELATING TO ZONING - SE corner of <del>of</del> Roe & College Blvd. - CP-0 to CP-1 - relative to Leawood Bank
646	9/17/79	9/21/79	X	AN ORD. RELATING TO ACCEPTANCE OF DEED FOR PARK PURPOSES FROM PLAZA SAVINGS ASSOC. - "City Park" on Longwood Forest Plat
647	9/17/79	9/21/79	X	AN ORD. RELATING TO ACCEPTANCE OF DRAINAGE EASEMENT FOR STORM SEWER PURPOSES FROM WUELLNERS - Mission Rd. Project - 109th to 111th

ORD. NO.	DATE PASSED	DATE PUBLISHED	REV. ORD. BK. PGS. DISTR.	SUBJECT OF ORD.
625	1/15/79	1/24/79	X	AN ORD. RELATING TO RESTRICTED DRIVER'S LICENSE
626	3/19/79	3/23/79	X	AN ORD. GOVERNING CONSTRUCTION OF DETACHED ONE & TWO FAMILY DWELLINGS.
627	3/19/79	3/23/79	X	AN ORD. ADOPTING BOCA BUILDING CODE GOVERNING ALL CONSTRUCTION OTHER THAN ONE AND TWO FAMILY DWELLINGS.
628	3/19/79	3/23/79	X	AN ORD. GOVERNING MINIMUM REQUIREMENTS FOR ENERGY CONSERVATION AS OUTLINED
629	3/19/79	3/23/79	X	AN ORD. ESTABLISHING MINIMUM STANDARDS FOR THE DESIGN AND INSTALLATION OF ELECTRICAL SYSTEMS
630	3/19/79	3/23/79	X	AN ORD. ADOPTING BOCA BASIC PLUMBING CODE, FOURTH EDITION, 1978
631	3/19/79	3/23/79	X	AN ORD. ADOPTING BOCA BASIC MECHANICAL CODE, THIRD EDITION, 1978
632	3/19/79	3/23/79	X	AN ORD. GOVERNING REMOVAL OF STRUCTURES
633	3/19/79	3/23/79	X	AN ORD. ESTABLISHING FEES FOR PLAN COMMISSION ACTIVITIES
634	4/16/79	4/20/79	X	AN ORD. AUTHORIZING CONDEMNATION OF PRIVATE PROPERTY IN CONJUNCTION WITH BENEFIT DISTRICT 79-1
635	5/21/79	5/23/79	X	AN ORD. RELATING TO DOGS RUNNING AT LARGE.
636	6/18/79	6/22/79	X	AN ORD. RELATING TO OPERATION OF CABLE TELEVISION FRANCHISE; PROVIDING FOR SUBSCRIPTION RATE SCHEDULES; PROVIDING FOR NOTICE AND HEARINGS OR PROPOSED CHANGES IN SAID RATES

ORD. NO.	DATE PASSED	DATE PUBLISHED	REV. ORD. BK. PGS. DISTR.	SUBJECT OF ORD.
613	10/16/78	10/20/78	X	AN ORD. RELATING TO ADOPTION OF "JOHNSON COUNTY SANITARY CODE"
614	11/20/78	11/29/78	X	AN ORD. ACCEPTING EASEMENT FOR STORM SEWER PURPOSES FROM HALL FAMILY - N. side of 119th St., approx. 70'x70'
615	11/20/78	11/29/78	X	AN ORD. ACCEPTING DEED FOR ST. PURPOSES FROM MERRY LEA FARMS HOMES ASSOC. - 140th Dr., 141st Dr., 142nd Dr.
616	12/4/78	12/6/78	X	AN ORD. RELATING TO PARKING -/N. side 96th between Lee & State Line; and on 97th between Lee and High Dr. No Parking Anytime.
617	12/4/78	12/6/78	X	AN ORD. RELATING TO MUNICIPAL JUDGE; QUALIFICATIONS; SELECTION; VACANCY IN OFFICE
618	12/4/78	12/6/78	X	AN ORD. RELATING TO CITY OFFICERS APPOINTED; DATE OF APPOINTMENT - to add Municipal Judge
619	12/4/78	12/6/78	X	AN ORD. RELATING TO CITY OFFICER ELECTED; TERM; QUALIFICATIONS; to remove Municipal Judge
620	12/18/78	12/27/78	X	AN ORD. RELATING TO ACCEPTANCE OF 2 EASEMENTS FOR SEWER PURPOSES FROM KROH BROS. DEV. CO. - to serve Leawood Office Park, 89th & State Line
621	12/18/78	12/27/78	X	AN ORD. RELATING TO REPEAL OF REGULATION OF WAGES AND SALARIES FOR RECREATION EMPLOYEES - to conform to Uniform Pay Plan
622	1/2/79	1/10/79	X	AN ORD. ESTABLISHING POSITION, DUTIES, RESPONSIBILITIES AND AUTHORITY OF CITY ADMINISTRATOR
623	1/2/79	1/10/79	X	AN ORD. ACCEPTING ROADWAY EASEMENT FOR STREET PURPOSES FROM CAPITOL FUNDS, INC. - S. side 123rd St., Hunter's Ridge 1st Plat W. to LS
624	1/2/79	1/10/79	X	AN ORD. ACCEPTING ROADWAY EASEMENT FOR STREET PURPOSES FROM HUNTER'S RIDGE, INC. - S. side 123rd St., Hunter's Ridge 1st Plat W. to LS

AN ORDINANCE RELATING TO ACCEPTANCE OF A RIGHT-OF-WAY GRANT FOR STREET PURPOSES FROM TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 1.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-665. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Right-of-Way Grant from Tomahawk Creek Sewer Sub-District No. 1, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, a Right-of-Way to construct, maintain, alter, repair, replace, a public road and sidewalk and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the SW1/4 of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the SW1/4 of Section 22; thence N 87° 40' 51" E, along the North line of the SW1/4 of Section 22, a distance of 119.51 feet, to the true point of beginning of subject tract; thence continuing N 87° 40' 51" E, along the North line of the SW1/4 of said Section 22, a distance of 129.11 feet; thence due South, to a point 40 feet South of the North line of the SW1/4 of said Section 22; thence S 87° 40' 51" W, along a line 40 feet South of and parallel to the North line of the SW1/4 of said Section 22, a distance of 129.11 feet; thence due North, to the true point of beginning of subject-tract.

(123rd St. improvement; Benefit District 79-1)

19-666. INCORPORATION BY REFERENCE. Section 2. A copy of said Right-of-Way Grant is attached to the original of the ordinance and thereby incorporated by reference.

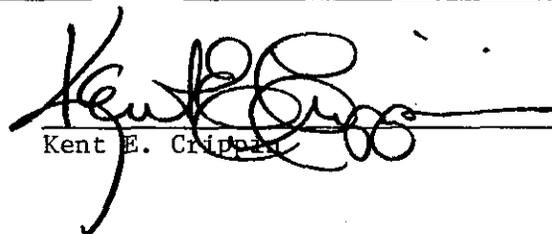
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.

(S.E.A.L.)

  
Kent E. Crump Mayor



ORIGINAL COMPARED WITH RECORD

KNOW ALL MEN BY THESE PRESENTS, THAT

Tomahawk Creek Sewer Sub-District No. 1

of the Post Office of SHAWNEE MISSION  
In the State of KANSAS, in consideration of  
- ONE - Dollars (\$ 100) in hand paid and  
other valuable consideration, receipt of which is hereby acknow-  
ledged, hereby grant and convey S unto the CITY OF LEAWOOD,  
JOHNSON COUNTY, KANSAS, its successors and assigns, a Right-of-Way  
to construct, maintain, alter, repair, replace, a public road and  
sidewalk and all appurtenances convenient for said public road,  
together with the right of ingress and egress, over and through  
the following premises in the County of Johnson in the State of  
Kansas, to-wit:

All that part of the SW $\frac{1}{4}$  of Section 22, Township 13, Range 25, now in the City of  
Leawood, Johnson County, Kansas, more particularly described as follows: Commencing  
at the Northwest corner of the SW $\frac{1}{4}$  of Section 22; thence N 87° 40' 51" E, along  
the North line of the SW $\frac{1}{4}$  of Section 22, a distance of 119.51 feet, to the true  
point of beginning of subject tract; thence continuing N 87° 40' 51" E, along the  
North line of the SW $\frac{1}{4}$  of said Section 22, a distance of 129.11 feet; thence due  
South, to a point 40 feet South of the North line of the SW $\frac{1}{4}$  of said Section 22;  
thence S 87° 40' 51" W, along a line 40 feet South of and parallel to the North  
line of the SW $\frac{1}{4}$  of said Section 22, a distance of 129.11 feet; thence due North,  
to the true point of beginning of subject tract.

(123<sup>rd</sup> St. improvement - BD 79-1)

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 SEP 27 PM 3 42 Z

6<sup>0</sup> RUBIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

This grant is a permanent easement for the purpose aforesaid and  
full consideration therefore is acknowledged; provided however, if  
a temporary construction easement is granted herein, then the  
period of said temporary easement shall be no longer than one year  
from the date of acceptance of construction of said road within  
said City of Leawood, Johnson County, Kansas.

This agreement is binding upon the heirs, executors, administra-  
tors, successors, and assigns of the parties hereto, and it is  
understood that this agreement cannot be changed in any way except  
in writing, signed by the grantor S and a duly authorized agent  
of the grantee.

IN WITNESS WHEREOF the grantors ha hereunto set their hands  
and seals on this, the 19<sup>th</sup> day of June, 1979.

Tomahawk Creek Sewer Sub-District  
No. 1

By Virginia L. Helms, Deputy  
By Donald J. Curry, Co. Clerk

John J. Franke Chairman  
Robert C. Bacon Commissioner  
Clay L. Wirt Commissioner



STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_, ss:

BE IT REMEMBERED, THAT on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned Notary Public, personally came \_\_\_\_\_

Who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

INDIVIDUAL ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_, ss:

BE IT REMEMBERED, THAT on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned Notary Public, personally came \_\_\_\_\_

Who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such a person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

INDIVIDUAL ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_, ss:

before me, the undersigned Notary Public, personally came \_\_\_\_\_

Who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such a person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

CORPORATE ACKNOWLEDGMENT X

STATE OF Kansas COUNTY OF Johnson, ss:

BE IT REMEMBERED, THAT on this 19 day of June, 1979, before me, the undersigned Notary Public in and for the County and State aforesaid,

came Clay J. Wirt, Chairman of Board of County Commissioners and Robert C. Barton of Members of Governing Body who ~~is~~ are personally known to me to be the Members of said Governing Body and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said Governing Body

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the d and year last above written.

A. G. Bowers  
Notary Public - A.G. Bowers

My Appointment Expires: 5-16-80



Page 2  
ORDINANCE NO. 657  
re Acceptance of Right-of-Way Grant  
from Tomahawk Creek Sewer Sub-  
District No. 1

Attest:

J. Oberlander  
J. Oberlander City Clerk

APPROVED FOR FORM: Larry Winn III, City Attorney

APPROVED FOR CONTENT: Jean Wise, Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the 21st day of Sept, 19 77, with subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_; \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_; \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_; \_\_\_\_\_, 19\_\_\_\_

Stephen F. Rose

Subscribe and sworn to before me this 21st day of

Sept, 19 77.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 16.80  
Additional copies \$ \_\_\_\_\_

NOTARY PUBLIC  
 MARGUERITE E. BAKER  
JOHNSON COUNTY, KANSAS  
My Appointment Expires 3/15/80



AN ORDINANCE RELATING TO ACCEPTANCE OF A RIGHT-OF-WAY GRANT FOR STREET PURPOSES FROM CENTRAL ESTATES, INC.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-663. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Right-of-Way Grant from Central Estates, Inc., along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, a Right-of-Way to construct, maintain, alter, repair, replace, a public road and sidewalk and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the SW1/4 of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line of the SW1/4 of said Section 22, and 50 feet East of the West line thereof; thence N 87° 40' 51" E, along the North line of the SW1/4 of said Section 22, a distance of 69.50 feet; thence S 0° E, to a point 40 feet South of the North line of the SW1/4 of said Section 22; thence S 87° 40' 51" W, along a line 40 feet South of and parallel to the North line of the SW1/4 of said Section 22, to a point 50 feet East of the West line thereof; thence Northerly, along a line 50 feet East of and parallel to the West line of the SW1/4 of said Section 22, to the point of beginning, all subject to that part thereof dedicated for street purposes.

(Mission Road improvement; Benefit District 79-1)

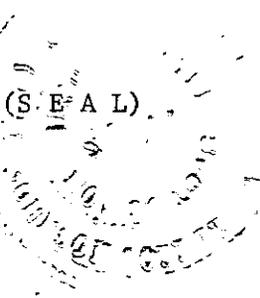
19-664. INCORPORATION BY REFERENCE. Section 2. A copy of said Right-of-Way Grant is attached to the original of the ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.



*Kent E. Crippen*  
Kent E. Crippen Mayor

ORIGINAL COMPARED WITH RECORD

KNOW ALL MEN BY THESE PRESENTS, THAT

Central Estates, Inc.

of the Post Office of Kansas City  
In the State of Missouri, in consideration of \_\_\_\_\_  
One Dollars (\$ 1.00 ) in hand paid and  
other valuable consideration, receipt of which is hereby acknow-  
ledged, hereby grant and convey \_\_\_\_\_ unto the CITY OF LEAWOOD,  
JOHNSON COUNTY, KANSAS, its successors and assigns, a Right-of-Way  
to construct, maintain, alter, repair, replace, a public road and  
sidewalk and all appurtenances convenient for said public road,  
together with the right of ingress and egress, over and through  
the following premises in the County of Johnson in the State of  
Kansas, to-wit:

All that part of the SW $\frac{1}{4}$  of Section 22, Township 13, Range 25, now in the City  
of Leawood, Johnson County, Kansas, more particularly described as follows:  
Beginning at a point on the North line of the SW $\frac{1}{4}$  of said Section 22, and 50  
feet East of the West line thereof; thence N 87° 40' 51" E, along the North line  
of the SW $\frac{1}{4}$  of said Section 22, a distance of 69.50 feet; thence S 0° E, to a  
point 40 feet South of the North line of the SW $\frac{1}{4}$  of said Section 22; thence  
S 87° 40' 51" W, along a line 40 feet South of and parallel to the North line of  
the SW $\frac{1}{4}$  of said Section 22, to a point 50 feet East of the West line thereof;  
thence Northerly, along a line 50 feet East of and parallel to the West line of  
the SW $\frac{1}{4}$  of said Section 22, to the point of beginning, all subject to that part  
thereof dedicated for street purposes.

(Mission Rd. Improvement; BD 79-1)

STATE OF KANSAS } SS  
COUNTY OF JOHNSON }  
FILED FOR RECORD

1979 SEP 27 PM 3 41 S

6.00  
RUBIE M. SCOTT  
REGISTER OF DEEDS

This grant is a permanent easement for the purpose aforesaid and  
full consideration ~~therefor~~ is acknowledged; provided however, if  
a temporary construction easement is granted herein, then the  
period of said temporary easement shall be no longer than one year  
from the date of acceptance of construction of said road within  
said City of Leawood, Johnson County, Kansas.

This agreement is binding upon the heirs, executors, administra-  
tors, successors, and assigns of the parties hereto, and it is  
understood that this agreement cannot be changed in any way except  
in writing, signed by the grantor \_\_\_\_\_ and a duly authorized agent  
of the grantee.

IN WITNESS WHEREOF the grantor \_\_\_\_\_ hereunto set their hand  
and seal \_\_\_\_\_ on this, the 16<sup>th</sup> day of May, 1979

Attest:  
S. M. Riddle  
S. M. Riddle  
Secretary

Central Estates, Inc.  
J. L. Gumbiner V. Pres  
J. L. Gumbiner

BE IT REMEMBERED, THAT on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned Notary Public, personally came \_\_\_\_\_ Who \_\_\_\_\_ personally, known to me to be the same person who executed the foregoing instrument of writing and as such person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

INDIVIDUAL ACKNOWLEDGMENT

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

BE IT REMEMBERED, THAT on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ before me, the undersigned Notary Public, personally came \_\_\_\_\_ Who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such a person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

INDIVIDUAL ACKNOWLEDGMENT

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

before me, the undersigned Notary Public, personally came \_\_\_\_\_ Who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such a person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

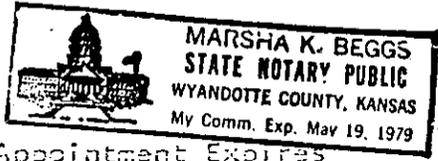
My Appointment Expires: \_\_\_\_\_

CORPORATE ACKNOWLEDGMENT

STATE OF Kansas, COUNTY OF Johnson, ss:

BE IT REMEMBERED, THAT on this 16th day of May, 1979, before me, the undersigned Notary Public in and for the County and State aforesaid came J. L. Sumlinger of Central Estates, Inc. who is personally known to me to be the Vice-President of said \_\_\_\_\_ and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the \_\_\_\_\_ and year last above written.



Marsha K. Beggs  
Notary Public  
Marsha K. Beggs

My Appointment Expires May 19, 1979

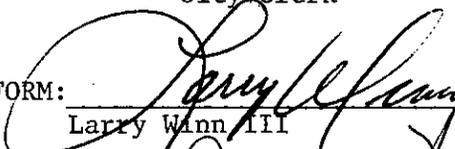
Page 2

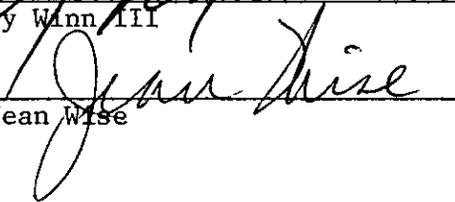
ORDINANCE NO. 656

re Acceptance of R-O-W Grant from Central Estates, Inc.

Attest:

  
J. Oberlander City Clerk

APPROVED FOR FORM:  , City Attorney  
Larry Winn III

APPROVED FOR CONTENT:  , Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(~~daily, weekly~~, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said

newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so

published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and

was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

21st day of Sept, 19 79, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

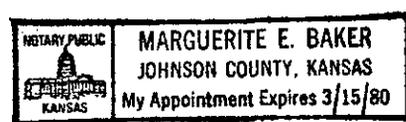
Stephen F. Rose

Subscribe and sworn to before me this 21st day of

Sept, 19 79.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires:  
Printer's fee \$ 17.10  
Additional copies \$ \_\_\_\_\_



AN ORDINANCE RELATING TO ACCEPTANCE OF A RIGHT-OF-WAY GRANT FOR STREET PURPOSES FROM CENTRAL ESTATES, INC.  
 Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-663, Section 1, The Governing Body of the City of Leawood, Kansas, hereby grants, its successors or assigns, a Right-of-Way to construct, maintain, alter, repair, replace, a public road and sidewalk and all appurtenances convenient for said public road, together with the right of ingress and egress over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the SW 1/4 of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line of the SW 1/4 of said Section 22, and 50 feet East of the West line thereof; thence N 87° 40' 51" E, along the North line of the SW 1/4 of said Section 22, a distance of 69.50 feet; thence S 0° E, to a point 40 feet South of the North line of the SW 1/4 of said Section 22; thence 87° 40' 51" W, along a line 40 feet South of and parallel to the North line of the SW 1/4 of said Section 22, to a point 50 feet East of the West line thereof; thence North, along a line 50 feet East of and parallel to the West line of the SW 1/4 of said Section 22, to the point of beginning, all subject to that part thereof dedicated for street purposes.

(Mission Road Improvement Benefit District 79-1)

BY REFERENCE SECTION 2, A copy of said Right-of-Way Grant is attached to the original of the ordinance and hereby incorporated by reference.

TAKE EFFECT: Section 3, This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79  
 Passed by the Governing Body this 17th day of September, 1979.  
 Approved by the Mayor this 17th day of September, 1979.

Mayor  
 (s) Kent E. Crippin

(SEAL)  
 Attest:  
 City Clerk  
 (s) J. Oberlander

APPROVED FOR FORM:  
 City Attorney  
 (s) Larry Winn III

APPROVED FOR CONSENT:  
 City Ordinance Comm.  
 (s) Jean Wise

(765)

ORDINANCE NO. 655

AN ORDINANCE RELATING TO ACCEPTANCE OF A RIGHT-OF-WAY GRANT FOR STREET PURPOSES FROM DONALD D. ALPERT.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-661. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Right-of-Way Grant from Donald D. Alpert, Holder of Legal and Beneficial Title for himself and others, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, a Right-of-Way to construct, maintain, alter, repair, replace, a public road and sidewalk and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All of the East 50 feet of the N1/2 of the SE1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, except that part thereof described as follows: Beginning at a point on the East line of the SE1/4 of said Section 21, and 481.49 feet South of the Northeast corner thereof; thence Westerly, along a line perpendicular to the East line of the SE1/4 of said Section 21, a distance of 270 feet; thence Southerly, along a line perpendicular to the last described course, a distance of 220 feet; thence Easterly, along a line perpendicular to the last described course, a distance of 270 feet, to a point on the East line of the SE1/4 of said Section 21; thence Northerly, along the East line of the SE1/4 of said Section 21, a distance of 220 feet, to the point of beginning, and all subject to that part thereof dedicated for street purposes.

(Mission Road improvement; Benefit District 79-1)

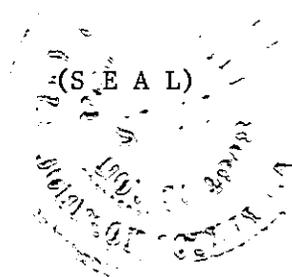
19-662. INCORPORATION BY REFERENCE. Section 2. A copy of said Right-of-Way Grant is attached to the original of the ordinance and thereby incorporated by reference.

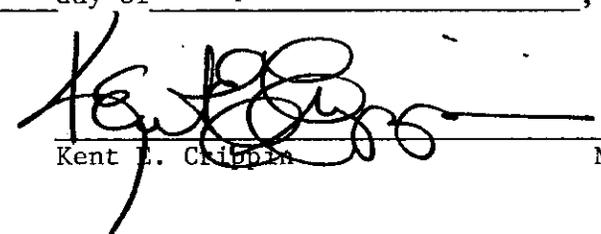
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.



  
Kent L. Cribben Mayor

Ord. 655  
Orig. in safe  
R.O.W.# 4LD

ORIGINAL COMPARED WITH RECORD

KNOW ALL MEN BY THESE PRESENTS, THAT Donald D. Alpert, Holder of Legal  
and Beneficial Title for himself and others

of the Post Office of Shawnee Mission  
In the State of Kansas, in consideration of  
One Dollars (\$ 1.00) in hand paid and  
other valuable consideration, receipt of which is hereby acknow-  
ledged, hereby grant and convey                      unto the CITY OF LEAWOOD, <sup>TO</sup>  
JOHNSON COUNTY, KANSAS, its successors and assigns, a Right-of-Way  
to construct, maintain, alter, repair, replace, a public road and  
sidewalk and all appurtenances convenient for said public road,  
together with the right of ingress and egress, over and through  
the following premises in the County of Johnson in the State of  
Kansas, to-wit:

All of the East 50 feet of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25,  
now in the City of Leawood, Johnson County, Kansas, except that part thereof  
described as follows: Beginning at a point on the East line of the SE $\frac{1}{4}$  of said  
Section 21, and 481.49 feet South of the Northeast corner thereof; thence Westerly,  
along a line perpendicular to the East line of the SE $\frac{1}{4}$  of said Section 21, a  
distance of 270 feet; thence Southerly, along a line perpendicular to the last  
described course, a distance of 220 feet; thence Easterly, along a line perpen-  
dicular to the last described course, a distance of 270 feet, to a point on the  
East line of the SE $\frac{1}{4}$  of said Section 21; thence Northerly, along the East line  
of the SE $\frac{1}{4}$  of said Section 21, a distance of 220 feet, to the point of beginning,  
and all subject to that part thereof dedicated for street purposes.

*(Mission Rd. improvement - BD 79-1)*

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 SEP 27 PM 3 41 S

600 RUBIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

This grant is a permanent easement for the purpose aforesaid and  
full consideration therefore is acknowledged; provided however, if  
a temporary construction easement is granted herein, then the  
period of said temporary easement shall be no longer than one year  
from the date of acceptance of construction of said road within  
said City of Leawood, Johnson County, Kansas.

This agreement is binding upon the heirs, executors, administra-  
tors, successors, and assigns of the parties hereto, and it is  
understood that this agreement cannot be changed in any way except  
in writing, signed by the grantor            and a duly authorized agent  
of the grantee.

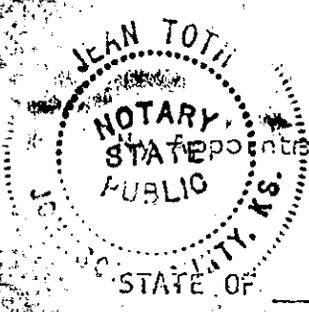
IN WITNESS WHEREOF the grantor            has hereunto set his hand  
and seal            on this, the 26th day of April, 1979

Donald D. Alpert  
Donald D. Alpert

STATE OF Kansas COUNTY OF Sebastian, ss:

BE IT REMEMBERED, THAT on this 26<sup>th</sup> day of April, 1979, before me, the undersigned Notary Public, personally came Dennis D. Albert who is personally known to me to be the same person who executed the foregoing instrument of writing and as such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Prine Village, Kan on the day and year last above written.



Jean Toth  
Notary Public Jean Toth

LVOL 1509 PAGE 955

INDIVIDUAL ACKNOWLEDGMENT

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

BE IT REMEMBERED, THAT on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned Notary Public, personally came \_\_\_\_\_ who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such a person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

INDIVIDUAL ACKNOWLEDGMENT

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

before me, the undersigned Notary Public, personally came \_\_\_\_\_ who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such a person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

CORPORATE ACKNOWLEDGMENT

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

BE IT REMEMBERED, THAT on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned Notary Public in and for the County and State aforesaid, came \_\_\_\_\_ of \_\_\_\_\_ who is personally known to me to be the \_\_\_\_\_ of said \_\_\_\_\_ and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the \_\_\_\_\_ and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires \_\_\_\_\_

Page 2

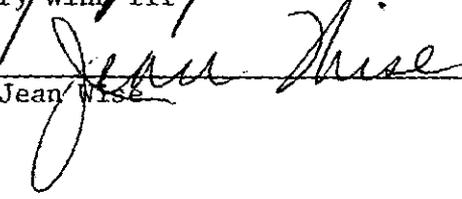
ORDINANCE NO. 655

re Acceptance of R-O-W Grant from Donald D. Alpert

Attest:

  
S. Oberlander City Clerk

APPROVED FOR FORM: , City Attorney  
Larry Winn III

APPROVED FOR CONTENT: , Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
~~(daily, semi-weekly, weekly)~~

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the 21st day of Sept, 19 79, with subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_      \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_      \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_      \_\_\_\_\_, 19\_\_\_\_

Stephen F. Rose

Subscribe and sworn to before me this 21st day of

Sept, 19 79.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 17.40  
Additional copies \$ \_\_\_\_\_





AN ORDINANCE RELATING TO ACCEPTANCE OF A RIGHT-OF-WAY GRANT FOR STREET PURPOSES FROM DONALD D. ALPERT.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-659. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Right-of-Way Grant from Donald D. Alpert, Holder of Legal and Beneficial Title for himself and others, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, a Right-of-Way to construct, maintain, alter, repair, replace, a public road and sidewalk and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the NE1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the NE1/4 of said Section 21; thence Northerly, along the East line of the SE1/4 of said Section 21, to its intersection with the Easterly extension of the South line of Lot 1, KINGS FOREST, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Westerly, along the South line and its extension of said Lot 1, to a point 50 feet West of the East line of the NE1/4 of said Section 21; thence Southerly, along a line 50 feet West of and parallel to the East line of the NE1/4 of said Section 21, to a point on the South line thereof; thence Easterly, along the South line of the NE1/4 of said Section 21, to the point of beginning, all subject to that part thereof dedicated for street purposes.

(Mission Road improvement; Benefit District 79-1)

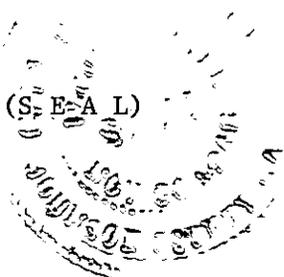
19-660. INCORPORATION BY REFERENCE. Section 2. A copy of said Right-of-Way Grant is attached to the original of the ordinance and thereby incorporated by reference.

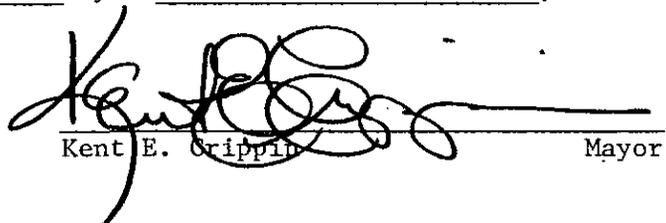
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.



  
Kent E. Crippin Mayor

ORIGINAL COMPARED WITH RECORD

KNOW ALL MEN BY THESE PRESENTS, THAT Donald D. Alpert, Holder of Legal and Beneficial Title for himself and others.

of the Post Office of Shawnee Mission  
In the State of Kansas, in consideration of  
One Dollars (\$ 1.00) in hand paid and  
other valuable consideration, receipt of which is hereby acknow-  
ledged, hereby grant and convey                      unto the CITY OF LEAWOOD,  
JOHNSON COUNTY, KANSAS, its successors and assigns, a Right-of-Way  
to construct, maintain, alter, repair, replace, a public road and  
sidewalk and all appurtenances convenient for said public road,  
together with the right of ingress and egress, over and through  
the following premises in the County of Johnson in the State of  
Kansas, to-wit:

All that part of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City  
of Leawood, Johnson County, Kansas, more particularly described as follows:  
Beginning at the Southeast corner of the NE $\frac{1}{4}$  of said Section 21; thence North-  
erly, along the East line of the SE $\frac{1}{4}$  of said Section 21, to its intersection  
with the Easterly extension of the South line of Lot 1, KINGS FOREST, a sub-  
division of land now in the City of Leawood, Johnson County, Kansas; thence  
Westerly, along the South line and its extension of said Lot 1, to a point 50  
feet West of the East line of the NE $\frac{1}{4}$  of said Section 21; thence Southerly,  
along a line 50 feet West of and parallel to the East line of the NE $\frac{1}{4}$  of said  
Section 21, to a point on the South line thereof; thence Easterly, along the  
South line of the NE $\frac{1}{4}$  of said Section 21, to the point of beginning, all  
subject to that part thereof dedicated for street purposes.

*(Mission Rd. Improvement - BD 79-1)*

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 SEP 27 PM 3 41 6

6<sup>00</sup>  
RUBIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

This grant is a permanent easement for the purpose aforesaid and  
full consideration therefore is acknowledged; provided however, if  
a temporary construction easement is granted herein, then the  
period of said temporary easement shall be no longer than one year  
from the date of acceptance of construction of said road within  
said City of Leawood, Johnson County, Kansas.

This agreement is binding upon the heirs, executors, administra-  
tors, successors, and assigns of the parties hereto, and it is  
understood that this agreement cannot be changed in any way except  
in writing, signed by the grantor                      and a duly authorized agent  
of the grantee.

IN WITNESS WHEREOF the grantor                      has hereunto set his hand  
and seal                      on this, the 26th day of April, 1979

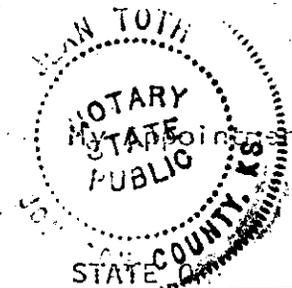
*Donald D. Alpert*  
Donald D. Alpert

500

STATE OF Kansas COUNTY OF Johnson ss:

BE IT REMEMBERED, THAT on this 26<sup>th</sup> day of April, 1979, before me, the undersigned Notary Public, personally came Donald D. Alpert who is personally known to me to be the same person who executed the foregoing instrument of writing and as such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Lawrence Village, Kansas on the day and year last above written.



Jean Toth  
Notary Public Jean Toth

INDIVIDUAL ACKNOWLEDGMENT

LVOL 1509 PAGE 953

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

BE IT REMEMBERED, THAT on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ before me, the undersigned Notary Public, personally came \_\_\_\_\_ who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such a person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

INDIVIDUAL ACKNOWLEDGMENT

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

before me, the undersigned Notary Public, personally came \_\_\_\_\_ who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such a person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

CORPORATE ACKNOWLEDGMENT

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

BE IT REMEMBERED, THAT on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned Notary Public in and for the County and State aforesaid, came \_\_\_\_\_ of \_\_\_\_\_ who is personally known to me to be the \_\_\_\_\_ of said \_\_\_\_\_ and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the \_\_\_\_\_ and year last above written.

\_\_\_\_\_  
Notary Public

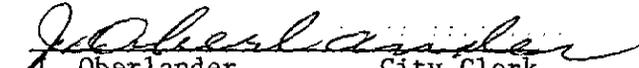
My Appointment Expires \_\_\_\_\_

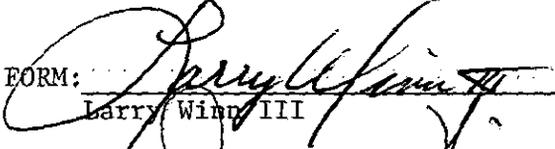
Page 2

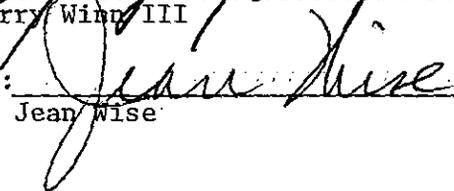
ORDINANCE NO. 654

re Acceptance of R-O-W Grant from Donald D. Alpert

Attest:

  
J. Oberlander City Clerk

APPROVED FOR FORM:  , City Attorney  
Larry Winn III

APPROVED FOR CONTENT:  , Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the (daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly (daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly (daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said

newspaper for 1 consecutive day (weeks, days)

the first publication thereof being made as aforesaid on the 21st day of Sept, 1979, with subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, 19\_\_\_\_, 19\_\_\_\_, 19\_\_\_\_

Signature of Stephen F. Rose

Subscribe and sworn to before me this 21st day of

Sept, 1979

Marguerite E. Baker NOTARY PUBLIC

My commission expires: Printer's fee \$18.30 Additional copies \$



First Published in the  
Johnson County Daily  
September 21, 1979

ORDINANCE NO. 654

AN ORDINANCE  
FOR RIGHT-OF-WAY GRANT  
FOR STREET PURPOSES  
FROM DONALD D. ALP  
ING BODY OF THE CITY OF  
Leawood, Kansas:

19-654  
The City of Leawood, Kansas, does hereby accept a Right-of-Way Grant from Donald D. Albert, holder of legal title and beneficial title for himself and others, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, a Right-of-Way to construct, maintain, alter, repair, replace, a public road and sidewalk and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the NE 1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the southeast corner of the NE 1/4 of said Section 21; thence Northerly, along the East line of the SE 1/4 of said Section 21, to its intersection with the Easterly extension of the South line of Lot 1, KINGS FOREST, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Westerly, along the South line and its extension of said Lot 1, to a point 50 feet West of the East line of the NE 1/4 of said Section 21; thence Southerly, along a line 50 feet West of the NE 1/4 of said Section 21, to and parallel to the East line of the NE 1/4 of said Section 21, to a point on the South line thereof; thence Easterly, along the South line of the NE 1/4 of said Section 21, to the point of beginning, all subject to that part thereof dedicated for street purposes.

(Mission Road Improvement; Benefit District 79-1)  
19-660 IN CORPORATION  
BY REFERENCE Section 2,  
a copy of said Right-of-Way Grant is attached to the original of the ordinance and hereby incorporated by reference.  
TAKE EFFECT: Section 3,  
This ordinance shall take effect and be in force from the date of its publication in the official City newspaper.

First Reading: 9/17/79  
Second Reading: 9/17/79  
Passed by the Governing Body this 17th day of September, 1979.  
Approved by the Mayor this 17th day of September, 1979.

(5) Kent E. Crippin  
Mayor  
(SEAL)  
Attest:  
(5) J. Oberlander  
City Clerk

APPROVED FOR FORM:  
(5) Larry Winn III  
City Attorney  
APPROVED FOR CON-  
TENT:  
(5) Jean Wise  
City Ordinance Committee  
(765)

AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR UTILITY PURPOSES FROM CENTRAL ESTATES, INC.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-657. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Utility Easement from Central Estates, Inc., along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement for utility purposes, together with the right of ingress and egress over and through the following described real estate, to-wit:

All that part of Lot 25, Block 25, LEAWOOD SOUTH, SIXTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of said Lot 25; thence Westerly, along the South line of said Lot 25, a distance of 40 feet; thence Northeasterly, to a point on the Easterly line of said Lot 25, and 29.79 feet Northerly of the Southeasterly corner thereof, as measured along said Easterly line; thence Southerly, along the Easterly line of said Lot 25, a distance of 29.79 feet, to the point of beginning.

(Mission Road improvement; Benefit District 79-1)

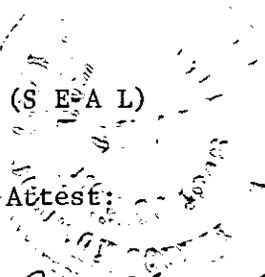
19-658. INCORPORATION BY REFERENCE. Section 2. A copy of said Easement is attached to the original of the ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.



Kent E. Crippin  
Kent E. Crippin Mayor

J. Oberlander  
J. Oberlander City Clerk

1249770

Ord. 653 orig. in safe

UTILITY EASEMENT

ORIGINAL FILED WITH

This agreement made and entered into this 16<sup>th</sup> day of May, 1979, by and between Central Estates, Inc. of the Post Office of Kansas City in the State of Missouri party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

WITNESSETH: That for and in consideration of the location of utility facilities, said party of the first part, does hereby grant and convey to the party of the second part, a utility easement, together with the right of ingress and egress over and through the following described real estate to wit:

All that part of Lot 25, Block 25, LEAWOOD SOUTH, SIXTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of said Lot 25; thence Westerly, along the South line of said Lot 25, a distance of 40 feet; thence Northeasterly, to a point on the Easterly line of said Lot 25, and 29.79 feet Northerly of the Southeast corner thereof, as measured along said Easterly line; thence Southerly, along the Easterly line of said Lot 25, a distance of 29.79 feet, to the point of beginning.

*(Mission Rd. improvement - BD79-1)*

for the sole use of said party of the second part as and for utility purposes within said City; when same shall cease to be used for said purposes to revert to the grantors, their successors, assigns or grantees.

It is hereby mutually understood and agreed that said first party hereby waives any claim for damages against the City of Leawood for damages of any and every kind occasioned by the location of said utilities.

IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

Central Estates, Inc.

Attest:

*S. M. Riddle*  
*S. M. Riddle*  
*Secretary*

*J. L. Gumbiner V. Pres*  
*J. L. Gumbiner*

STATE OF KANSAS, JOHNSON COUNTY, SS:

BE IT REMEMBERED that on this 16<sup>th</sup> day of May, 1979, before me, a notary public in and for said county and state came J. L. Gumbiner to me personally known to be the same persons who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed my official seal the day and year last above written.



*Marsha K. Beggs*  
Notary Public  
*Marsha K. Beggs*

My Commission Expires:

May 19, 1979

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 SEP 27 PM 3 41 3

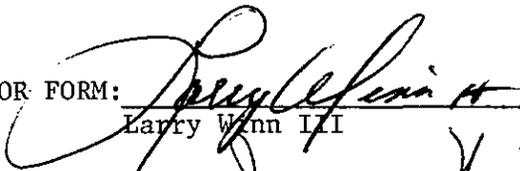
5.00  
RUBIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

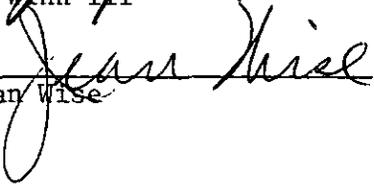


Page 2

ORDINANCE NO. 653

re Acceptance of Utility Easement from Central Estates, Inc.

APPROVED FOR FORM: , City Attorney  
Larry Winn III

APPROVED FOR CONTENT: , Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said

newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so

published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

21st day of Sept, 1979, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Stephen F. Rose

Subscribe and sworn to before me this 21st day of

Sept, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 15.00  
Additional copies \$ \_\_\_\_\_



First Published in The  
Johnson County Sun, Friday,  
September 21, 1979.

**ORDINANCE NO. 653**

**AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR UTILITY PURPOSES FROM CENTRAL ESTATES, INC.**

**Be it ordained by the Governing Body of the City of Leawood, Kansas:**

19-657. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Utility Easement from Central Estates, Inc., along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement for utility purposes, together with the right of ingress and egress over and through the following described real estate, to-wit:

All that part of Lot 25, Block 25, LEAWOOD SOUTH, SIXTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of said Lot 25; thence Westerly, along the South line of said Lot 25, a distance of 40 feet; thence Northeasterly, to a point on the Easterly line of said Lot 25, and 29.79 feet Northerly of the Southeasterly corner thereof, as measured along said Easterly line; thence Southerly, along the Easterly line of said Lot 25, a distance of 29.79 feet, to the point of beginning.

(Mission Road Improvement; Benefit District 79-1)

19-658. INCORPORATION BY REFERENCE. Section 2. A copy of said Easement is attached to the original of the ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79.

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.

(s) Kent E. Crippin  
Mayor

(SEAL)

Attest:

(s) J. Oberlander  
City Clerk

APPROVED FOR FORM:

(s) Larry Winn-III

APPROVED FOR CONTENT:

(s) Jean Wise  
Chr., Ordinance Comm.

ORDINANCE NO. 652

AN ORDINANCE RELATING TO ACCEPTANCE OF EASEMENT FOR UTILITY PURPOSES FROM DONALD D. ALPERT.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-655. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Utility Easement from Donald D. Alpert, Holder of Legal and Beneficial Title for himself and others, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement for utility purposes, together with the right of ingress and egress over and through the following described real estate, to-wit:

All that part of the SE1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line of the SE1/4 of said Section 21, and 100 feet West of the East line thereof; thence Westerly, along the North line of the SE1/4 of said Section 21, a distance of 40 feet; thence Southeasterly, to a point 40 feet South of the North line and 100 feet West of the East line of the SE1/4 of said Section 21; thence Northerly, along a line 100 feet West of and parallel to the East line of the SE1/4 of said Section 21, to the point of beginning.

(Mission Road improvement; Benefit District 79-1)

19-656. INCORPORATION BY REFERENCE. Section 2. A copy of said Easement is attached to the original of the ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.

(S E A L)

Attest:

J. Oberlander  
J. Oberlander City Clerk

Kent E. Grippin  
Kent E. Grippin

Mayor

UTILITY EASEMENT

ORIGINAL COMPAILED  
1249769 ✓

# 4-11-79  
Ord. 652 Orig. in  
safe

This agreement made and entered into this 26th day of April, 1979, by and between Donald D. Alpert, Holder of Legal and Beneficial Title for Himself and other: of the Post Office of Shawnee Mission in the State of Kansas party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

WITNESSETH: That for and in consideration of the location of utility facilities, said party of the first part, does hereby grant and convey to the party of the second part, a utility easement, together with the right of ingress and egress over and through the following described real estate to wit:

All that part of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line of the SE $\frac{1}{4}$  of said Section 21, and 100 feet West of the East line thereof; thence Westerly, along the North line of the SE $\frac{1}{4}$  of said Section 21, a distance of 40 feet; thence Southeasterly, to a point 40 feet South of the North line and 100 feet West of the East line of the SE $\frac{1}{4}$  of said Section 21; thence Northerly, along a line 100 feet West of and parallel to the East line of the SE $\frac{1}{4}$  of said Section 21, to the point of beginning.

*(Mission Rd. improvement - BD79-1)*

for the sole use of said party of the second part as and for utility purposes within said City; when same shall cease to be used for said purposes to revert to the grantors, their successors, assigns or grantees.

It is hereby mutually understood and agreed that said first party hereby waives any claim for damages against the City of Leawood for damages of any and every kind occasioned by the location of said utilities.

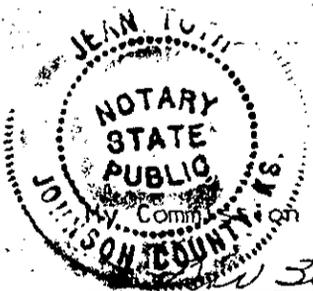
IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

*Donald D. Alpert*  
Donald D. Alpert

STATE OF KANSAS, JOHNSON COUNTY, SS:

BE IT REMEMBERED that on this 26<sup>th</sup> day of April, 1979, before me, a notary public in and for said county and state came Donald D. Alpert to me personally known to be the same persons who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed my official seal the day and year last above written.



*Jean Toth*

Notary Public Jean Toth

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 SEP 27 PM 3 41 .1

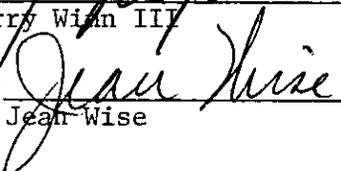
5.00  
RUGIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

Page 2

ORDINANCE NO. 652

re Acceptance of Utility Easement from Donald D. Alpert

APPROVED FOR FORM:  \_\_\_\_\_, City Attorney  
Larry Wisn III

APPROVED FOR CONTENT:  \_\_\_\_\_, Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
~~(daily, semi-weekly, weekly)~~

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said

newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so

published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and

was published in the regular and entire issue of said

newspaper for 1 consecutive days  
(weeks, days)

the first publication thereof being made as aforesaid on the

21st day of Sept, 1979, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Stephen Rose

Subscribe and sworn to before me this 21st day of

Sept, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 15.60  
Additional copies \$ \_\_\_\_\_



First Published in The  
Johnson County Sun, Friday,  
September 21, 1979.

ORDINANCE NO. 652

AN ORDINANCE RELATING TO ACCEPTANCE OF EASEMENT FOR UTILITY PURPOSES FROM DONALD D. ALPERT.

Be it ordained by the City of Leawood, Kansas:

19-655. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Utility Easement from Donald D. Alpert, Holder of Legal and Beneficial Title for himself and others, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement for utility purposes, together with the right of ingress and egress over and through the following described real estate, to-wit:

All that part of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line of the SE $\frac{1}{4}$  of said Section 21, and 100 feet West of the East line thereof; thence Westerly, along the North line of the SE $\frac{1}{4}$  of said Section 21, a distance of 40 feet; thence Southeasterly, to a point 40 feet South of the North line and 100 feet West of the East line of the SE $\frac{1}{4}$  of said Section 21; thence Northerly, along a line 100 feet West of and

parallel to the East line of the SE $\frac{1}{4}$  of said Section 21, to the point of beginning.

(Mission Road improvement; Benefit District 79)

19-656. INCORPORATION BY REFERENCE. Section 2. A copy of said Easement is attached to the original of the ordinance and hereby incorporated by reference.

TAKE EFFECT. SECTION 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79.

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.

(s) Kent E. Crippin  
Mayor

(SEAL)

Attest:

(s) J. Oberlander  
City Clerk

APPROVED FOR FORM:

(s) Larry Winn III  
City Attorney

APPROVED FOR CONTENT:

(s) Jean Wise  
Chr., Ordinance Comm.

ORDINANCE NO. 651

AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR UTILITY PURPOSES FROM DONALD D. ALPERT.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-653. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Utility Easement from Donald D. Alpert, Holder of Legal and Beneficial Title for himself and others, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement for utility purposes, together with the right of ingress and egress over and through the following described real estate, to-wit:

All that part of the NE1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of the NE1/4 of said Section 21, and 100 feet West of the East line thereof; thence Northerly, along a line 100 feet West of and parallel to the East line of the NE1/4 of said Section 21, to a point on the South line of Lot 1, KINGS FOREST, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Westerly, along the South line of said Lot 1, a distance of 60 feet; thence Southeasterly, to a point on the South line of the NE1/4 of said Section 21, and 140 feet West of the Southeast corner thereof; thence Easterly, along the South line of the NE1/4 of said Section 21, to the point of beginning.

(Mission Road improvement; Benefit District 79-1)

19-654. INCORPORATION BY REFERENCE. Section 2. A copy of said Easement is attached to the original of the ordinance and thereby incorporated by reference.

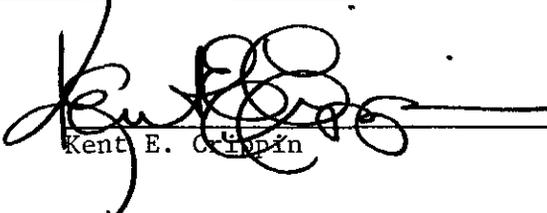
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.

(S E A L)

  
Kent E. C. Topin

Mayor

1249768 ✓

Ord. 657 Orig. in safe

UTILITY EASEMENT,

This agreement made and entered into this 26th day of April, 1979, by and between Donald D. Alpert, Holder of Legal and Beneficial Title for himself and other of the Post Office of Shawnee Mission in the State of Kansas party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

WITNESSETH: That for and in consideration of the location of utility facilities, said party of the first part, does hereby grant and convey to the party of the second part, a utility easement, together with the right of ingress and egress over and through the following described real estate to wit:

All that part of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of the NE $\frac{1}{4}$  of said Section 21, and 100 feet West of the East line thereof; thence Northerly, along a line 100 feet West of and parallel to the East line of the NE $\frac{1}{4}$  of said Section 21, to a point on the South line of Lot 1, KINGS FOREST, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Westerly, along the South line of said Lot 1, a distance of 60 feet; thence Southeasterly, to a point on the South line of the NE $\frac{1}{4}$  of said Section 21, and 140 feet West of the Southeast corner thereof; thence Easterly, along the South line of the NE $\frac{1}{4}$  of said Section 21, to the point of beginning.

*(Mission Rd. improvement - BD 79-1)*

for the sole use of said party of the second part as and for utility purposes within said City; when same shall cease to be used for said purposes to revert to the grantors, their successors, assigns or grantees.

It is hereby mutually understood and agreed that said first party hereby waives any claim for damages against the City of Leawood for damages of any and every kind occasioned by the location of said utilities.

IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

*Donald D. Alpert*  
Donald D. Alpert

STATE OF KANSAS, JOHNSON COUNTY, SS:

BE IT REMEMBERED that on this 26<sup>th</sup> day of April, 1979, before me, a notary public in and for said county and state came Donald D. Alpert to me personally known to be the same persons who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed my official seal the day and year last above written.

*Jean Toth*

Notary Public, Jean Toth

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 SEP 27 PM 3 41 .0

5.00  
RUBIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.



500 -

Page 2

ORDINANCE NO. 651

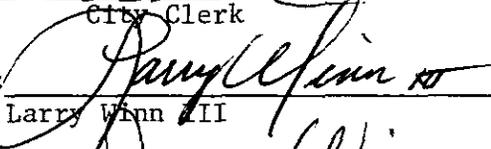
re Acceptance of Utility Easement from Donald D. Alpert.

Attest:

  
J. Oberlander

City Clerk

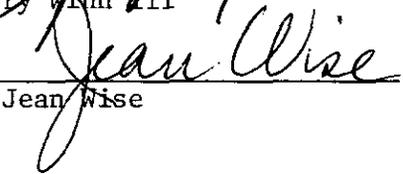
APPROVED FOR FORM:



Larry Winn II

, City Attorney

APPROVED FOR CONTENT:



Jean Wise

, Chr., Ordinance Comm.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
~~(daily, weekly, monthly, yearly)~~

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said

newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so

published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and

was published in the regular and entire issue of said

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the first publication thereof being made as aforesaid on the

21st day of Sept, 1979, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Stephen Rose

Subscribe and sworn to before me this 21st day of

Sept, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 16.35  
Additional copies \$ \_\_\_\_\_

NOTARY PUBLIC  
MARGUERITE E. BAKER  
JOHNSON COUNTY, KANSAS  
My Appointment Expires 3/15/80

First Published in The  
Johnson County Sun, Friday,  
September 21, 1979.

**ORDINANCE NO. 651**

**AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR UTILITY PURPOSES FROM DONALD D. ALPERT.**

**Be it ordained by the Governing Body of the City of Leawood, Kansas:**

19-653. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Utility Easement from Donald D. Alpert, Holder of Legal and Beneficial Title for himself and others, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement for utility purposes, together with the right of ingress and egress over and through the following described real estate, to-wit:

All that part of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of the NE $\frac{1}{4}$  of said Section 21, and 100 feet West of the East line thereof; thence Northerly, along a line 100 feet West of and parallel to the East line of the NE $\frac{1}{4}$  of said Section 21, to a point on the South line of Lot 1, KINGS FOREST, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Westerly, along the South line of said Lot 1, a distance of 60 feet; thence Southeasterly, to a point on the South line of the NE $\frac{1}{4}$  of said Section 21, and 140 feet West of the Southeast corner thereof; thence Easterly, along the South line of the NE $\frac{1}{4}$  of said Section 21, to the point of beginning.

(Mission Road Improvement; Benefit District 79-1)

19-654. INCORPORATION BY REFERENCE. Section 2. A copy of said Easement is attached to the original of this ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79.

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.

(s) Kent E. Grippin, Mayor

(SEAL)

Attest:  
(s) J. Ober, City Clerk

APPROVED FOR FORM:

(s) Larry Winn III, City Attorney

APPROVED FOR CON-

(s) Jean Wise, Chair, Ordinance Comm.

AN ORDINANCE RELATING TO THE ACCEPTANCE OF A RIGHT-OF-WAY GRANT FOR STREET PURPOSES FROM LEAWOOD CORPORATE MANOR I, LTD.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-651. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Right-of-Way Grant from Leawood Corporate Manor I, Ltd., along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, a Right-of-Way to construct, maintain, alter, repair, replace, a public road and sidewalk and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the NE1/4 of the NW1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NW1/4 of said Section 16; thence S 1° 28' 14" E, along the East line of the NW1/4 of said Section 16, a distance of 475.87 feet, to a point on the Easterly extension of the North line of 112th Street, as now established; thence S 88° 31' 46" W, along the North line and its extension of said 112th Street, a distance of 55 feet; thence N 1° 28' 14" W, along a line 55 feet West of and parallel to the East line of the NW1/4 of said Section 16, a distance of 475 feet, to a point on the North line thereof; thence N 87° 37' 49" E, along the North line of the NW1/4 of said Section 16, a distance of 55 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes. (West side of Roe Ave. from 111th Street to 112th Street)

19-652. INCORPORATION BY REFERENCE. Section 2. A copy of said Right-of-Way Grant is attached to the original ordinance and thereby incorporated by reference.

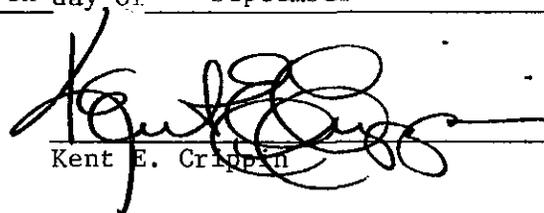
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.



  
Kent E. Crippin Mayor

KNOW ALL MEN BY THESE PRESENTS, THAT Leawood Corporate Manor I, Ltd.,  
a limited partnership

of the Post Office of 4701 College Boulevard, Leawood  
In the State of Kansas, in consideration of  
One Dollars (\$ 1.00) in hand paid and  
other valuable consideration, receipt of which is hereby acknow-  
ledged, hereby grant and convey<sup>s</sup> unto the CITY OF LEAWOOD,  
JOHNSON COUNTY, KANSAS, its successors and assigns, a Right-of-Way  
to construct, maintain, alter, repair, replace, a public road and  
sidewalk and all appurtenances convenient for said public road,  
together with the right of ingress and egress, over and through  
the following premises in the County of Johnson in the State of  
Kansas, to-wit:

All that part of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 16, Township 13, Range 25; now  
in the City of Leawood, Johnson County, Kansas, more particularly described  
as follows: Beginning at the Northeast corner of the NW $\frac{1}{4}$  of said Section 16;  
thence S 1° 28' 14" E, along the East line of the NW $\frac{1}{4}$  of said Section 16, a  
distance of 475.87 feet, to a point on the Easterly extension of the North  
line of 112th Street, as now established; thence S 88° 31' 46" W, along the  
North line and its extension of said 112th Street, a distance of 55 feet;  
thence N 1° 28' 14" W, along a line 55 feet West of and parallel to the East  
line of the NW $\frac{1}{4}$  of said Section 16, a distance of 475 feet, to a point on the  
North line thereof; thence N 87° 37' 49" E, along the North line of the NW $\frac{1}{4}$   
of said Section 16, a distance of 55 feet, to the point of beginning, all  
subject to that part thereof dedicated for street purposes.

*(West side of Roe Ave. from 111<sup>th</sup> St.  
to 112<sup>th</sup> St.)*

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 SEP 27 PM 3 40 .8

600  
RUBIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

This grant is a permanent easement for the purpose aforesaid and  
full consideration therefore is acknowledged; provided however, if  
a temporary construction easement is granted herein, then the  
period of said temporary easement shall be no longer than one year  
from the date of acceptance of construction of said road within  
said City of Leawood, Johnson County, Kansas.

This agreement is binding upon the heirs, executors, administra-  
tors, successors, and assigns of the parties hereto, and it is  
understood that this agreement cannot be changed in any way except  
in writing, signed by the grantor \_\_\_\_\_ and a duly authorized agent  
of the grantee.

IN WITNESS WHEREOF the grantor \_\_\_\_\_ has hereunto set his hand  
and seal \_\_\_\_\_ on this, the 8th day of August, 1979.

FROM A MAN  
REGISTERED  
OF THE STATE OF KANSAS  
BY \_\_\_\_\_

LEAWOOD CORPORATE MANOR I, Ltd.  
A Limited Partnership  
*Richard Sailors*  
By: Richard Sailors  
Sole General Partner

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

BE IT REMEMBERED, THAT on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned Notary Public, personally came \_\_\_\_\_ Who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

INDIVIDUAL ACKNOWLEDGMENT

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

BE IT REMEMBERED, THAT on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ before me, the undersigned Notary Public, personally came \_\_\_\_\_ Who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such a person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

INDIVIDUAL ACKNOWLEDGMENT

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, ss:

before me, the undersigned Notary Public, personally came \_\_\_\_\_ Who \_\_\_\_\_ personally known to me to be the same person who executed the foregoing instrument of writing and as such a person \_\_\_\_\_ duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_ on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Appointment Expires: \_\_\_\_\_

~~XXXXXXXX~~ ACKNOWLEDGMENT

STATE OF Kansas, COUNTY OF Johnson, ss:

BE IT REMEMBERED, THAT on this 8th day of August, 1979, before me, the undersigned Notary Public in and for the County and State aforesaid, came Richard Sailors, Sole General Partner of Leawood Corporate Manor I, Ltd., a Limited Partnership of Leawood, Kansas, who is personally known to me to be the sole general partner of said Limited Partnership and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said Limited Partnership

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

*Mary F Hadel*

\_\_\_\_\_  
Notary Public Mary F.Hadel

My Appointment Expires 9-29-80



Page 2

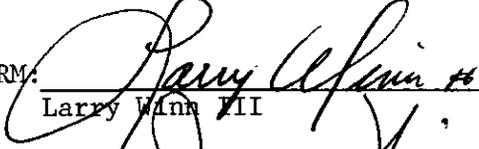
ORDINANCE NO. 650

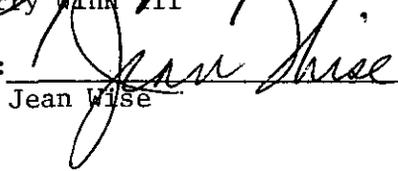
re Acceptance of Right-of-Way Grant

W. side of Roe from 111th St. to 112th St.

Attest:

  
J. Oberlander City Clerk

APPROVED FOR FORM: , City Attorney  
Larry Winn III

APPROVED FOR CONTENT: , Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said

newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so

published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and

was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

21st day of Sept, 19 79, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19 \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_, 19 \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_, 19 \_\_\_\_\_, 19 \_\_\_\_\_

Subscribe and sworn to before me this 21st day of

Sept, 19 79.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 17.55  
Additional copies \$ \_\_\_\_\_



First Published in The  
Johnson County Sun, Friday,  
September 21, 1979.

**ORDINANCE NO. 650**

**AN ORDINANCE RELATING TO THE ACCEPTANCE OF A RIGHT-OF-WAY GRANT FOR STREET PURPOSES FROM LEAWOOD CORPORATE MANOR I, LTD.**

**Be it ordained by the Governing Body of the City of Leawood, Kansas:**

**19-651. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Right-of-Way Grant from Leawood Corporate Manor I, Ltd., along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, a Right-of-Way to construct, maintain, alter, repair, replace, a public road and sidewalk and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following described lands, in the County of Johnson and the State of Kansas, to-wit:**

All that part of the NE 1/4 of the NW 1/4 of Section 16, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NW 1/4 of said Section 16; thence S 1° 28' 14" E, along the East line of the NW 1/4 of said Section 16, a distance of 475 feet, to a point on the Easterly extension of the North line of 112th Street, as now established; thence S 88° 31' 46" W, along the North line and its extension of said 112th Street, a distance of 55 feet; thence N 1° 28' 14" W, along a line 55 feet West of and parallel to the East line of the NW 1/4 of said Section 16, a distance of 475 feet, to a point on the North line thereof; thence N 87° 37' 49" E, along the North line of the NW 1/4 of said Section 16, a distance of 55 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes. (West side of Roe Ave. from 111th Street to 112th Street)

**19-652. INCORPORATION BY REFERENCE. Section 2. A copy of said Right-of-Way Grant is attached to the original ordinance and thereby incorporated by reference.**

**TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.**

First Reading: 9/4/79  
Second Reading: 9/17/79.

Passed by the Governing Body this \_\_\_\_\_ day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.

(s) Kent E. Crippin  
Mayor

(SEAL)

Attest:

(s) J. Oberlander  
City Clerk

APPROVED FOR FORM:

(s) Larry Winn III  
City Attorney

APPROVED FOR CONTENT:

(s) Jean Wise  
Chr., Ordinance Comm.

ORDINANCE NO. 649

AN ORDINANCE RELATING TO ACCEPTANCE OF A DRAINAGE EASEMENT FOR STORM SEWER PURPOSES FROM ANDREW-LEVY, LTD.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-649. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Drainage Easement from Andrew-Levy, Ltd., a Missouri corporation, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement or right-of-way to enter upon, locate, construct and maintain or to authorize the location, construction and maintenance of sewer mains, over, under, across and along the following described land, located in the County of Johnson, State of Kansas, to-wit:

The Northwest 15 feet of Lot 15, Block 1, LONGWOOD FOREST, a platted subdivision in Leawood, Kansas, said easement having as one of its boundaries the Easterly right-of-way line of Mission Road.

(Mission Road project, 109th Street to 111th Street)

19-650. INCORPORATION BY REFERENCE. Section 2. A copy of said Easement is attached to the original of the ordinance and thereby incorporated by reference.

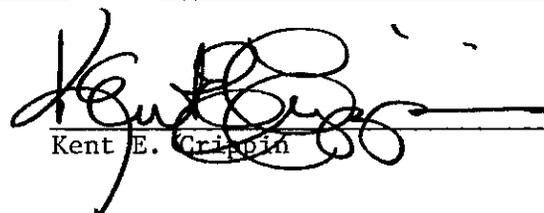
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

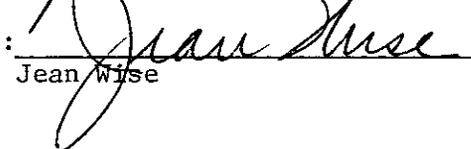
Approved by the Mayor this 17th day of September, 1979.

(S E A L)  
Attest:

  
Kent E. Crispin Mayor

  
J. Oberlander City Clerk

APPROVED FOR FORM: , City Attorney  
Larry Winn III

APPROVED FOR CONTENT: , Chr., Ordinance Comm.  
Jean Wise

JV

1249766 ✓

Ord. 649 orig. in safe

DRAINAGE EASEMENT

ORIGINAL COMPARED WITH RECO

This agreement made and entered into this 13th day of July, 1979, by and between ANDREW-LEVY, LTD., A Missouri Corporation party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

WITNESSETH: That for and in consideration of the location of a storm drainage facility said party of the first part, does hereby remise, let and release to the party of the second part, the following described real estate to-wit:

The Northwest 15 feet of Lot 15, Block 1, LONGWOOD FOREST, a platted subdivision in Leawood, Kansas, said easement having as one of its boundaries the Easterly right-of-way line of Mission Road.

(Mission Rd. proj. - 109<sup>th</sup> to 111<sup>th</sup>)

for the sole use of said party of the second part as and for drainage purposes within said City; when same shall cease to be used for said purposes to revert to the grantors, their successors, assigns or grantees.

It is hereby mutually understood and agreed that said first party hereby waives any claim for damages against the City of Leawood for damages of any and every kind occasioned by the location of said storm sewers.

IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

ANDREW-LEVY, LTD.

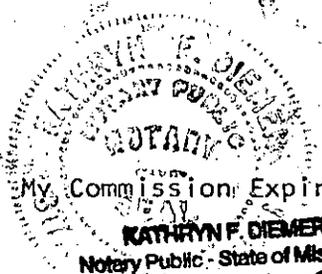
*Lawrence H. Levy*

Lawrence H. Levy, President

MISSOURI JACKSON  
STATE OF ~~KANSAS~~, ~~JOHNSON~~ COUNTY, SS:

BE IT REMEMBERED that on this 13th day of July, 1979, before me, a notary public in and for said county and state came Lawrence H. Levy to me personally known to be the same persons who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed my official seal the day and year last above written.



*Kathryn F. Diemer*  
Notary Public Kathryn F. Diemer

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

My Commission Expires:  
**KATHRYN F. DIEMER**  
Notary Public - State of Missouri  
Commissioned in Jackson County  
My Commission Expires Jan. 20, 1980

1979 SEP 27 PM 3 40 .6

5.00  
RUSIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

500

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said

newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so

published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and

was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

21st day of Sept, 1979, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Stephen F. Rose

Subscribe and sworn to before me this 21st day of

Sept, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 15.60  
Additional copies \$ \_\_\_\_\_



First Published in The  
Johnson County Sun, Friday,  
September 21, 1979.

**ORDINANCE NO. 649**

**AN ORDINANCE RELAT-  
ING TO ACCEPTANCE OF A  
DRAINAGE EASEMENT  
FOR STORM SEWER PUR-  
POSES FROM ANDREW-  
LEVY, LTD.**

**Be it ordained by the Govern-  
ing Body of the City of  
Leawood, Kansas:**

19-649. Section 1. The Govern-  
ing Body of the City of  
Leawood, Kansas, does here-  
by accept a Drainage Ease-  
ment from Andrew-Levy,  
Ltd., a Missouri corporation,  
along with the restrictions  
and reservations as set forth  
therein, granting the City of  
Leawood, Kansas, its succes-  
sors or assigns, an easement  
or right-of-way to enter upon,  
locate, construct and main-  
tain or to authorize the loca-  
tion, construction and  
maintenance of sewer mains,  
over, under, across and along  
the following described land,  
located in the County of  
Johnson, State of Kansas, to-  
wit:

The Northwest 15 feet of Lot  
15, Block 1, LONGWOOD  
FOREST, a platted subdivi-  
sion in Leawood, Kansas, said  
easement having as one of its  
boundaries the Easterly  
right-of-way line of Mission  
Road.

(Mission Road project, 109th  
Street to 111th Street)

19-650. INCORPORATION  
BY REFERENCE. Section 2.  
A copy of said Easement is at-  
tached to the original of the  
ordinance and thereby incor-  
porated by reference.

TAKE EFFECT. Section 3.  
This ordinance shall take ef-  
fect and be in force from and  
after its publication in the of-  
ficial City newspaper.

First Reading: 9/4/79 Second  
Reading: 9/17/79.

Passed by the Govern-  
ing Body this 17th day  
September, 1979.

Approved by the Mayor this  
17th day of September, 1979.

(s) Kent E. Crippin  
Mayor

(SEAL)

Attest:

(s) J. Oberlander  
City Clerk

APPROVED FOR POUND

(s) Larry Winn III  
City Attorney

APPROVED FOR CON-  
TENT

(s) Jean Wise  
Chr., Ordinance Comm.

ORDINANCE NO. 648

AN ORDINANCE RELATING TO ACCEPTANCE OF A DRAINAGE EASEMENT FOR STORM SEWER PURPOSES FROM TOM MASTERSON, INC., A MISSOURI CORPORATION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-647. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Drainage Easement from Tom Masterson, Inc., a Missouri corporation, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement or right-of-way to enter upon, locate, construct and maintain or to authorize the location, construction and maintenance of sewer mains, over, under, across and along the following described land, located in the County of Johnson, State of Kansas, to-wit:

The West 25 feet of Lot 14, Block 1, LONGWOOD FOREST, a platted subdivision in Leawood, Kansas.

(Mission Road project, 109th Street to 111th Street)

19-648. INCORPORATION BY REFERENCE. Section 2. A copy of said Easement is attached to the original of the ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

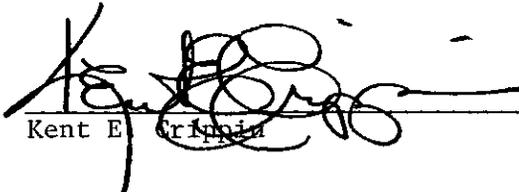
First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

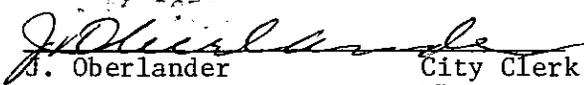
Approved by the Mayor this 17th day of September, 1979.

(S. E. A. L.)

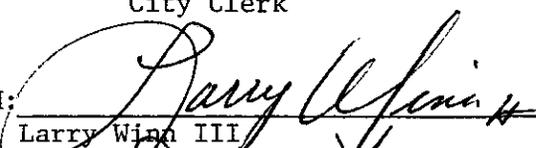
Attest:

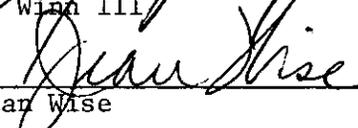
  
Kent E. Crisp

Mayor

  
J. Oberlander

City Clerk

APPROVED FOR FORM:   
Larry Winn III, City Attorney

APPROVED FOR CONTENT:   
Jean Wise, Chr., Ordinance Comm.

DRAINAGE EASEMENT

ORIGINAL COMPARED WITH RECORD

This agreement made and entered into this 15th day of June, 1979, by and between TOM MASTERSON, INC., A Missouri Corporation party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

WITNESSETH: That for and in consideration of the location of a storm drainage facility said party of the first part, does hereby remise, let and release to the party of the second part, the following described real estate to-wit:

The West 25 feet of Lot 14, Block 1, LONGWOOD FOREST, a platted subdivision in Leawood, Kansas.

*(Mission Rd. project - 109<sup>th</sup> to 111<sup>th</sup>)*

for the sole use of said party of the second part as and for drainage purposes within said City; when same shall cease to be used for said purposes to revert to the grantors, their successors, assigns or grantees.

It is hereby mutually understood and agreed that said first party hereby waives any claim for damages against the City of Leawood for damages of any and every kind occasioned by the location of said storm sewers.

IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

TOM MASTERSON, INC.

Thomas E. Masterson, President

MISSOURI JACKSON  
STATE OF ~~KANSAS~~, ~~JOHNSON~~ COUNTY, SS:

BE IT REMEMBERED that on this 15th day of June, 1979, before me, a notary public in and for said county and state came Thomas E. Masterson to me personally known to be the same persons who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed my official seal the day and year last above written.

**KATHRYN F. DIEMER**  
Notary Public - State of Missouri  
Commissioned in Jackson County  
My Commission Expires Jan. 20, 1980

  
Notary Public Kathryn F. Diemer

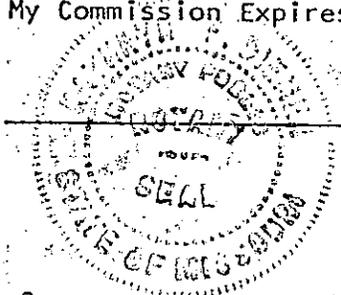
My Commission Expires:

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 SEP 27 PM 3 40 .4

5 00

RUBIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.



AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(~~daily~~ weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said

newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
21st day of Sept, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Stephen F. Rose

Subscribe and sworn to before me this 21st day of

Sept, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 12.75  
Additional copies \$ \_\_\_\_\_





ORDINANCE NO. 647

AN ORDINANCE RELATING TO ACCEPTANCE OF A DRAINAGE EASEMENT FOR STORM SEWER PURPOSES FROM PAUL EUGENE WUELLNER AND BARBARA ANN WUELLNER.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-645. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Drainage Easement from Paul Eugene Wuellner and Barbara Ann Wuellner, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement or right-of-way to enter upon, locate, construct and maintain or to authorize the location, construction and maintenance of sewer mains, over, under, across and along the following described land, located in the County of Johnson, State of Kansas, to-wit:

A triangular section of the Northwest corner of Lot 13, Block 1, LONGWOOD FOREST, a platted subdivision in Leawood, Kansas described as follows: Beginning at the Northwest lot corner of said Lot 13; thence Easterly along the North lot line of said Lot 13, a distance of 15 feet; thence Southwesterly to a point on the Easterly right-of-way line of Mission Road, said point being 15 feet from the Northwest corner of said Lot 13; thence North along the Easterly right-of-way line to the Northwest lot corner.

(Mission Road project, 109th Street to 111th Street)

19-646. INCORPORATION BY REFERENCE. Section 2. A copy of said Easement is attached to the original of the ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 9/4/79 Second Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.

(S E A L)

Attest:

J. Oberlander  
J. Oberlander  
City Clerk

Kent E. Crippen  
Kent E. Crippen  
Mayor

ORIGINAL COMPARED WITH RECORD

This agreement made and entered into this 13th day of July, 1979 by and between Paul Eugene Wuellner and Barbara Ann Wuellner, Husband and Wife party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

WITNESSETH: That for and in consideration of the location of a storm drainage facility said party of the first part, does hereby remise, let and release to the party of the second part, the following described real estate to-wit:

A triangular section of the Northwest corner of Lot 13, Block 1, LONGWOOD FOREST, a platted subdivision in Leawood, Kansas described as follows: Beginning at the Northwest lot corner of said Lot 13; thence Easterly along the North lot line of said Lot 13, a distance of 15 feet; thence Southwesterly to a point on the Easterly right-of-way line of Mission Road, said point being 15 feet from the Northwest corner of said Lot 13; thence North along the Easterly right-of-way line to the Northwest lot corner.

(Mission Rd. proj. - 109<sup>th</sup> to 111<sup>th</sup>)

for the sole use of said party of the second part as and for drainage purposes within said City; when same shall cease to be used for said purposes to revert to the grantor their successors, assigns or grantees.

It is hereby mutually understood and agreed that said first party hereby waives any claim for damages against the City of Leawood for damages of any and every kind occasioned by the location of said storm sewers.

IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

Paul Eugene Wuellner  
PAUL EUGENE WUELLNER

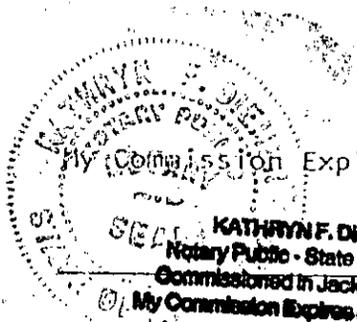
Barbara Ann Wuellner  
BARBARA ANN WUELLNER

STATE OF KANSAS, JOHNSON COUNTY, SS:

BE IT REMEMBERED that on this 13th day of July, 1979, before me, a notary public in and for said county and state came Paul Eugene Wuellner and Barbara Ann Wuellner to me personally known to be the same persons who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed my official seal the day and year last above written.

Kathryn F. Diemer  
Notary Public Kathryn F. Diemer



STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 SEP 27 PM 3 40 3

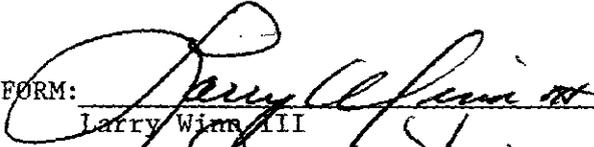
5.00  
RUBIE H. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

500

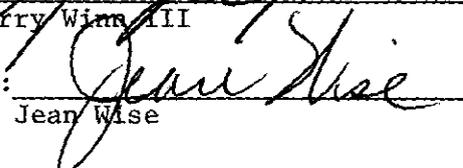
Page 2

ORDINANCE NO. 647

re Acceptance of Drainage Easement from Wuellners  
Mission Rd. proj.-109th to 111th

APPROVED FOR FORM: , City Attorney

Larry Winn III

APPROVED FOR CONTENT: , Chr., Ordinance Comm.

Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
~~-(daily, semi-weekly, weekly)-~~

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said

newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so

published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and

was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

21st day of Sept, 19 79, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Stephen F. Rose

Subscribe and sworn to before me this 21st day of

Sept, 19 79.

Marguerite E. Baker

NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 15.75  
Additional copies \$ \_\_\_\_\_

NOTARY PUBLIC  
MARGUERITE E. BAKER  
JOHNSON COUNTY, KANSAS  
My Appointment Expires 3/15/80

September 21, 1979, Friday

ORDINANCE NO. 647

AN ORDINANCE RELATING TO ACCEPTANCE OF A DRAINAGE EASEMENT FOR STORM SEWER PURPOSES FROM PAUL EUGENE WUELLNER AND BARBARA ANN WUELLNER.

Be it ordained by the governing body of the city of Leawood, Kansas:

Section 1. The governing body of the city of Leawood, Kansas, does hereby accept a Drainage Easement from Paul Eugene Wuellner and Barbara Ann Wuellner, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement or right-of-way to enter upon, locate, construct and maintain or to authorize the location, construction and maintenance of sewer mains, over, under, across and along the following described land, located in the County of Johnson, State of Kansas, to-wit:

A triangular section of the Northwest corner of Lot 13, Block 1, LONGWOOD FOREST, a platted subdivision in Leawood, Kansas described as follows: Beginning at the Northwest lot corner of said Lot 13; Thence Easterly along the North lot line of said Lot 13, a distance of 15 feet; thence southwesterly to a point on the Easterly right-of-way line of Mission Road, said point being 15 feet from the Northwest corner of said Lot 13; thence North along the Easterly right-of-way line to the Northwest lot corner. (Mission Road Project, 109th Street to 11th Street)

Section 2. BY REFERENCE, Section 1 of the original of the ordinance and hereby incorporated by reference.

Section 3. TAKE EFFECT. This ordinance shall take effect after its publication in the official City newspaper.

First Reading: 9/17/79

Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.

(s) Kent E. Crippin Mayor

(s) J. Oberlander City Clerk

APPROVED FOR FORM:

(s) Larry Winn III City Attorney

APPROVED FOR CONSENT:

(s) Jean Wise

City Ordinance Comm.

ORDINANCE NO. 646

AN ORDINANCE RELATING TO ACCEPTANCE OF DEED FOR PARK PURPOSES FROM PLAZA SAVINGS ASSOCIATION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-114. ACCEPTANCE OF DEED. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a deed from Plaza Savings Association, a Missouri corporation, for a tract of land to be used for park purposes, the legal description of which is as follows:

All of the tract of land designated "CITY PARK", as shown on the Plat of LONGWOOD FOREST, a subdivision of land now in the City of Leawood, Johnson County, Kansas, filed for record in Book 44 of Plats at Page 49

subject to easements and rights-of-way of record, if any.

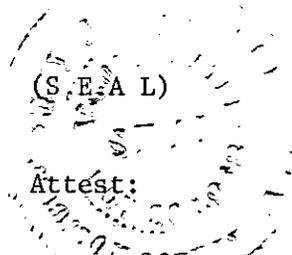
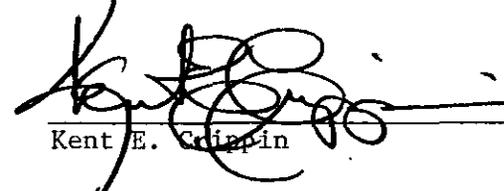
19-115. INCORPORATION BY REFERENCE. Section 2. A copy of said Deed is attached to the original of the ordinance and thereby incorporated by reference.

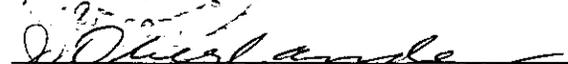
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/20/79 Second Reading: 9/17/79

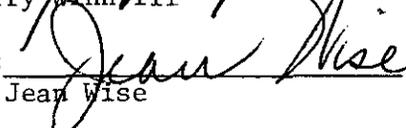
Passed by the Governing Body this 17th day of September, 1979.

Approved by the Mayor this 17th day of September, 1979.

 (S. E. A. L.)  
Attest:  
  
Kent E. Crispin Mayor

  
G. Oberlander City Clerk

APPROVED FOR FORM: , City Attorney  
Larry Winn III

APPROVED FOR CONTENT:  Chr., Ordinance Comm.  
Jean Wise



1219-63

copy 1246 Orig. in safe

# Kansas Quit-Claim Deed

CORPORATION

This Indenture, Made this 31st day of July A. D., 1979, between  
PLAZA SAVINGS ASSOCIATION,

a corporation duly organized, incorporated, and existing under and by virtue of the laws of the State  
of Missouri, and having its principal place of business at Kansas City  
in the State of Missouri, of the first part, and

THE CITY OF LEAWOOD, a Municipal Corporation,

of Johnson County, in the State of Kansas, of the second part,

WITNESSETH, THAT THE SAID PARTY OF THE FIRST PART, in consideration of the sum

of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION ~~DOLLARS~~

to it duly paid, has sold, and by these presents do Remise, Release and Quitclaim  
unto the said party of the second part, its successors and assigns, forever, all that  
tract or parcel of land situated in the County of Johnson and State of  
Kansas, and described as follows, to-wit:

All of the tract of land designated "CITY PARK",  
as shown on the Plat of LONGWOOD FOREST, a sub-  
division of land now in the City of Leawood,  
Johnson County, Kansas, filed for record in Book  
44 of Plats at Page 49;

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

Entered in Transfer Record  
27 Day of Sept AD 19 79  
DONALD J. CURRY

Johnson County Clerk

1979 SEP 27 PM 3 40 .1

RUBIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

with the appurtenances, and all the estate, title, and interest of the said party of the first  
part therein.

TO HAVE AND TO HOLD, all and singular, the above-described premises, together with the  
appurtenances, unto the said party of the second part, its successors and assigns, forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto caused this Deed to  
be signed on its behalf, by its President, thereunto duly authorized so to do, and to be attested by  
its Secretary, and has caused its common seal to be hereunto affixed, the day and year last above  
written.

PLAZA SAVINGS ASSOCIATION

By Robert E. Simon  
Robert E. Simon, President.

Attest: Lawrence Fahlstrom, Jr.  
Lawrence Fahlstrom, Jr., Secretary.

KANSAS CORPORATION ACKNOWLEDGMENT

STATE OF MISSOURI  
County of JACKSON

BE IT REMEMBERED, That on this 31st day of July A. D. 1979, before me the undersigned, a Notary Public in and for the County and State aforesaid, came ROBERT E. SIMON President of the PLAZA SAVINGS ASSOCIATION

a corporation duly organized, incorporated and existing under and by virtue of the laws of Missouri and LAWRENCE FAHLSTROM, JR., Secretary of said corporation, who are personally known to me to be such officers, and who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

KATHRYN F. DIEMER  
Notary Public - State of Missouri  
Commissioned in Jackson County, 19\_\_  
My commission expires My Commission Expires

*Kathryn F. Diemer*  
Kathryn F. Diemer Notary Public.

KATHRYN F. DIEMER  
Notary Public - State of Missouri  
Commissioned in Jackson County  
My Commission Expires

VOL 1509 PAGE 943

Quit-Claim Deed

FROM

TO

Entered in Transfer Record in my office this day of 19\_\_

County Clerk

STATE OF KANSAS, }  
County, } ss.

Received for Record on the day of 19\_\_, at o'clock M., and duly Recorded in Book of at Page

Register of Deeds.

Fee, \$

*City of Lawrence  
9615 Lee Blvd.  
Lawrence, Ks.*

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stephen F. Rose, being first Duly sworn,

Deposes and says: That he is

Associate Publisher of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the 21st day of Sept, 19 79, with subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Stephen F. Rose

Subscribe and sworn to before me this 21st day of

Sept, 19 79.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 12.15  
Additional copies \$ \_\_\_\_\_



First Published in The  
Johnson County Sun, Friday,  
September 21, 1979.

**ORDINANCE NO. 446**

**AN ORDINANCE RE-  
LATING TO ACCEP-  
TANCE OF DEED FOR  
PARK PURPOSES FROM  
PLAZA SAVINGS ASSOCIA-  
TION.**

**Be it ordained by the Govern-  
ing Body of the City of  
Leawood, Kansas:**

**19-114. ACCEPTANCE OF  
DEED.** Section 1. The  
Governing Body of the City of  
Leawood, Kansas, does here-  
by accept a deed from Plaza  
Savings Association, a Mis-  
souri corporation, for a tract  
of land to be used for park  
purposes, the legal descrip-  
tion of which is as follows:

All of the tract of land  
designated "CITY PARK"  
as shown on the Plat of  
LONGWOOD FOREST, a  
subdivision of land now in the  
City of Leawood, Johnson  
County, Kansas, filed for  
record in Book 44 of Plats at  
Page 49

subject to easements and  
rights-of-way of record, if  
any.

**19-115. INCORPORATION-  
BY REFERENCE.** Section 2.  
A copy of said Deed is at-  
tached to the original of the  
ordinance and thereby incor-  
porated by reference.

**TAKE EFFECT.** Section 3.  
This ordinance shall take ef-  
fect and be in force from and  
after its publication in the of-  
ficial City newspaper.

First Reading: 8/20/79 Se-  
cond Reading: 9/17/79

Passed by the Governing  
Body this 17th day of  
September, 1979.

Approved by the Mayor this  
17th day of September, 1979.

(SEAL)

(s) Kent E. Crippin, Mayor

Attest:

J. Oberlander, City Clerk

**APPROVED FOR FORM:**  
(s) Larry Winn, III, City At-  
torney

**TENT:** (s) Jean Wise, Chr.,  
Ordinance Comm.

(765)

ORDINANCE NO. 645

AN ORDINANCE RELATING TO ZONING OF CERTAIN PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

16-1202. Section 1. The following described real property is hereby designated as being zoned CP-1, Planned Restricted Business District, in accordance with the terms of the Zoning Ordinance as adopted April 17, 1978, this property having been previously zoned CP-0, Planned Non-Retail Business:

Part of the NW 1/4 of the NW 1/4 of the NE 1/4 of Section 16, Township 13, Range 25, of Johnson County, Kansas, now in the City of Leawood, more particularly described as:

Beginning at the center line of the intersection of 11th Street and Roe Boulevard and then East along the center line of 11th Street a distance of 295 feet, thence South parallel to the center line of Roe Boulevard a distance of 345 feet and then West parallel to the center line of 11th Street for a distance of 295 feet and then North along the center line of Roe Boulevard to the point of beginning, Subject, however, to street road easements.

Together with an additional 40 feet of property lying immediately adjacent to the East of the above described property (more commonly known as the Southeast corner of Roe and College Boulevard),

said property to be used for a banking facility.

16-1203. Section 2. If the Leawood Bank does not obtain a charter within 180 days of the effective date of this ordinance, the above described property will revert to its previous zoning of CP-0, Planned Non-Retail Business.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/20/79 Second Reading: 9/4/79

Passed by the Governing Body this 4th day of September, 1979.

Approved by the Mayor this 10th day of September, 1979.



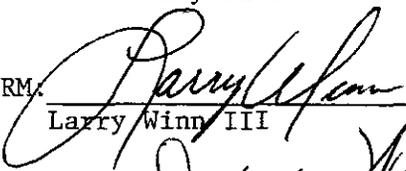
*Kent E. Crippin*  
Kent E. Crippin Mayor

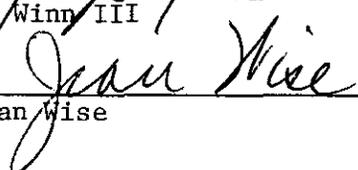
*Repealed by Ord. 645, 5/5/80*

Page 2  
ORDINANCE NO. 645  
re Zoning of Certain Property  
SE corner of Roe & College Blvd.

Attest:

  
J. Oberlander City Clerk

APPROVED FOR FORM:  \_\_\_\_\_, City Attorney  
Larry Winn III

APPROVED FOR CONTENT:  \_\_\_\_\_, Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
12th day of Sept, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribe and sworn to before me this 12th day of  
Sept, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 16.05  
Additional copies \$ \_\_\_\_\_



First Reading 8/20/79 - Se-  
cond Reading 9/4/79

ORDINANCE NO. 645

AN ORDINANCE RELAT-  
ING TO ZONING OF CER-  
TAIN PROPERTY IN THE  
CITY OF  
SAS.

Be It Ordained

That the Board of

Leawood

16-1202 Section 2. If the  
ing described property is  
hereby re-zoned  
zoned CP-1, Planned  
Restricted Business District,  
in accordance with the terms  
of the Zoning Ordinance as  
adopted April 17, 1978, this  
property having been  
previously zoned CP-O, Plan-  
ned Non-Retail Business

Part of the NW 1/4 of the NW 1/4  
of the Township of  
Township of  
Johnston, Kansas, now  
in the Leawood, more  
particularly described as:

Beginning at the center line of  
the intersection of 111th  
Street and Roe Boulevard and  
then East along the center  
line of 111th Street a distance  
of 295 feet; thence South  
parallel to the center line of  
Roe Boulevard a distance of  
345 feet; and then West  
parallel to the center line of  
111th Street for a distance of  
295 feet; and then North along  
the center line of Roe  
Boulevard to the point of  
beginning; Subject, however,  
to street road easements.

Together with an additional  
40 feet of property lying im-  
mediately adjacent to the  
East of the above described  
property (more commonly  
known as the Southeast cor-  
ner of Roe and College  
Boulevard)

said property to be used for a  
banking facility

16-1203 Section 2. If the  
Leawood Bank does not ob-  
tain a license within 180 days  
of the effective date of this or-  
dinance, the above described  
property will revert to its  
previous zoning of CP-O,  
Planned Non-Retail Business.

TAKE EFFECT. Section 3.  
This ordinance shall take ef-  
fect and be in force from and  
after its publication in the of-  
ficial City newspaper.

First Reading 8/20/79 - Se-  
cond Reading 9/4/79

Passed by the Governing  
Body this 10th day of  
September, 1979

Approved by the Mayor this  
10th day of September, 1979

(s) Kent E. [Redacted]  
Mayor

(SEAL)

(s) J. Oberlander  
City Clerk

APPROVED FOR FORM

(s) [Redacted]  
City Attorney

APPROVED FOR CON-  
TENT

(s) Jean Wise,  
Chr., Ordinance Com.

16.03 A. per abstract

See Ord. 218 + Ord. 644  
file

ORDINANCE NO. 644

AN ORDINANCE RELATING TO THE ACCEPTANCE OF A DEED FROM KROH BROTHERS DEVELOPMENT COMPANY, A MISSOURI CORPORATION, CONVEYING TO THE CITY OF LEAWOOD, KANSAS, A TRACT OF GROUND TO BE USED FOR PUBLIC WORKS FACILITY PURPOSES.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-101.1 ACCEPTANCE OF DEED. Section 1. The City Council of the City of Leawood, Kansas, does hereby accept a deed from Kroh Brothers Development Company, successor to Kroh Brothers, Inc., a Missouri Corporation, conveying the following described real property, to wit:

Commencing at the Northwest corner of said Fractional Section 11; thence South along the West line of said Fractional Section, which line has a bearing of South 00° 06' West a distance of 1062.90 feet to a point; thence East along a line having a bearing of North 90° East a distance of 103.75 feet to the point of beginning for this survey, said point being the rear lot corner of 931 & 932, LEAWOOD ESTATES, a subdivision as now recorded; thence Northeasterly along a line having a bearing of North 30° 42' East a distance of 209.50 feet to a point; thence East along a line having a bearing of North 90° East a distance of 110 feet to a point; thence Southeasterly along a line having a bearing of South 14° 50' 31" East a distance of 147.46 feet to a point; thence Southeasterly along a line having a bearing of South 12° 47' 34" East a distance of 250 feet to a point; thence Southwesterly along a line having a bearing of South 69° 42' 26" West a distance of 11.95 feet to a point of curve; thence Westerly along a line following a curve bearing to the right and having a radius of 130.21 feet a distance of 86.36 feet to a point of reverse curve; thence Westerly along a line following a curve bearing to the left and having a radius of 160.21 feet whose initial tangent has a bearing of North 72° 17' 34" West a distance of 106.26 feet to a point of tangent; thence Southwesterly along a line, tangent to the last described curve, which line has a bearing of South 69° 42' 26" West a distance of 17.11 feet to a point; thence North at right angles to the last described course which line has a bearing of North 20° 17' 34" West a distance of 59.95 feet to a point; thence Northeasterly along a line having a bearing of North 26° 44' 30" East a distance of 83.90 feet to a point; thence Northwesterly along a line having a bearing of North 63° 15' 30" West a distance of 144.68 feet to a point; thence Northeasterly along a line having a bearing of North 37° 14' 24" East a distance of 30.51 feet to the point of beginning.  
Subject to restrictions, easements, covenants and reservations of record.

repealed by Ord. 661 11/5/79

The above described tract of land contains 80,422.71 square feet of area.

To be used for a public works facility and known as 2008 W. 104th Street.

19-101,2 INCORPORATION BY REFERENCE. Section 2. A copy of said Deed is attached to the original ordinance and thereby incorporated by reference.

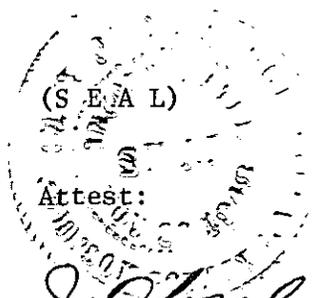
*Repealed  
by Ord.  
661, 11/5/79*

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/6/79 Second Reading: 8/20/79

Passed by the Governing Body this 20th day of August, 1979.

Approved by the Mayor this 20th day of August, 1979.



*Kent E. Crippin*  
\_\_\_\_\_  
Kent E. Crippin

*Judith Oberlander*  
\_\_\_\_\_  
J. Oberlander City Clerk

APPROVED FOR FORM: *Larry Winn III*, City Attorney  
\_\_\_\_\_  
Larry Winn III

APPROVED FOR CONTENT: *Jean Wise*, Chr., Ordinance Comm.  
\_\_\_\_\_  
Jean Wise

*2*

TRACT "H"  
9-J-26, 9-J-32  
4-9-1969  
89,277.02

TRACT "I"  
7-10-68  
122,327  
740,401  
3094,834  
140,957  
311,536  
31,482  
771,772  
311,536  
35,179  
TRACT "J"  
37,002.62  
April 10-1967  
9-L-24  
909,9474  
3147,7434  
904,0587  
3,72,0876  
976  
321

*Public Works  
Property 1.85A  
1.73*

TRACT "L"  
SURVEY 7-UD-6 7-6-1962  
80,422.71  
REVISION-DELETE 10-LE-204  
8-14-69

TRACT "N"  
8-18-69  
10-LE-207  
26,161.46

*Sold to  
K.C. Tending*

TRACT "Q"  
DR. ERICSSON  
SURVEY 7-5-20  
IMP. J. J. JEFFY 9-11-19  
180

TRACT "P"  
SURVEY 10-LE-165  
6-30-65

TRACT "O"

Point Begin

SEWER MAIN 100

TRACT "J"

TRACT "L"

TRACT "N"

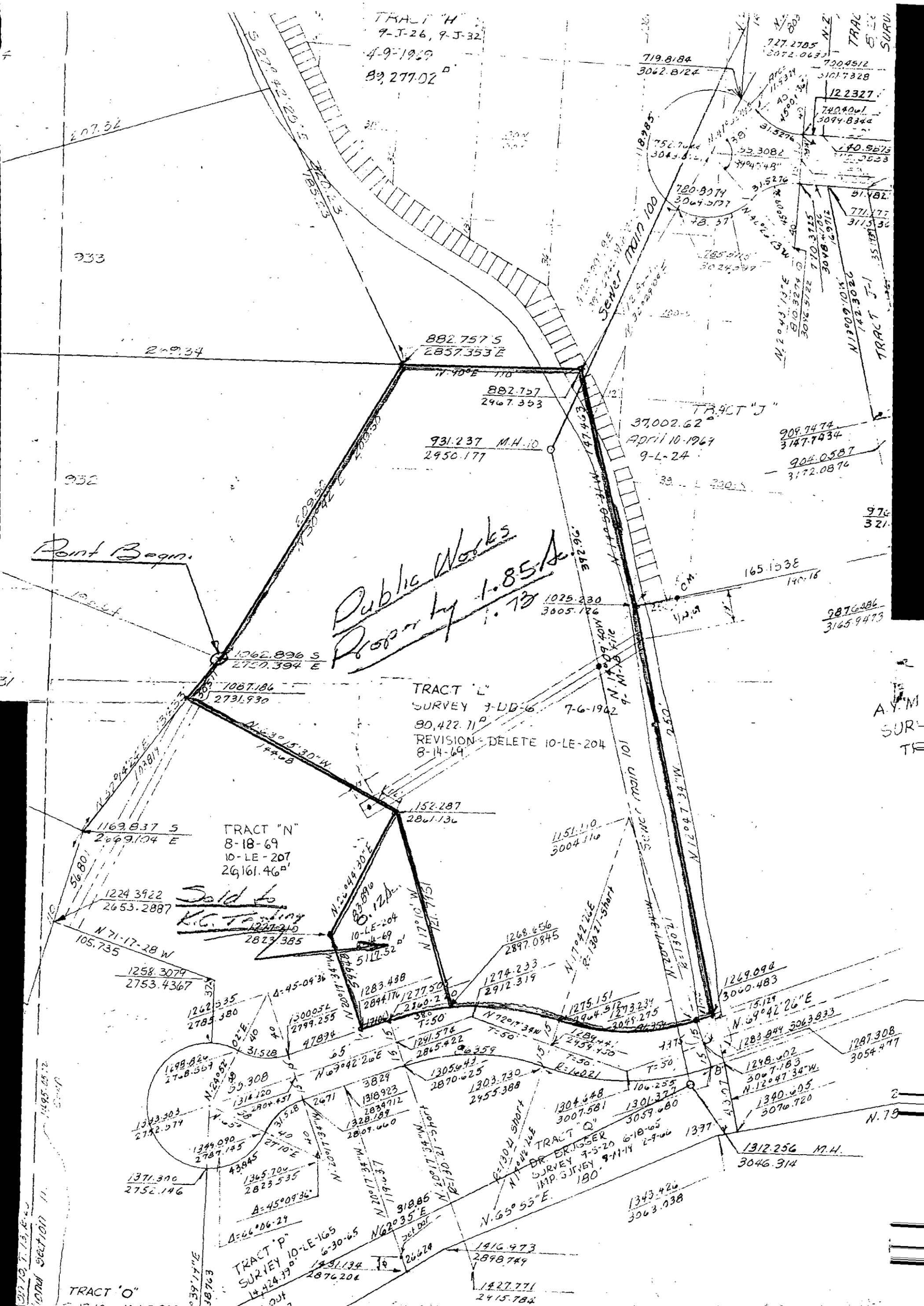
TRACT "Q"

TRACT "P"

TRACT "O"

Section 11

A.Y.M.  
SUR-  
TR



AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation  
in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
24th day of August, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 24th day of  
August, 1979.

Pearlie A. Peterson  
NOTARY PUBLIC

My commission expires:  
Printer's fee \$: 27.95  
Additional copies \$: \_\_\_\_\_

STATE NOTARY PUBLIC  
PEARLIE A. PETERSON  
JOHNSON COUNTY, KANSAS  
My Appt. Exp. Jan. 21, 1980

First Published in The  
Johnson County Sun, Friday,  
August 24, 1979.

ORDINANCE NO. 644

AN ORDINANCE RE-  
LATING TO THE ACCEP-  
TANCE OF A DEED FROM  
KROH BROTHERS  
DEVELOPMENT COM-  
PANY, A MISSOURI COR-  
PORATION; CONVEYING  
OF THE CITY OF  
LEAWOOD, KANSAS, A  
TRACT OF GROUND TO BE  
USED FOR PUBLIC WORKS  
FACILITY PURPOSES.

Be it ordained by the Govern-  
ing Body of the City of  
Leawood, Kansas:

19-101.1 ACCEPTANCE OF  
DEED. Section 1.

The City of  
Leawood, Kansas, does here-  
by accept a deed from Kroh  
Brothers Development Com-  
pany, successor to Kroh  
Brothers, Inc., a Missouri  
Corporation, conveying the  
following described real  
property, to wit:

Commencing at the  
Northwest corner of said  
Fractional Section 11; thence  
South along the West line of  
said Fractional Section,  
which line has a bearing of  
South 00° 06' West a distance  
of 1062.90 feet to a point;  
thence East along a line hav-  
ing a bearing of North 90°  
East a distance of 103.75 feet  
to the point of beginning for  
this survey, said point being  
the rear lot corner of 931 &  
932, LEAWOOD ESTATES, a  
subdivision as now recorded;

thence Northeasterly along  
a line having a bearing of  
North 30° 42' East a distance of  
209.50 feet to a point; thence  
East along a line having a  
bearing of North 90° East a  
distance of 110 feet to a point;  
thence Southeasterly along a  
line having a bearing of South  
14° 50' 31" East a distance of  
147.46 feet to a point; thence  
Southeasterly along a line  
having a bearing of South 12°  
47' 34" East a distance of 250  
feet to a point; thence  
Southwesterly along a line  
having a bearing of South 69°  
42' 26" West a distance of 11.95  
feet to a point of curve;  
thence Westerly along a line  
following a curve bearing to  
the right and having a radius  
of 130.21 feet a distance of  
86.36 feet to a point of reverse  
curve; thence Westerly along  
a line following a curve bear-  
ing to the left and having a  
radius of 160.21 feet whose in-  
itial tangent has a bearing of  
North 72° 17' 34" West a dis-  
tance of 106.24 feet to a point  
of tangent; thence  
Southwesterly along a line,  
tangent to the last described  
curve, which line has a bear-  
ing of South 69° 42' 26" West a  
distance of 17.11 feet to a  
point; thence North at right  
angles to the last described  
course which line has a bear-  
ing of North 20° 17' 34" West a  
distance of 59.95 feet to a  
point; thence Northeasterly  
along a line having a bearing  
of North 26° 15' 30" East a dis-  
tance of 83.90 feet to a point;  
thence Northwesterly along a

line having a bearing of North  
63° 15' 30" West a distance of  
144.68 feet to a point; thence  
Northeasterly along a line  
having a bearing of North 37°  
14' 24" East a distance of 30.51  
feet to the point of beginning.  
Subject to restrictions, ease-  
ments, covenants and reser-  
vations of record.

The above described tract of  
land contains 80,422.71 square  
feet of area.

To be used for a public works  
facility and known as 2008 W.  
104th Street.

19-101.2 INCORPORATION  
BY REFERENCE. Section 2.  
A copy of said Deed is at-  
tached to the original or-  
dinance and thereby incor-  
porated by reference.

TAKE EFFECT. Section 3.  
This ordinance shall take ef-  
fect and be in force from and  
after its publication in the of-  
ficial City newspaper.

First Reading: 8/6/79 Second  
Reading: 8/20/79

Body this 20th day of August,  
1979.

Approved by the Mayor this  
20th day of August, 1979.

(s) Kent E. Crippin

(SEAL)

Attest:

(s) J. Oberlander  
City Clerk

APPROVED FOR FORM:  
(s) Larry Winn III, City At-  
torney

APPROVED FOR CO-  
ORDINANCE: (s) [Signature] City  
Ordinance

ORDINANCE NO. 643

AN ORDINANCE RELATING TO CITY OFFICERS APPOINTED; DATE OF APPOINTMENT; AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 1-401 of Revised Ordinances, as adopted by Ordinance No. 618, is hereby repealed and the following enacted in lieu thereof:

1-401. OFFICERS APPOINTED; DATE OF APPOINTMENT. Section 2. The Mayor shall, at the first regular meeting of the City Council in May of each year, by and with the consent of the Governing Body, appoint the following officers: Fire Chief, City Marshal who shall be Chief of Police, City Treasurer, City Attorney, Assistant City Attorney, Chief Building Official, City Engineer, Assistant City Engineer, City Architect, Assistant City Architect, City Clerk, and Municipal Judge.

With reference to the position of Municipal Judge however, the appointment of a judicial selection committee under Section 9-102.2 shall be required only if the incumbent Judge appointed under Section 9-102.1 et seq. is not to be reappointed or if there exists a vacancy in the office of Municipal Judge.

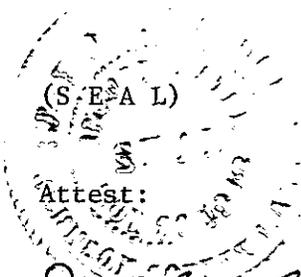
The City Clerk shall enter every appointment to office and the date thereof on the journal of proceedings.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 8/6/79 Second Reading: 8/20/79

Passed by the Governing Body this 20th day of August, 1979.

Approved by the Mayor this 20th day of August, 1979.



Attest:

J. Oberlander  
J. Oberlander City Clerk

Kent E. Crippin  
Kent E. Crippin Mayor

APPROVED FOR FORM: Larry Winn, City Attorney  
Larry Winn

APPROVED FOR CONTENT: Jean Wise, Chr., Ordinance Comm.  
Jean Wise

repealed by Ord. # 696,  
5/4/81

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

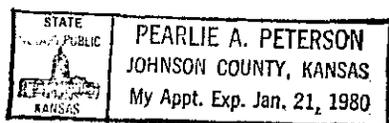
the first publication thereof being made as aforesaid on the  
24th day of August, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribe and sworn to before me this 24th day of  
August, 1979.

Pearlie A. Peterson  
NOTARY PUBLIC

My commission expires:  
Printer's fee \$ 13.50  
Additional copies \$ \_\_\_\_\_



First Published in the  
Johnson County Sun, Friday,  
August 24, 1979.

ORDINANCE NO. 643

AN ORDINANCE  
RELATING TO CITY OF-  
FICERS APPOINTED,  
DATE OF APPOINTMENT,  
AND REPEAL OF SECTION  
AND REPEAL OF SECTION,  
as it ordained by the Govern-  
ing Body of the City of  
Lawwood, Kansas:

REPEAL OF SECTION, Sec-  
tion 1, Section 1-401 of Revised  
Ordinance, as adopted by  
Ordinance No. 618, is hereby  
repealed and the following  
enacted in lieu thereof:

SECTION 1.401. OFFICERS AP-  
POINTED; DATE OF AP-  
POINTMENT; SECTION 2. THE  
Mayor shall, at the first  
regular meeting of the City  
Council in May of each year,  
advise with the consent of the  
Governing Body, appoint the  
following officers: Fire Chief,  
City Marshal who shall be  
Chief of Police, City  
Treasurer, City Attorney, Chief  
Building Official, City  
Engineer, Assistant City  
Engineer, City Architect, As-  
sistant City Architect, City  
Clerk, and Municipal Judge.

With reference to the posi-  
tion of Municipal Judge  
however, the appointment of  
a judicial selection commit-  
tee under Section 9-102.2 shall  
be required only if the incum-  
bent Judge appointed under  
Section 9-102.1 et seq. is not to  
be reappointed or if there ex-  
ists a vacancy in the office of  
Municipal Judge.

The City Clerk shall enter  
every appointment to office  
and the date thereof on the  
Journal of proceedings.

TAKE EFFECT, Section 3,  
this ordinance shall take ef-  
fect, and be in force from and af-  
ter its publication in the of-  
ficial City newspaper.

First Reading: 8/6/79 Second  
Reading: 8/20/79  
Passed by the Governing  
Body this 20th day of August,  
1979.

Approved by the Mayor this  
20th day of August, 1979.

(s) Kent E. Crippin, Mayor  
(SEAL)  
Attest:

(s) J. Oberlander City Clerk  
APPROVED FOR FORM:  
(s) Larry Winn III, City At-  
torney  
APPROVED FOR CON-  
SENT: (s) Jean Wise, Chr.,  
Ordinance Comm.

ORDINANCE NO. 642

Repealed by Ord. #839  
CODE OF 1984  
Effective 12/21/84

AN ORDINANCE CREATING THE OFFICE OF CITY ADMINISTRATOR, APPOINTMENT, TENURE, QUALIFICATIONS FOR OFFICE, BOND, COMPENSATION, REMOVAL FROM OFFICE, DUTIES, POWERS, INTERFERENCE BY THE MEMBERS OF THE CITY COUNCIL, SEVERANCE CLAUSE, REPEAL OF CONFLICTING ORDINANCE, AND EFFECTIVE DATE.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Sections 1-422, 1-423, 1-424, 1-425, 1-426, 1-427, 1-428 and 1-429 of Revised Ordinances, as adopted by Ordinance No. 622, are hereby repealed and the following enacted in lieu thereof:

1-422. OFFICE OF CITY ADMINISTRATOR. Section 2. There is hereby created and established the office of City Administrator for the City of Leawood, Kansas.

1-423. APPOINTMENT AND TENURE. Section 3. A qualified person shall be appointed City Administrator for the City of Leawood by the Mayor; such appointment shall be approved by a majority of the City Council. The person so appointed shall serve for an indefinite term.

1-424. QUALIFICATIONS. Section 4. The person appointed to the office of City Administrator shall be a resident of Johnson County at the time of the effective date of such appointment, and shall be a graduate of an accredited university or college, majoring in public or municipal administration or shall have the equivalent qualifications and experience in financial and/or administrative fields.

1-425. BOND. Section 5. The City Administrator, before entering upon the duties of his office, shall file with the City a bond in the amount of Fifty Thousand Dollars (\$50,000). Such bond shall be approved by the City Council and such bond shall insure the City of Leawood for the faithful and honest performance of the duties of the City Administrator and for rendering a full and proper account to the City of Leawood for funds and property which shall come into the possession or control of the City Administrator. The cost of such bond shall be paid by the City of Leawood; however, should the City Administrator be covered by a blanket bond to the same extent, such individual bond shall not be required.

1-426. COMPENSATION. Section 6. The City Administrator shall receive such compensation as may be determined from time to time by the City Council and such compensation shall be payable bi-weekly.

1-427. REMOVAL OF CITY ADMINISTRATOR. Section 7. The City Administrator shall serve at the pleasure of the appointing authority. The Mayor, with the consent of a majority of the entire City Council, may remove the City Administrator from office at will. If requested, the Mayor and City

Council shall grant the City Administrator a public hearing within thirty (30) days following notice of such removal. During the interim, the Mayor, with the approval of a majority of the City Council, may suspend the City Administrator from duty, but shall continue his salary for two (2) calendar months following the final removal date, provided, however, that if the City Administrator shall be removed for acts of dishonesty or acts of moral turpitude, such salary shall not be continued.

1-428. DUTIES. Section 8.

- A. Administrative Office: The City Administrator shall be the chief administrative assistant to the Mayor and as such shall be the administrative officer of the City Government. Except as otherwise specified by ordinance or by law of the State of Kansas, the City Administrator shall coordinate and generally supervise the operation of all departments of the City of Leawood.
- B. Purchasing: The City Administrator shall be the purchasing agent for the City of Leawood and all purchases amounting to less than one thousand five hundred dollars (\$1,500) shall be made under his general direction and supervision, and all such purchases shall be made in accordance with the purchasing rules and procedures approved by the City Council.
- C. Budget: The City Administrator shall be the budget officer of the City of Leawood and with the assistance of all department heads shall assemble estimates of the financial needs and resources of the City for each ensuing year and shall prepare a program of activities within the financial power of the City, embodying in it a budget document with proper supporting schedules and an analysis to be proposed to the Mayor and City Council for their final approval.
- D. Financial Reports: The City Administrator shall make monthly reports to the Mayor and City Council relative to the financial condition of the City. Such reports shall show the financial condition of the City in relation to the budget.
- E. Annual Report: The City Administrator shall prepare and present to the Mayor and City Council an annual report of the City's affairs, including in such a report a summary of :

...reports of department heads and such other reports as the Mayor and City Council may require.

F. Personnel System: The City Administrator shall act as the personnel officer of the City and shall recommend an appropriate position and classification system and pay plan to the Mayor and City Council. The City Administrator, after consultation with department heads, shall approve advancements and appropriate pay increases within the approved pay plans and position classification system to coordinate compliance with same. The City Administrator, after consultation with and acting through the appropriate department heads shall have the power to appoint and remove (in accordance with Personnel System regulations approved by the City Council) all subordinate employees of the City of Leawood. The City Administrator shall make recommendations to the Mayor and City Council concerning appointment and removal of department heads.

G. Policy Formulation: The City Administrator shall recommend to the Mayor and City Council adoption of such measures as he may deem necessary or expedient for the health, safety, or welfare of the City or for the improvement of administrative services for the City.

H. City Council Agenda: The City Administrator shall submit to the Mayor and City Council a proposed Agenda for each Council meeting at least seventy-two (72) hours before the time of the regular Council meeting.

I. Commissions and Committees: The City Administrator shall work with all City commissions and committees to help coordinate the work of each.

J. Attend City Council Meetings: The City Administrator shall attend all meetings of the City Council unless excused by the Mayor.

K. Bid Specifications: The City Administrator shall supervise the preparation of all bid specifications for services and equipment, and receive sealed bids for presentation to the City Council.

L. State and Federal Aid Programs: The City Administrator shall coordinate Federal and State programs which may have application to the City of Leawood.

M. Conference Attendance: The City Administrator shall attend State and Regional conferences and programs applicable to his office, and the business of the City of Leawood, whenever such attendance is directed and approved by the City Council and Mayor.

N. The City Administrator shall keep full and accurate records of all actions taken by him in the course of his duties, and he shall safely and properly keep all records and papers belonging to the City of Leawood and entrusted to his care in accordance with Federal and Kansas State statutes. All such records shall be and remain the property of the City of Leawood and be open to inspection by the Mayor and City Council at all times.

O. Miscellaneous: In addition to the foregoing duties, the City Administrator shall perform any and all other duties or functions prescribed by the Mayor and City Council.

1-429. POWERS. Section 9.

A. City Property: The City Administrator shall have responsibility for all real and personal property of the City of Leawood. He shall have responsibility for all inventories of such property and for the upkeep of all such property. He shall be responsible to see the City has adequate procedures to insure against major insurable risks.

B. Set Administrative Policies: The City Administrator shall have the power to prescribe such rules and regulations as he shall deem necessary or expedient for the conduct of administrative agencies subject to his authority, and he shall have the power to revoke, suspend, or amend any rule or regulation of the administrative service except those prescribed by the City Council.

C. Coordinate Departments: The City Administrator shall have the power to coordinate the work of all the departments

of the City, and, at times of an emergency, with the approval of the Mayor and acting through the appropriate department heads, shall have authority to assign the employees of the City to any department where they are needed for the most effective discharge of the functions of City Government.

D. Investigate and Report: The City Administrator shall report on any condition or fact concerning the City Government requested by the Mayor or City Council.

E. Coordinate Officials: The City Administrator shall have the power to overrule any administrative action taken by a department head, and may thereby supersede him in the functions of his office but only with the prior approval of the Mayor and in accordance with Kansas State statutes.

F. Appear Before the City Council: The City Administrator shall have the power to appear before and address the City Council at any meeting.

G. At no time shall the duties or powers of the City Administrator supersede the action by the Mayor and City Council.

1-430. INTERFERENCE BY MEMBERS OF THE CITY COUNCIL. Section 10. No member of the City Council shall directly interfere with the conduct of any department or duties of employees subordinate to the City Administrator except at the express direction of the City Council, or with the approval of the City Administrator.

1-431. SEVERANCE CLAUSE. Section 11. The provisions of the ordinance are declared to be severable and if any section, sentence, clause, or phrase of this ordinance, shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance but they shall remain in effect, it being the legislative intent of the City Council that this ordinance shall stand notwithstanding the invalidity of any part.

TAKE EFFECT. Section 12. This ordinance shall take effect and be in force from and after its passage and approval.

First Reading: 7/16/79 Second Reading: 8/6/79

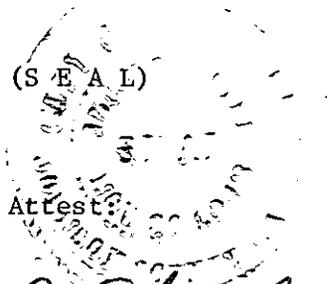
Passed by the Governing Body this 6th day of August, 1979.

Approved by the Mayor this 6th day of August, 1979.

Page 6  
ORDINANCE NO. 642  
re Office of City Administrator

(S E A L)

Attest:

  
J. Oberlander  
J. Oberlander City Clerk

Kent E. Crippin  
Kent E. Crippin Mayor

APPROVED FOR FORM: Larry Winn III, City Attorney

APPROVED FOR CONTENT: Jean Wise, Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal

publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so

published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and

was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

10th day of August, 1979, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribe and sworn to before me this 10th day of

August, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$: 2.75  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson County Sun, Friday, August 10, 1979.

ORDINANCE NO. 642

AN ORDINANCE CREATING THE OFFICE OF CITY ADMINISTRATOR, APPOINTMENT, TENURE, QUALIFICATIONS FOR OFFICE, BOND, COMPENSATION, REMOVAL FROM OFFICE, DUTIES, POWERS, INTERFERENCE BY THE MEMBERS OF THE CITY COUNCIL, SEVERANCE CLAUSE, REPEAL OF CONFLICTING ORDINANCE, AND EFFECTIVE DATE.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Sections 1-422, 1-423, 1-424, 1-425, 1-426, 1-427, 1-428 and 1-429 of Revised Ordinances, as adopted by Ordinance No. 622, are hereby repealed and the following enacted in lieu thereof:

1-422. OFFICE OF CITY ADMINISTRATOR. Section 2. There is hereby created and established the office of City Administrator for the City of Leawood, Kansas.

1-423. APPOINTMENT AND TENURE. Section 3. A qualified person shall be appointed City Administrator for the City of Leawood by the Mayor; such appointment shall be approved by a majority of the City Council. The person so appointed shall serve for an indefinite term.

1-424. QUALIFICATIONS. Section 4. The person appointed to the office of City Administrator shall be a resident of Johnson County at the time of the effective date of such appointment, and shall be a graduate of an accredited university or college, majoring in public or municipal administration or shall have the equivalent qualifications and experience in financial and/or administrative fields.

1-425. BOND. Section 5. The City Administrator, before entering upon the duties of his office, shall file with the City a bond in the amount of Fifty Thousand Dollars (\$50,000). Such bond shall be approved by the City Council and such bond shall insure the City of Leawood for the faithful and honest performance of the duties of the City Administrator and for rendering a full and proper account to the City of Leawood for funds and property which shall come into the possession or control of the City Administrator. The cost of such bond shall be paid by the City of Leawood; however, should the City Administrator be covered by a blanket bond to the same extent, such individual bond shall not be required.

1-426. COMPENSATION. Section 6. The City Administrator shall receive such compensation as may be determined from time to time by the City Council and such compensation shall be payable bi-weekly.

1-427. REMOVAL OF CITY ADMINISTRATOR. Section 7. The City Administrator shall serve at the pleasure of the appointing authority. The Mayor, with the consent of a majority of the entire City Council, may remove the City Administrator from office at will. If requested, the Mayor and City Council shall grant the City Administrator a public hearing within thirty (30) days following notice of such removal. During the interim, the Mayor, with the approval of a majority of the City Council, may suspend the City Administrator for duty, but shall not pay his salary for two (2) months beyond the final removal date, provided, however, that if the City Administrator shall be removed for acts of dishonesty or acts of moral turpitude, such salary shall not be continued.

1-428. DUTIES. Section 8.

A. Administrative Office: The City Administrator shall be the chief administrative assistant to the Mayor and as such shall be the administrative officer of the City Government. Except as otherwise specified by ordinance or by law of the State of Kansas, the City Administrator shall coordinate and generally supervise the operation of all departments of the City of Leawood.

B. Purchasing: The City Administrator shall be the purchasing agent for the City of Leawood and all purchases amounting to less than one thousand five hundred dollars (\$1,500) shall be made under his general direction and supervision, and all such purchases shall be made in accordance with the purchasing rules and procedures approved by the City Council.

C. Budget: The City Administrator shall be the budget officer of the City of Leawood and with the assistance of all department heads shall assemble estimates of the financial needs and resources of the City for each ensuing year and shall prepare a program of activities within the financial power of the City, embodying in it a budget document, with proper supporting schedules and an analysis to be proposed to the Mayor and City Council for their final approval.

D. Financial Reports: The City Administrator shall make monthly reports to the Mayor and City Council relative to the financial condition of the City. Such reports shall show the financial condition of the City in relation to the budget.

E. Annual Report: The City Administrator shall prepare and present to the Mayor and City Council an annual report of the City's affairs, including in such report a summary of reports of department heads and such other reports as the Mayor and City Council may require.

F. Personnel System: The City Administrator shall act as the personnel officer of the City and shall recommend an appropriate position and classification system and pay plan to the Mayor and City Council. The City Administrator, after consultation with department heads, shall approve advancements and appropriate pay increases within the approved pay plans and position classification system to coordinate compliance with same. The City Administrator, after consultation with and acting through the appropriate department heads shall have the power to appoint and remove (in accordance with Personnel System regulations approved by the City Council) all subordinate employees of the City of Leawood. The City Administrator shall make recommendations to the Mayor and City Council concerning appointment and removal of department heads.

G. Policy Formulation: The City Administrator shall recommend to the Mayor and City Council adoption of such measures as he may deem necessary or expedient for the health, safety, or welfare of the City or for the improvement of administrative services for the City.

H. City Council Agenda: The City Administrator shall submit to the Mayor and City Council a proposed Agenda for each Council meeting at least seventy-two (72) hours before the time of the regular Council meeting.

I. Commissions and Committees: The City Administrator shall work with all City commissions and committees to help coordinate the work of each.

J. Attend City Council Meetings: The City Administrator shall attend City Council meetings of the City Council called by the Mayor.

K. Bid Specifications: The City Administrator shall supervise the preparation of all bid specifications for services and equipment, and receive sealed bids for presentation to the City Council.

L. State and Federal Aid Programs: The City Administrator shall coordinate Federal and State programs which may have application to the City of Leawood.

M. Conference Attendance: The City Administrator shall attend State and Regional conferences and programs applicable to his office, and the business of the City of Leawood, whenever such attendance is directed and approved by the City Council and Mayor.

N. The City Administrator shall keep full and accurate records of all actions taken by him in the course of his duties, and he shall safely and properly keep all records and papers belonging to the City of Leawood and entrusted to his care in accordance with Federal and Kansas State laws. All such records shall be the property of the City of Leawood and shall be open to inspection by the Mayor and City Council at all times.

O. Miscellaneous: In addition to the foregoing duties, the City Administrator shall perform any other duties or functions as may be assigned by the Mayor and City Council.

1-429. SEVERANCE. Section 9.

A. City Property: The City Administrator shall have responsibility for all real and personal property of the City of Leawood. He shall have responsibility for all inventories of such property and for the upkeep of all such property. He shall be responsible for insuring adequate insurance against major insurable risks.

B. Set Administrative Policies: The City Administrator shall have the power to prescribe rules and regulations as he deems necessary or expedient for the conduct of administrative agencies subject to the authority, and he shall have the power to revoke, suspend or amend any rule or regulation of administrative service except those prescribed by the City Council.

C. Coordinate Departments: The City Administrator shall have the power to coordinate the work of all the departments of the City, and, at times of an emergency, with the approval of the Mayor and acting through the appropriate department heads, shall have authority to assign the employees of the City to any department where they are needed for the most effective discharge of the functions of City Government.

D. Investigate and Report: The City Administrator shall report on any condition or fact concerning the City Government requested by the Mayor or City Council.

E. Coordinate Officials: The City Administrator shall have the power to give orders and administrative action taken by a department head, and may thereupon supersede him in the functions of his office but only with the prior approval of the Mayor and in accordance with Kansas State statutes.

F. Appear Before the City Council: The City Administrator shall have the power to appear before and address the City Council at any meeting.

G. At no time shall the duties or powers of the City Administrator supersede the action by the Mayor and City Council.

INTERFERENCE BY MEMBERS OF THE CITY COUNCIL. Section 10. No member of the City Council shall directly interfere with the conduct of any department or duties of employees subordinate to the City Administrator except at the express direction of the City Council with the approval of the City Administrator.

SEVERANCE CLAUSE. Section 11. The provisions of the ordinance are declared to be severable and if any section, sentence, clause, or phrase of this ordinance shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the remaining provisions, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent of the City Council that this ordinance shall remain in effect notwithstanding the invalidity of any part.

TAKE EFFECT. Section 12. This ordinance shall take effect and be in force from and after its passage and approval.

First Reading: 7/10/79  
Reading: 8/6/79

Passed by the Governing Body this 6th day of August, 1979.  
Approved by the Mayor this 6th day of August, 1979.

(s) Kent E. Crippin, Mayor

(s) J. Oberlander, City Clerk

APPROVED FOR FORM:

(s) Larry Winn, III, City Attorney

City of Leawood, Kansas  
City Ordinance Comm.

ORDINANCE NO. 641

AN ORDINANCE VACATING AN EASEMENT FOR STREET PURPOSES IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-643. Section 1. That easement granted to the City of Leawood by Kansas Warranty Deed, executed by Ward Parkway Shops, Inc. May 12, 1971, and accepted by the City Council June 21, 1971 by Ordinance No. 400S, and which is described as follows:

That part of fractional Section 11, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the northeast corner of said fractional Section 11; thence south 00° 11' 20" east along said east line 749.64 ft.; thence north 90° west 324.87 ft. to the point of beginning; thence north 87° 16' 47" west 210 ft.; thence southwesterly along a line following a curve bearing to the left having a radius of 40 ft. a distance of 31.53 ft.; thence westerly, northerly and easterly along a line following a curve bearing to the right having a radius of 38 ft. whose initial tangent bears south 47° 33' 37" west 179.28 ft.; thence southeasterly along a line following a curve bearing to the left having a radius of 40 ft. whose initial tangent bears south 42° 07' 11" east 31.53 ft.; thence south 87° 16' 47" east 206.40 ft. to a point in the west line of the Missouri-Kansas State Line Road; thence south 04° 07' 03" east along said line 30.21 ft. to the point of beginning (103rd St. Terr.)

is hereby vacated.

19-644. Section 2. The City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

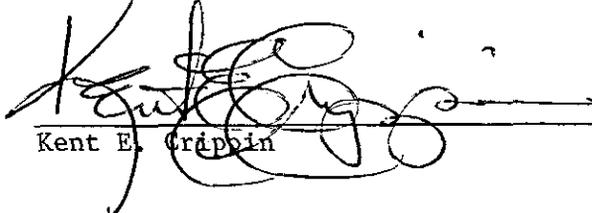
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 7/2/79 Second Reading: 7/16/79

Passed by the Governing Body this 16th day of July, 1979.

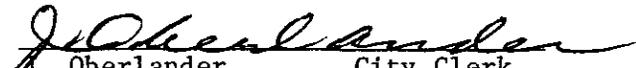
Approved by the Mayor this 16th day of July, 1979.

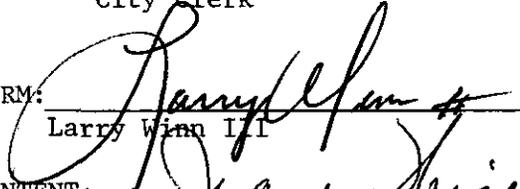


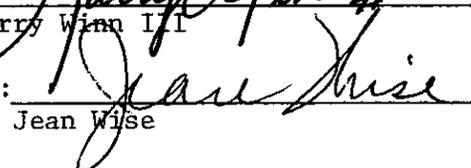
  
Kent E. Crippin Mayor

Page 2  
ORDINANCE NO. 641  
re Vacating Easement for Street Purposes  
(103rd St. Terr.)

Attest:

  
J. Oberlander City Clerk

APPROVED FOR FORM: , City Attorney  
Larry Winn III

APPROVED FOR CONTENT: , Chr., Ordinance Comm.  
Jean Wise

1237921

ORIGINAL COMPARED WITH RECORD

ORDINANCE NO. 641

AN ORDINANCE VACATING AN EASEMENT FOR STREET PURPOSES IN THE CITY OF LEAWOOD, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-643. Section 1. That easement granted to the City of Leawood by Kansas Warranty Deed, executed by Ward Parkway Shops, Inc. May 12, 1971, and accepted by the City Council June 21, 1971 by Ordinance No. 400S, and which is described as follows:

That part of fractional Section 11, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the northeast corner of said fractional Section 11; thence south 00° 11' 20" east along said east line 749.64 ft.; thence north 90° west 324.87 ft. to the point of beginning; thence north 87° 16' 47" west 210 ft.; thence southwesterly along a line following a curve bearing to the left having a radius of 40 ft. a distance of 31.53 ft.; thence westerly, northerly and easterly along a line following a curve bearing to the right having a radius of 38 ft. whose initial tangent bears south 47° 33' 37" west 179.28 ft.; thence southeasterly along a line following a curve bearing to the left having a radius of 40 ft. whose initial tangent bears south 42° 07' 11" east 31.53 ft.; thence south 87° 16' 47" east 206.40 ft. to a point in the west line of the Missouri-Kansas State Line Road; thence south 04° 07' 03" east along said line 30.21 ft. to the point of beginning (103rd St. Terr.)

is hereby vacated.

19-644. Section 2. The City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 7/2/79 Second Reading: 7/16/79

Passed by the Governing Body this 16th day of July, 1979.

Approved by the Mayor this 16th day of July, 1979.

STATE OF KANSAS } ss  
COUNTY OF JOHNSON }  
(S. E. A. L.) FILED FOR RECORD  
1979 JUL 19 AM 11 19 8  
RUBIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

*Kent E. Grippin*  
\_\_\_\_\_  
Kent E. Grippin Mayor

no chg

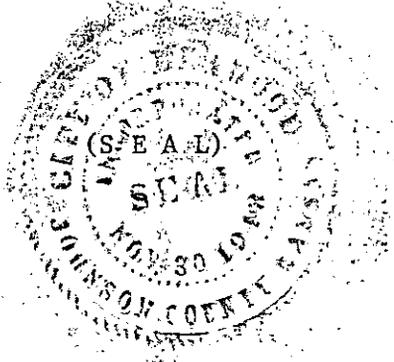
Page 2  
ORDINANCE NO. 641  
re Vacating Easement for Street Purposes  
(103rd St. Terr.)

Attest:

  
J. Oberlander City Clerk

CERTIFICATION

I, J. Oberlander, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Leawood, Kansas, and that the attached is a full, true and correct copy of Ordinance No. 641, passed by the Governing Body at an adjourned meeting held July 16, 1979.



*J. Oberlander*  
J. Oberlander  
City Clerk  
City of Leawood, Kansas

VOL 1485 PAGE 577

no city

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN

a semi-weekly Newspaper printed in the (daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly (daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly (daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of SHAWNEE MISSION, KANSAS in said County as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive day (weeks, days)

the first publication thereof being made as aforesaid on the 30th day of July, 1979, with subsequent publications being made on the following dates:

                    , 19                           , 19        
                    , 19                           , 19        
                    , 19                           , 19      

Mark Anson

Subscribe and sworn to before me this 30th day of July, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 13.80  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson  
County Sun, Friday, July 26, 1979.

**ORDINANCE NO. 641**

**AN ORDINANCE VACATING AN  
EASEMENT FOR STREET  
PURPOSES IN THE CITY OF  
LEAWOOD, KANSAS.**

Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:

19-643. Section 1. That easement  
granted to the City of Leawood by  
Kansas Warranty Deed, executed  
by Ward Parkway Shops, Inc.  
May 12, 1971, and accepted by the  
City Council June 21, 1971 by Or-  
dinance No. 4005, and which is  
described as follows:

That part of fractional Section 11,  
Township 13, Range 25, in the City  
of Leawood, Johnson County,  
Kansas, described as follows:  
Commencing at the northeast cor-  
ner of said fractional Section 11;  
thence south  $00^{\circ} 11' 20''$  east along  
said east line 749.64 ft.; thence  
north  $90^{\circ}$  east 24.87 ft. to the  
point of beginning; thence north  
 $87^{\circ} 16' 47''$  west 206.40 ft. to the  
southwest corner of the Missouri  
Kansas State Line Road, having a curve  
bearing a curve bearing of 113.53 ft.

of 31.53 ft. thence westerly,  
northerly and easterly along  
line following a curve bearing  
the right hand of the road,  
whose initial bearing is  
 $47^{\circ} 33' 37''$  east 113.53 ft.  
southeasterly along  
ing a curve bearing of 113.53 ft.  
having a radius of 441 ft. whose in-  
ital tangent bears south  $42^{\circ} 07'$   
 $11''$  east 31.53 ft.; thence south  $87^{\circ}$   
 $16' 47''$  east 206.40 ft. to a point in  
the west line of the Missouri  
Kansas State Line Road; thence  
south  $04^{\circ} 07' 03''$  east along said  
line 30.21 ft. to the point of begin-  
ning (103rd St. Terr.)

is hereby vacated.

19-644. Section 2. The City Clerk  
shall file a certified copy of this  
ordinance with the County Clerk  
and the Register of Deeds of  
Johnson County, Kansas.

**TAKE EFFECT.** Section 3. This  
ordinance shall take effect and be  
in force from and after its  
publication in the official City  
newspaper.

First Reading: 7/21/79. Second  
Reading: 7/16/79.

Passed by the Governing Body  
this 16th day of July, 1979.

Approved by the Mayor this 16th  
day of July, 1979.

(SEAL)

(s) Kent E. Crippin Mayor

Attest:

Uberlander City Clerk

APPROVED FOR FORM:  
(s) Larry Winn III, City Attorney

APPROVED FOR CONTENT:  
(s) Jean Wise, Chr., Ordinance  
Comm.

ORDINANCE NO. 640

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY OF LEAWOOD IN THE TOTAL AMOUNT OF ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) TO PAY THE COSTS OF CONSTRUCTION AND IMPROVEMENT OF MISSION ROAD FROM THE CENTERLINE OF 127TH STREET (THE SOUTH LINE OF SECTION 22-13-25) TO THE CENTERLINE OF 119TH STREET (THE NORTH LINE OF SECTION 22-13-25) A DISTANCE OF 5,319 FEET MORE OR LESS, AND THE CONSTRUCTION AND IMPROVEMENT OF 123RD STREET FROM THE CENTERLINE OF MISSION ROAD (WEST LINE OF SECTION 22-13-25) TO THE CENTERLINE OF CHEROKEE LANE AS NOW ESTABLISHED, A DISTANCE OF 2,487 FEET MORE OR LESS OR A TOTAL LINEAR DISTANCE OF 7,806 FEET MORE OR LESS. THE IMPROVEMENT WILL BE A 41' ROADWAY IN WIDTH, BACK TO BACK OF CURB, ALL IMPROVEMENTS TO BE INCLUSIVE OF STORM DRAINAGE FACILITIES, SIDEWALKS, STREET LIGHTING, AND OTHER APPURTENANCES.

WHEREAS, by legal proceedings the Governing Body of the City of Leawood, Kansas, has heretofore duly authorized the construction and improvement of Mission Road from the centerline of 127th Street (the south line of Section 22-13-25) to the centerline of 119th Street (the north line of Section 22-13-25) a distance of 5,319 feet more or less, and the construction and improvement of 123rd Street from the centerline of Mission Road (west line of Section 22-13-25) to the centerline of Cherokee Lane as now established, a distance of 2,487 feet more or less or a total linear distance of 7,806 feet more or less. The improvement will be a 41' roadway in width, back to back of curb, all improvements to be inclusive of storm drainage facilities, sidewalks, street lighting, and other appurtenances; and

WHEREAS, all legal requirements pertaining to the above described improvements have been complied with and said work has progressed to a point where the issuance of temporary notes of said City is and will be required to finance the same as required by K.S.A. 10-123 1978 Supplement;

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

20-150. Section 1. That for the purpose of paying the accrued and accruing costs of the construction and improvement of Mission Road from the centerline of 127th Street (the south line of Section 22-13-25) to the centerline of 119th Street (the north line of Section 22-13-25) a distance of 5,319 feet more or less, and the construction and improvement of 123rd Street from the centerline of Mission Road (west line of Section 22-13-25) to the centerline of Cherokee Lane as now established, a distance of 2,487 feet more or less or a total linear distance of 7,806 feet more or less. The improvement will be a 41' roadway in width, back to back of curb, all improvements to be inclusive of storm drainage facilities, sidewalks, street lighting, and other appurtenances. There shall be issued and the same are hereby authorized temporary notes of the City of Leawood, Kansas in the amount of ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) for the payment of the estimated costs and expenses of said improvement, each note to be issued in the amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00).

20-151. Section 2. These temporary notes shall be numbered 79-1 A-L inclusive, and shall bear interest at the rate of 5.3/4 % per annum and the improvement for the payment of which this note is issued shall be clearly and specifically set forth. The interest on said notes shall be payable as follows: Interest shall be payable semiannually, and the notes shall mature one hundred and eighty (180) days from July 31, 1979.

Said notes shall be callable for payment in advance of maturity in a manner hereinafter specified in the form of said notes, and shall be redeemable, and cancelled before or at the time bonds are issued in lieu thereof. The temporary notes shall contain recitals, and shall be in the form and of the size as provided by the statutes of the State of Kansas.

20-152. Section 3. The Mayor and the City Clerk of the City of Leawood, Kansas, are hereby directed, authorized and empowered to prepare and execute the notes described in this ordinance and to do all things necessary for their execution, and to sell and deliver the same at private sale, at par and accrued interest according to law, to the purchaser thereof upon receipt of the purchase price, and apply the proceeds of such sale to the payment of the actual costs and expenses of the street improvement described hereinbefore.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication as provided by law.

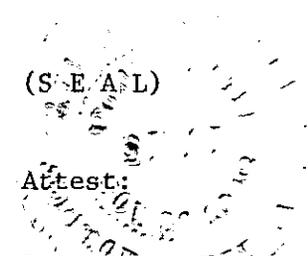
First Reading: 7/2/79 Second Reading: 7/2/79

Passed by the Governing Body this 2nd day of July, 1979, the Council having deemed this to be an emergency matter.

Approved by the Mayor this 2nd day of July, 1979.

(S.E.A.L.)

Attest:

  
J. Oberlander  
J. Oberlander City Clerk

Kent E. Crippin  
Kent E. Crippin

Mayor

APPROVED FOR FORM: Larry Winn III, City Attorney

APPROVED FOR CONTENT: Jean Wise, Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN

a ~~semi-weekly~~ (daily, semi-weekly, weekly) Newspaper printed in the

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
13th day of July, 1979, with  
subsequent publications being made on the following dates:

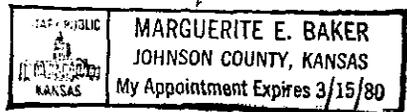
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 13th day of  
July, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 29.70  
Additional copies \$ \_\_\_\_\_



First Published In The Johnson County Sun Friday, July 13, 1979.

**ORDINANCE NO. 640**

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY OF LEAWOOD IN THE TOTAL AMOUNT OF ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) TO PAY THE COSTS OF CONSTRUCTION AND IMPROVEMENT OF MISSION ROAD FROM THE CENTERLINE OF 127TH STREET (THE SOUTH LINE OF SECTION 22-13-25) TO THE CENTERLINE OF 119TH STREET (THE NORTH LINE OF SECTION 22-13-25) A DISTANCE OF 5,319 FEET MORE OR LESS, AND THE CONSTRUCTION AND IMPROVEMENT OF 123RD STREET FROM THE CENTERLINE OF MISSION ROAD (WEST LINE OF SECTION 22-13-25) TO THE CENTERLINE OF CHEROKEE LANE AS NOW ESTABLISHED, A DISTANCE OF 2,487 FEET MORE OR LESS OR A TOTAL LINEAR DISTANCE OF 7,806 FEET MORE OR LESS. THE IMPROVEMENT WILL BE A 41' ROADWAY IN WIDTH, BACK TO BACK OF CURB, ALL IMPROVEMENTS TO BE INCLUSIVE OF STORM DRAINAGE FACILITIES, SIDEWALKS, STREET LIGHTING, AND OTHER APPURTENANCES.

WHEREAS, by legal proceedings the Governing Body of the City of Leawood, Kansas, has heretofore duly authorized the construction and improvement of Mission Road from the centerline of 127th Street (the south line of Section 22-13-25) to the centerline of 119th Street (the north line of Section 22-13-25) a distance of 5,319 feet more or less, and the construction and improvement of 123rd Street from the centerline of Mission Road (west line of Section 22-13-25) to the centerline of Cherokee Lane as now established, a distance of 2,487 feet more or less or a total linear distance of 7,806 feet more or less. The improvement will be a 41' roadway in width, back to back of curb, all improvements to be inclusive of storm drainage facilities, sidewalks, street lighting, and other appurtenances; and

WHEREAS, all legal requirements pertaining to the above described improvements have been complied with and said work has progressed to a point where the issuance of temporary notes of said City is and will be required to finance the same as required by K.S.A. 10-123 1978 Supplement;

**BE IT THEREFORE ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:**

20-150. Section 1. That for the purpose of paying the accrued and accruing costs of the construction and improvement of Mission Road from the centerline of 127th Street (the south line of Section 22-13-25) to the centerline of 119th Street (the north line of Section 22-13-25) a distance of 5,319 feet more or less, and the construction and improvement of 123rd Street from the centerline of Mission Road (west line of Section 22-13-25) to the centerline of Cherokee Lane as now established, a distance of 2,487 feet more or less or a total linear distance of 7,806 feet more or less. The improvement will be a 41' roadway in width, back to back of curb, all improvements to be inclusive of storm drainage facilities, sidewalks, street lighting, and other appurtenances. There shall be issued and the same are hereby authorized temporary notes of the City of Leawood, Kansas in the amount of ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) for the payment of the estimated costs and expenses of said improvement, each note to be issued in the amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00).

20-151. Section 2. These temporary notes shall be numbered 79-1 A-L inclusive, and shall bear interest at the rate of 5 3/4% per annum and the improvement for the payment of which this note is issued shall be clearly and specifically set forth. The interest on said notes shall be payable as follows: Interest shall be payable semiannually, and the notes shall mature one hundred and eighty (180) days from July 31, 1979. Said notes shall be callable for payment in advance of maturity in a manner hereinafter specified in the form of said notes, and shall be redeemable, and cancelled before or at the time bonds are issued in lieu thereof. The temporary notes shall contain recitals, and shall be in the form and of the size as provided by the statutes of the State of Kansas.

20-152. Section 3. The Mayor and the City Clerk of the City of Leawood, Kansas, are hereby directed, authorized and empowered to prepare and execute the notes described in this ordinance and to do all things necessary for their execution, and to sell and deliver the same at private sale, at par and accrued interest according to law, to the purchaser thereof upon receipt of the purchase price, and apply the proceeds of such sale to the payment of the actual costs and expenses of the street improvement described hereinbefore.

**TAKE EFFECT.** Section 4. This ordinance shall take effect and be in force from and after its publication as provided by law.

First Reading: 7/2/79 Second Reading: 7/2/79

Passed by the Governing Body this 2nd day of July, 1979, the Council having deemed this to be an emergency matter.

Approved by the Mayor this 2nd day of July, 1979.

(s) Kent E. Crippin, Mayor

(SEAL)

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM: (s) Larry Winn III, City Attorney

APPROVED FOR CONTENT: \_\_\_\_\_

(800 565)

ORDINANCE NO. 639

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY OF LEAWOOD, KANSAS IN THE TOTAL AMOUNT OF FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) TO PAY THE COSTS OF CONSTRUCTION OF IMPROVEMENT OF 123RD STREET FROM STATE LINE ROAD, WEST APPROXIMATELY 3897 FEET TO THE CENTER LINE OF CHEROKEE STREET, IN THE CITY OF LEAWOOD, KANSAS, SAID IMPROVEMENT TO BE A 68'4" DIVIDED ROADWAY WITH A 15' MEDIAN UNTIL THE IMPROVEMENT REACHES A POINT APPROXIMATELY 1500' WEST OF STATE LINE, WHERE THE ROAD WILL NARROW TO A 41' ROADWAY IN WIDTH, BACK TO BACK OF CURB, ALL IMPROVEMENTS TO BE INCLUSIVE OF STORM DRAINAGE FACILITIES AND SIDEWALKS.

WHEREAS, by legal proceedings the Governing Body of the City of Leawood, Kansas has heretofore duly authorized the construction of improvement of 123rd Street from State Line Road, West approximately 3897 feet to the centerline of Cherokee Street in the City of Leawood, Kansas, said improvement to be a 68'4" divided roadway with a 15' median until the improvement reaches a point approximately 1500' West of State Line, where the road will narrow to a 41' roadway in width, back to back of curb, all improvements to be inclusive of storm drainage facilities and sidewalks, which said improvements are to be paid for in part by the issuance of temporary notes, and which improvements are authorized pursuant to authority granted by K.S.A. 12-6a01 through 12-6a18 and all acts amendatory thereto; and

WHEREAS, all legal requirements pertaining to such improvements to 123rd Street have been complied with and a contract for construction of Phase II of said project has been approved and work has progressed to a point where the issuance of temporary notes of said City is and will be required to finance the same as required by K.S.A. 10-123 1978 Supplement. A portion of the proceeds from the issuance of same shall be used to pay and discharge the previous note (78-1) issued in conjunction with Phase I of Improvement District 78-1;

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

20-147. Section 1. That for the purpose of paying the accrued and accruing costs of the construction of improvements to 123rd Street as described hereinbefore, there shall be issued and the same are hereby authorized, temporary notes in the total amount of Five Hundred Fifty Thousand Dollars (\$550,000.00) for the payment of the estimated costs and expenses of said improvement, each note to be issued in the amount of Fifty Thousand Dollars (\$50,000.00).

20-148. Section 2. Said temporary notes shall be numbered 78-1 A-K and shall bear interest at the rate of 5 3/4% per annum, and the improvement for the payment of which this note is issued shall be clearly and specifically set forth. The interest on said notes shall be payable semi-annually and shall mature one hundred eighty (180) days from July 31, 1979. Said notes shall be callable for payment in advance of maturity in the manner

hereinafter specified in the form of the note, and shall be redeemable, and cancelled before or at the time bonds are issued in lieu thereof. The same temporary notes shall contain recitals, and shall be in the form and of the size as provided by the statutes of the State of Kansas.

20-149. Section 3. The Mayor and the City Clerk of the City of Leawood, Kansas are hereby directed, authorized and empowered to prepare and execute the notes described in this ordinance and to do all things necessary for their execution, and to sell and deliver the same at private sale, at par and accrued interest according to law, to the purchaser thereof upon receipt of the purchase price, and apply the proceeds of such sale to the payment of the actual costs and expenses of the street improvement described hereinbefore.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication as provided by law.

First Reading: 7/2/79 Second Reading: 7/2/79

Passed by the Governing Body this 2nd day of July, 1979, the Council having deemed this to be an emergency matter.

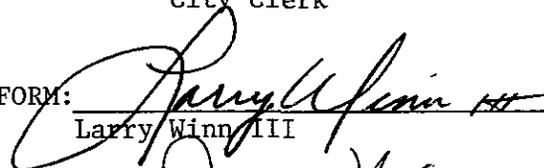
Approved by the Mayor this 2nd day of July, 1979.

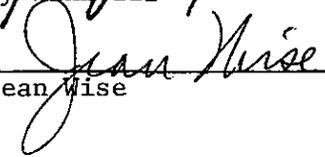
(S E A L)

  
Kent E. Crippin Mayor

Attest:

  
J. Oberlander City Clerk

APPROVED FOR FORM:   
Larry Winn III, City Attorney

APPROVED FOR CONTENT:   
Jean Wise, Chr., Ordinance Comm.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

13th day of July, 1979, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 13th day of  
July, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$: 21.60  
Additional copies \$: \_\_\_\_\_



First Published in The Johnson County Sun Friday, July 13, 1979.

**ORDINANCE NO. 639**

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY OF LEAWOOD, KANSAS IN THE TOTAL AMOUNT OF FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) TO PAY THE COSTS OF CONSTRUCTION OF IMPROVEMENT OF 123RD STREET FROM STATE LINE ROAD, WEST APPROXIMATELY 3897 FEET TO THE CENTER LINE OF CHEROKEE STREET, IN THE CITY OF LEAWOOD, KANSAS, SAID IMPROVEMENT TO BE A 68'4" DIVIDED ROADWAY WITH A 15' MEDIAN UNTIL THE IMPROVEMENT REACHES A POINT APPROXIMATELY 1500' WEST OF STATE LINE, WHERE THE ROAD WILL NARROW TO A 41' ROADWAY IN WIDTH, BACK TO BACK OF CURB, ALL IMPROVEMENTS TO BE INCLUSIVE OF STORM DRAINAGE FACILITIES AND SIDEWALKS.

WHEREAS, by legal proceedings the Governing Body of the City of Leawood, Kansas has heretofore duly authorized the construction of improvement of 123rd Street from State Line Road, West approximately 3897 feet to the centerline of Cherokee Street in the City of Leawood, Kansas, said improvement to be a 68'4" divided roadway with a 15' median until the improvement reaches a point approximately 1500' West of State Line, where the road will narrow to a 41' roadway in width, back to back of curb, all improvements to be inclusive of storm drainage facilities and sidewalks, which said improvements are to be paid for in part by the issuance of temporary notes, and which improvements are authorized pursuant to authority granted by K.S.A. 12-6a01 through 12-6a18 and all acts amendatory thereto; and

WHEREAS, all legal requirements pertaining to such improvements to 123rd Street have been complied with and a contract for construction of Phase II of said project has been approved and work has progressed to a point where the issuance of temporary notes of said City is and will be required to finance the same as required by K.S.A. 10-123 1978 Supplement. A portion of the proceeds from the issuance of same shall be used to pay and discharge the previous note (78-1) issued in conjunction with Phase I of Improvement District 78-1;

**BE IT THEREFORE ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:**

20-147. Section 1. That for the purpose of paying the accrued and accruing costs of the construction of improvements to 123rd Street as described hereinbefore, there shall be issued and the same are hereby authorized. Temporary notes in the total amount of Five Hundred Fifty Thousand Dollars (\$550,000.00) for the payment of the estimated costs and expenses of said improvement, each note to be issued in the amount of Fifty

20-148. Section 2. Said temporary notes shall be numbered 78-1 A-K and shall bear interest at the rate of 5 3/4% per annum, and the improvement for the payment of which this note is issued shall be clearly and specifically set forth. The interest on said notes shall be payable semi-annually and shall mature one hundred eighty (180) days from July 31, 1979. Said notes shall be callable for payment in advance of maturity in the manner hereinafter specified in the form of the note, and shall be redeemable, and cancelled before or at the time bonds are issued in lieu thereof. The same temporary notes shall contain recitals, and shall be in the form and of the size as provided by the statutes of the State of Kansas.

20-149. Section 3. The Mayor and the City Clerk of the City of Leawood, Kansas are hereby directed, authorized and empowered to prepare and execute the notes described in this ordinance and to do all things necessary for their execution, and to sell and deliver the same at private sale, at par and accrued interest according to law, to the purchaser thereof, upon receipt of the purchase price, and apply the proceeds of such sale to the payment of the actual costs and expenses of the street improvement described hereinbefore.

**TAKE EFFECT.** Section 4. This ordinance shall take effect and be in force from the date of its publication as provided by law.

First Reading: 7/7/79. Second Reading: 7/27/79.

Passed by the Council on this 2nd day of July, 1979, the Council having deemed this to be an emergency matter.

Approved by the Mayor, this 2nd day of July, 1979.

(s) Kent E. Crippin, Mayor

(SEAL)

Attest:

(s) J. Oberlander, City Clerk

**APPROVED FOR FORM:**  
(s) Larry Winn III, City Attorney

**APPROVED FOR CONTENT:**  
(s) Jean Wise, Chr., Ordinance Comm.

Repealed by Ord. #839  
CODE OF 1984  
Effective 12/21/84

ORDINANCE NO. 638

AN ORDINANCE LEVYING AND IMPOSING TAXES OR FEES UPON AND FOR THE PRIVILEGE OF ENGAGING IN ANY BUSINESS, TRADE, OCCUPATION OR PROFESSION OR RENDERING OR FURNISHING ANY SERVICE FOR PROFIT OR LIVELIHOOD IN THE CITY OF LEAWOOD, KANSAS, TO PROVIDE REVENUE TO DEFRAY A PART OF THE EXPENSES OF SAID CITY; DEFINING TERMS USED IN THE ORDINANCE; PRESCRIBING LICENSING AND ADMINISTRATIVE PROCEDURE AND PENALTIES; AND REPEALING ORDINANCES.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL. Section 1. Ordinance No. 454, adopted May 6, 1974; Ordinance No. 461, adopted August 19, 1974; and Ordinance No. 474, adopted December 16, 1974, are hereby repealed and the following enacted in lieu thereof:

8-101. PURPOSE. Section 2. This ordinance is solely for the purpose of providing revenue to defray a part of the expenses of the City of Leawood, Kansas, and is not for the purpose of regulation.

8-102. LICENSE REQUIRED. Section 3. No person, either as principal officer, agent, servant or employee, except as may be exempted by state statute or provisions of this ordinance, shall conduct, pursue, carry on, or operate within the City of Leawood, Kansas, any business, as hereinafter defined and specified, without first making application to the City Clerk for a license therefor and paying to the office of the City Clerk the required occupation tax and license fee, as hereinafter prescribed, and obtaining such occupation license from the City.

8-103. DEFINITIONS. Section 4. As used in this ordinance:

1. "Business" means and includes businesses, trades, occupations, professions, and also the rendering or furnishing of a service; provided, that the name of a business, trade, occupation or profession may be used, and when so used shall refer to the particular business, trade, occupation or profession.
2. "Employee" means and includes any and all persons engaged in the operation or conduct of any business, whether as owner, member of the owner's family, partner, agent, manager, solicitor, and any and all other persons employed or working in said business.
3. "License" means the document issued by the City of Leawood, Kansas, and duly executed and signed by the proper City officials, which acknowledges payment of the required occupation tax and license fee and states the name of the licensee, the nature, type and location of the business, and the period for which the license is valid.
4. "Person" means and includes any individual, partnership, corporation, firm, organization, association, joint stock company, or syndicate who or which is engaged in any business, trade, occupation, or profession, or rendering or furnishing any service for profit or livelihood and subject to the provisions of this ordinance; provided, that any individual in the direct employ of any

person licensed under the provisions of this ordinance shall be exempt unless such individual operates as a subcontractor or practices his skill or performs services for compensation for any person other than his licensed employer, in which cases such individual is subject to the full provisions of this ordinance.

5. "Tax" means the occupation tax or license fee assessed by the City of Leawood, Kansas, for the purpose of providing revenue without regulations upon and for the privilege of engaging in business within the City of Leawood, Kansas.

8-104. LICENSES, Section 5.

1. APPLICATION. Each person shall, before engaging in any business to which this ordinance applies or before continuing any such business after a license has expired, make application for a license and pay the occupation tax or license fee. Application shall be made to the City Clerk on a form approved by the City Clerk for such purposes and shall state the name and title, if any, of the applicant, the name and address of the business, the type and nature of the business, and such other information as may be necessary to determine the amount of tax to be paid. The City Clerk may, in his discretion, cause an investigation to be made to verify the accuracy of the information.
2. ISSUANCE OF LICENSE. Upon proper application for license and upon payment of the occupation tax or license fee as provided in this ordinance, the City Clerk shall issue a valid license to the applicant. The license shall be signed by the Mayor, the City Clerk, and the City Treasurer. The City Clerk shall affix the official seal of the City to each license.

The signatures of the Mayor and the City Treasurer and the official seal of the City may be affixed by a printed, stamped, engraved or otherwise produced facsimile in accordance with the provisions of K.S.A. 75-4001 et seq.

PROVIDED, HOWEVER, that no license shall be issued for any business conducted in violation of or contrary to any state or federal law or any ordinance of the City.

3. TERM OF LICENSE. Each license issued pursuant to this ordinance shall be for a term commencing on the first day of July and expiring on the thirtieth day of June in each year.
4. TAX OR FEE PAYMENT. Every person making application for or receiving a license, as provided in this ordinance, shall pay to the City Clerk, at the time of such application, the full amount of the occupation tax or license fee as determined by this ordinance. No license shall be issued to any person without payment in full of the occupation tax or license fee.

Every person or firm commencing business shall first secure an occupational license covering the period from the date from which the business is to be started until the next

succeeding July first. The fee which would be payable on an annual basis shall be determined as provided by this ordinance and the fee for this initial period shall be determined by dividing the annual fee by twelve (12) and multiplying by the number of months or fraction thereof remaining to the next July first.

5. REFUNDS. No refunds will be made for any business ceasing during the year or for any tax or fee collected under the provisions of this ordinance.

6. EXPIRATION AND RENEWAL OF LICENSE; PENALTY FOR LATE RENEWAL.

Each license issued under this ordinance shall expire on the thirtieth day of June next following the date of issuance of such license.

Any license which expires under the provisions of this section may be renewed for the next license term by making application for renewal to the City Clerk and by making payment in full of the annual occupation tax or license fee for the next current license term. The application for renewal shall comply with the requirements of Section 8-104 1 of this ordinance and in addition shall state the serial number of the license to be renewed and the date such license was issued shall be recorded.

A penalty of five percent (5%) per month shall be added in case of failure to pay the required fees when due for each month or fraction thereof that the fees have remained unpaid

7. TRANSFER OF LICENSE. No license shall be transferred from one person to another except that a license shall continue until expiration for any business which is purchased in bulk, including stock and inventory, and which is operated by the new owner under the same name and in the same location.

8. CHANGE IN BUSINESS LOCATION; SUBSTITUTE LICENSE. The holder of a license shall immediately notify the City Clerk of any change in location of any business for which a license has been issued under this ordinance and shall return the license to the City Clerk and secure a substitute license, showing the new business location. The holder of the license shall pay a fee of ten dollars (\$10.00) for the substitute license and shall pay any additional prorated tax or fee required by this ordinance for the new location or business operation.

9. CHANGE IN BUSINESS TYPE OR OPERATION; SUBSTITUTE LICENSE. The holder of a license shall immediately notify the City Clerk of any change in the nature or type of business conducted by such person or any change in operation of such business which would affect the amount of tax or fee provided for in this ordinance. Thereafter, the City Clerk shall immediately notify the holder of the license of any prorated additional tax or fee required by this ordinance for any such change, and the holder of the license shall pay such additional amount of tax or fee within ten (10) days of such notification. Upon receipt of payment of the additional amount of tax or fee, the City Clerk shall issue to the license holder a substitute license, showing the necessary changes.

10. DISPLAY OF LICENSE. All persons doing business in a permanent location within the City are hereby required to have their license conspicuously displayed in their place of business, and all persons to whom licenses are issued who do not have a permanent place of business within the City are hereby required to carry their license, or a copy thereof, with them and to present the license or copy for inspection when requested to do so by any citizen or officer of the City.
11. DUTIES OF THE CITY CLERK; RECORD OF LICENSES. The City Clerk, upon payment of the amounts specified in this ordinance for any trade, profession, occupation, or business, shall give a receipt therefor stating the amount paid and the person to whom such license is issued.

The City Clerk shall keep records of all licenses issued by the City showing the names of each and every person or firm licensed, his address, the nature of the business or occupation, the location of the business, the date such license was issued, the amount of tax or license fee paid, and the expiration date of such license. The City Clerk shall make an annual report on licenses issued and taxes or fees collected to the Governing Body at the first meeting in August of each year.

8-105. POWERS AND INSPECTIONS. Section 6. Any employee of the City shall have a right to enter upon said premises upon giving reasonable notice to determine the type of business conducted, the square footage, etc. within the terms of this ordinance.

8-106. PERSONS LIABLE. Section 7. When any firm or corporation engages in any business herein required to be licensed without first having obtained a license as required, the manager, or local agent, or party in charge, may be arrested and fined as provided below, and any member of a partnership, or the party in charge of the business, shall be subject to the penalty provided below.

8-107. ACTIONS TO COLLECT TAX. Section 8. Payment of fine does not pay tax: Civil Action. The payment of fine or the serving of a jail sentence for failure to pay the tax and secure a license shall not constitute payment of the tax nor excuse the person from making payment, and the City may proceed by civil action to collect the tax.

8-201. EXEMPTIONS. Section 9. Nothing in this ordinance shall be construed as applying to or levying an occupation tax or license fee against:

1. The interstate portion of any business; for the purpose of this subparagraph, the interstate portion of any business shall be construed to mean that portion, and only that portion, which is wholly within interstate commerce and which does not have a local situs or event within the City of Leawood, Kansas;

2. Any instrumentality of the government of the United States, unless authorized by law of the United States;
3. Any organization, or employees thereof, which is created and operated for charitable, religious, benevolent, fraternal, civic, educational, or similar purposes, and from which profit is not derived, either directly or indirectly, by any individual or any other business, person or organization and which is exempt from taxation by state or federal law.

The City Clerk may require any business, instrumentality, organization, or person claiming to be exempt under this section to file with the City Clerk a verified statement stating the facts upon which the exemption is claimed.

8-202. OCCUPATION FEE LEVIED; BUSINESS ACTIVITY DEFINED. Section 10. The occupation fee hereby levied shall be in the following amounts on the following businesses, trades, professions, and occupations conducted, pursued, carried on, or operated within the limits of the City of Leawood, Kansas, for a twelve-month period, unless a different license period is indicated.

- A. 1. All retail businesses domiciled in the City of Leawood, and engaged in the sale of groceries, clothing, hardware, notions, furniture, homes furnishings, services, paint, drugs, and any other retail product not herein enumerated, shall pay an occupation tax computed on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor or basement in addition to the main floor (the one with the largest interior square footage) and which is open in whole or in part to the general public shall, upon the additional floor or floors add one-half (1/2) of the interior square footage, of such additional floor or floors, without regard to use, to the square footage of the main floor, and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 -	499 sq. ft.....	\$ 62.50
500 -	999 sq. ft.....	80.00
1,000 -	1,499 sq. ft.....	100.00
1,500 -	1,999 sq. ft.....	120.00
2,000 -	2,499 sq. ft.....	137.50
2,500 -	2,999 sq. ft.....	155.00
3,000 -	49,999 sq. ft.....	155.00 plus
	\$75.00 for each 1,000 sq. ft. in	
	excess of 2,999 sq. ft. or any part	
	thereof;	
50,000 -	69,999 sq. ft.....	3,750.00 plus
	\$37.50 for each 1,000 sq. ft. or	
	any part thereof in excess of	
	49,999 sq. ft.	

70,000 - 99,999 sq. ft.....\$ 4,500.00 plus  
\$25.00 for each 1,000 sq. ft. or  
any part thereof in excess of  
69,999 sq. ft.

100,000 sq. ft. and over..... 5,250.00 plus  
\$12.50 for each 1,000 sq. ft. or  
any part thereof in excess of  
99,999 sq. ft.

Retail businesses which hold themselves out to the public as a single business entity, but which, in fact, are partly or wholly operated on the basis of leased departments therein, shall pay an occupational tax based on the above schedule; Provided, That leased departments which have a private, individual exterior entrance and which have no entrance into such retail stores even though under a common roof with such retail stores, shall pay an occupational tax as a separate business according to the schedule contained in this ordinance.

Further, any other domiciled profession, calling, trade, or business, transacting business under the terms of the ordinance, and which business is not specifically enumerated under this section, shall likewise be liable for the tax herein levied on the basis of the number of square feet occupied, all as set out in this section.

2. Any person domiciled in the City of Leawood engaged primarily in manufacturing, printing, wholesaling, or office buildings occupied by a single business, shall pay an occupational tax based on square footage occupied by said business without regard to use as follows:

0 -	999 sq. ft.....	\$ 62.50
1,000 -	4,999 sq. ft.....	62.50 plus \$30.00 per 1,000 sq. ft. or any part thereof in excess of 1,000 sq. ft.
5,000 -	9,999 sq. ft.....	220.00 plus \$25.00 per 1,000 sq. ft. or any part thereof in excess of 5,000 sq. ft.
10,000 -	24,999 sq. ft.....	345.00 plus \$17.50 per 1,000 sq. ft. or any part thereof in excess of 10,000 sq. ft.
25,000 sq. ft. and over.....		625.00 plus \$12.50 per 1,000 sq. ft. or any part thereof in excess of 25,000 sq. ft.

3. All banks shall pay an occupational tax of \$ 250.00 per year, plus \$ 100.00 for each detached bank auxiliary teller facility.

4. All savings and loan associations shall pay an occupational tax of \$ 250.00 per location per year.

5. Domiciled small loan, finance and investment companies and credit unions shall pay an occupational tax of \$ 150.00 per location per year.

6. Recreational facilities:

Bowling alleys.....	\$ 375.00
Drive-in-theaters.....	170.00
Skating rinks.....	170.00
Riding stables.....	60.00
Miniature golf.....	100.00
Golf driving ranges.....	100.00
Recreation parks.....	170.00
Pool rooms.....	10.00 per table
Shooting ranges.....	250.00 per location
Tennis facilities-outdoor.....	25.00 per court
Indoor.....	50.00 per court
Racquet ball, handball and/or squash facilities-outdoor.....	12.50 per court
Indoor.....	25.00 per court
Indoor theaters.....	170.00
Other facilities not specifically listed	100.00

7. Privately owned auditoriums for public use..... 170.00

8. Funeral homes..... 375.00

9. Solid waste disposal companies of all kinds whether or not domiciled.... 62.50

10. Taxicab companies or bus companies domiciled in City..... 95.00

11. Circuses, carnivals, tent shows, amusement devices which transact business in the City..... 60.00 per day

12. All service stations selling oils, supplies, accessories for service at retail of motor vehicles..... 125.00

- |     |   |        |
|-----|---|--------|
| 13. | Car washes if not taxed as part of gasoline service station operation.....\$  | 75.00  |
| 14. | Motor vehicle dealers selling new or used:  |        |
|     | a. 2 wheel motor vehicles.....  | 375.00 |
|     | b. 4 wheel motor vehicles.....  | 750.00 |
| 15. | Motor vehicle rental or leasing agencies  | 625.00 |
| 16. | Private airports.....   | 450.00 |
| 17. | Restaurants, taverns, drive-in and other eating establishments:   |        |
|     | a. With 15 or more employees.....   | 312.50 |
|     | b. With less than 15 employees...   | 125.00 |
| 18. | Lumber yards and building supply business   | 625.00 |
| 19. | Contractors, domiciled or non-domiciled, including building, remodeling, curbing, grading, street paving, sewer, electrical, plumbing, landscaping, and all contractors of every kind not specifically mentioned.....                                 | 60.00  |
| 20. | Domiciled greenhouses and nurseries, having retail sales outlets on premises..<br>Those not conducting a related retail operation on property will be considered tree and shrub farms and will not be taxable under the occupation license ordinance. | 60.00  |
| 21. | Real estate companies, based on the number of sales or listings sold in the City of Leawood during the previous calendar year:  |        |
|     | a. 1-10.....  | 80.00  |
|     | b. Over 10.....   | 155.00 |

This applies to previous year's sales for any real estate sales operations being carried on in the City of Leawood, Kansas. Real estate operations for purposes of this section shall include all facets of the real estate sales business, including listing, advertising, showing, and contracting to sell or buy, of any home located in the City of Leawood, which results in an actual sale of a residence.

- 22. Any permitted accessory use under Section 15-2003.....\$ 30.00
- 23. Private clubs..... 250.00
- 24. Hotels/motels shall pay an occupational tax of \$ 5.00 per rental room per year; Provided, shops and restaurants which are a part of the operation will be considered as individual businesses, and in addition hereto, all banquet and ballroom facilities will be taxed individually on a square footage basis per year.
- 25. Mobile veterinarians..... 100.00
- 26. Coin operated machine vendors shall pay an occupational tax of \$ 3.00 per coin operating machine of whatsoever type.
- 27. Watchman, guard, or security services; detective agents; merchant patrolmen..... 50.00 plus \$10 additional for each agent
- 28. Aircraft sales..... 100.00
- 29. Service & flying school..... 175.00
- 30. Private ambulance service..... 150.00
- 31. Food services/catering..... 100.00
- 32. Service professions, including but not limited to attorneys, engineers, architects, dentists, chiropractors, accountants, osteopaths, photographers, veterinarians, medical doctors and all other members of the healing arts..... 75.00 plus \$10 for each professional over one
- 33. Other non-domiciled businesses providing service, selling or distributing goods; seasonal businesses.

The provisions of this subsection shall apply to any person as herein defined who conducts, carries on, or pursues any business, trade, profession, or occupation in the City of Leawood, whether or not such person leases or owns property within the City, if such person carries on the principal elements of any such business, trade, profession, or occupation as defined in Section 8-103.

Any person meeting the above definition as a non-domiciled business or service shall pay an occupation fee as set out herein.

a. A person may choose to pay a fee of \$ 6.00 for each occasion when he transacts business within the City; Provided, that any person who has previously purchased five (5) one-day occupation permits shall, on the next occasion when he transacts business within the City, purchase an annual permit.

b. Businesses and services of any kind or nature which are seasonal in nature and occur on a once-a-year basis only shall secure a permit, and such permit may be secured for a time not to exceed thirty (30) days by payment of the sum of \$ 25.00 .

- 34. Developers.....\$ 60.00
- 35. Builders..... 60.00
- 36. All persons engaged in the business of selling or peddling goods or services not having a permanently located place of business in said City but having a permanently established house to house or wholesale business, per agent..... 17.50
- 37. Lawn, garden, tree services..... 60.00
- 38. Exterminators..... 60.00

B. Any business or occupation or profession named above that is required to secure a license under the terms of this section may also be required to present to the City a certified copy of any federal, state, municipal, labor or trade union or association certification or license which is issued as a condition precedent to the conduct of such business, occupation or profession.

8-203. CLASSIFICATION APPLICABLE. Section 11. Whenever several classifications shall be applicable to a business, then said business, firm or calling shall pay the highest classification herein.

8-401. PENALTY. Section 12. Any person who shall violate any provisions of this chapter or shall fail to comply with any of the requirements thereof

*Repealed by Ord. 709 7/6/81*

*revised  
by Ord.  
107  
11/5/81*

shall be deemed guilty of maintaining a public nuisance (Sec. 10-309) or of permitting a public nuisance (Sec. 10-310) as said sections shall apply and shall be punished as therefor provided. Each day that a violation continues shall be deemed to be a separate offense.

8-402. VALIDITY OF CHAPTER. Section 13. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

TAKE EFFECT. Section 14. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 6/18/79 Second Reading: 7/2/79

Passed by the Governing Body this 2nd day of July, 1979.

Approved by the Mayor this 2nd day of July, 1979.

(S.E.A.L)

*Kent E. Crippin*  
\_\_\_\_\_  
Kent E. Crippin Mayor

Attest:

*J. Oberlander*  
\_\_\_\_\_  
J. Oberlander City Clerk

APPROVED FOR FORM: *Larry Winn III*, City Attorney  
\_\_\_\_\_  
Larry Winn III

APPROVED FOR CONTENT: *Jan Hise*, Chr., Ordinance Committee  
\_\_\_\_\_

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal

publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so

published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and

was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

31st day of August, 1979, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribe and sworn to before me this 31st day of

August, 1979.

Mark R. Anson

Pearlie A. Peterson  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 157.00  
Additional copies \$ \_\_\_\_\_

STATE NOTARY PUBLIC  
PEARLIE A. PETERSON  
JOHNSON COUNTY, KANSAS  
My Appt. Exp. Jan. 21, 1980

9. CHANGE IN BUSINESS TYPE OR OPERATION; SUBSTITUTE LICENSE. The holder of a license shall immediately notify the City Clerk of any change in the nature or type of business conducted by such person or any change in operation of such business which would affect the amount of tax or fee such business which would affect the amount of tax or fee...

10. DISPLAY OF LICENSE. All persons doing business in a permanent location within the City are hereby required to have their license conspicuously displayed in their place of business, and all persons to whom licenses are issued who do not have a permanent place of business within the City are hereby required to carry their license, or a copy thereof, with them and to present the license or copy for inspection when requested to do so by any citizen or officer of the City.

11. DUTIES OF THE CITY CLERK; RECORD OF LICENSES. The City Clerk, upon payment of the amounts specified in this ordinance, for any trade, profession, occupation or business, shall give a receipt therefor stating the amount paid and the person to whom such license is issued. The City Clerk shall keep records of all licenses issued by the City showing the names of each and every person or firm...

8-105. POWERS AND INSPECTIONS. Section 6. Any employee of the City shall have a right to enter upon said premises upon giving reasonable notice to determine the type of business conducted, the square footage, etc. within the terms of this ordinance.

106. PERSONS LIABLE. Section 7. When any firm or corporation engages in any business herein required to be licensed without first having obtained a license as required, the manager, or local agent, or party in charge, may be arrested and fined as provided below, and any member of a partnership, and the party in charge of the business, shall be subject to the penalty provided below.

8-107. ACTIONS TO COLLECT TAX. Section 8. Payment of fine does not pay tax: Civil Action. The payment of fine or the service of a jail sentence for failure to pay the tax and secure a license shall not constitute payment of the tax nor excuse the person from making payment, and the City may proceed by civil action to collect the tax.

8-201. EXEMPTIONS. Section 9. Nothing in this ordinance shall be construed as applying to or levying an occupation tax or license fee against:

- 1. The interstate portion of any business; for the purpose of this subparagraph, the interstate portion of any business shall be construed to mean that portion, and only that portion, which is wholly within interstate commerce and which does not have a local situs or event within the City of Leawood, Kansas;
2. Any instrumentality of the government of the United States, unless authorized by law of the United States;

3. Any organization, or employees thereof, which is created and operated for charitable, religious, benevolent, fraternal, civic, educational, or similar purposes, and from which profit is not derived, either directly or indirectly, by any individual or any other business, person or organization and which is exempt from taxation by state or federal law.

The City Clerk may require any business, instrumentality, organization, or person claiming to be exempt under this section to file with the City Clerk a verified statement stating the facts upon which the exemption is claimed.

8-202. OCCUPATION FEE LEVIED; BUSINESS ACTIVITY DEFINED. Section 10. The occupation fee hereby levied shall be in the following amounts on the following businesses, trades, professions, and occupations conducted, pursued, carried on, or operated within the limits of the City of Leawood, Kansas, for a twelve-month period, unless a different license period is indicated.

A. 1. All retail businesses domiciled in the City of Leawood, and engaged in the sale of groceries, clothing, hardware, notions, furniture, home furnishings, services, paint, drugs, and any other retail product not herein enumerated, shall pay an occupation tax computed on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor or basement in addition to the main floor (the one with the largest interior square footage) and which is open in whole or in part to the general public shall, upon the additional floor or floors add one-half (1/2) of the interior square footage, of such additional floor or floors, without regard to use, to the square footage of the main floor, and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

Table with 2 columns: Square Footage Range and Tax Amount. Rows include: 0-499 sq. ft. (\$62.50), 500-999 sq. ft. (\$80.00), 1,000-1,499 sq. ft. (\$100.00), 1,500-1,999 sq. ft. (\$120.00), 2,000-2,499 sq. ft. (\$137.50), 2,500-2,999 sq. ft. (\$155.00), 3,000-49,999 sq. ft. (\$155.00 plus \$75.00 for each 1,000 sq. ft. in excess of 2,999 sq. ft. or any part thereof), 50,000-69,999 sq. ft. (\$375.00 plus \$37.50 for each 1,000 sq. ft. or any part thereof in excess of 49,999 sq. ft.), 70,000-99,999 sq. ft. (\$4,500.00 plus \$25.00 for each 1,000 sq. ft. or any part thereof in excess of 69,999 sq. ft.), 100,000 sq. ft. and over (\$5,250.00 plus \$12.50 for each 1,000 sq. ft. or any part thereof in excess of 99,999 sq. ft.)

Retail businesses which hold themselves out to the public as a single business entity, but which, in fact, are partly or wholly operated on the basis of leased departments therein, shall pay an occupational tax based on the above schedule; Provided, That leased departments which have a private, individual exterior entrance and which have no entrance into such retail stores even though under a common roof with such retail stores, shall pay an occupational tax as a separate business according to the schedule contained in this ordinance. Further, any other domiciled profession, calling, trade, or business, transacting business under the terms of the ordinance, and which business is not specifically enumerated under this section, shall likewise be liable for the tax herein levied on the basis of the number of square feet occupied, all as set out in this section.

2. Any person domiciled in the City of Leawood engaged primarily in manufacturing, printing, wholesaling, or office buildings occupied by a single business, shall pay an occupational tax based on square footage occupied by said business without regard to use as follows:

Table with 2 columns: Square Footage Range and Tax Amount. Rows include: 0-999 sq. ft. (\$62.50), 1,000-4,999 sq. ft. (\$62.50 plus \$30.00 per 1,000 sq. ft. or any part thereof in excess of 1,000 sq. ft.), 5,000-9,999 sq. ft. (\$220.00 plus \$25.00 per 1,000 sq. ft. or any part thereof in excess of 5,000 sq. ft.), 10,000-24,999 sq. ft. (\$345.00 plus \$17.50 per 1,000 sq. ft. or any part thereof in excess of 10,000 sq. ft.), 25,000 sq. ft. and over (\$625.00 plus \$12.50 per 1,000 sq. ft. or any part thereof in excess of 25,000 sq. ft.)

3. All banks shall pay an occupational tax of \$250.00 per year, plus \$100.00 for each detached bank auxiliary teller facility.

4. All savings and loan associations shall pay an occupational tax of \$250.00 per location per year.

5. Domiciled small loan, finance and investment companies and credit unions shall pay an occupational tax of \$150.00 per location per year.

Table with 2 columns: Facility Name and Tax Amount. Rows include: Bowling alleys (\$375.00), Drive-in-theaters (170.00), Skating rinks (170.00), Riding stables (60.00), Miniature golf (100.00), Golf driving ranges (100.00), Recreation parks (170.00), Pool rooms (10.00 per table), Shooting ranges (250.00 per location), Tennis facilities-outdoor (25.00 per court), Racquetball, handball and/or squash facilities-outdoor (12.50 per court), Indoor theaters (25.00 per court), Other facilities not specifically listed (100.00)

7. Privately owned auditoriums for public use 170.00

8. Funeral homes 375.00

9. Solid waste disposal companies of all kinds whether or not domiciled 62.50

10. Taxicab companies or bus companies domiciled in City 95.00

11. Circus, carnivals, tent shows, amusement devices which transact business in the City 60.00 per day

12. All service stations selling oils, supplies, accessories for service at retail or motor vehicles 125.00

13. Car washes if not taxed as part of gasoline service station operation 75.00

14. Motor vehicle dealers selling new or used: a. 2 wheel motor vehicles 375.00 b. 4 wheel motor vehicles 750.00

15. Motor vehicle rental or leasing agencies 625.00

16. Private airports 450.00

17. Restaurants, taverns, drive-in and other eating establishments: a. With 15 or more employees 312.50 b. With less than 15 employees 125.00

18. Lumber yards and building supply business 625.00

19. Contractors, domiciled or non-domiciled, including building, remodeling, curbing, grading, street paving, sewer, electrical

Table with 2 columns: Business Type and Tax Amount. Rows include: plumbing, landscaping, and all contractors of every kind not specifically mentioned (60.00), 20. Domiciled greenhouses and nurseries, having retail sales outlets on premises (60.00), 21. Real estate companies, based on the number of sales or listings sold in the City of Leawood during the previous calendar year: a. 1-10 (80.00) b. Over 10 (155.00), 22. Any permitted accessory use under Section 15-2003 (30.00), 23. Private clubs (250.00), 24. Hotels/motels shall pay an occupational tax of \$5.00 per rental room per year (50.00), 25. Mobile veterinarians (100.00), 26. Coin-operated machine vendors shall pay an occupational tax of \$3.00 per coin operating machine of whatsoever type (50.00), 27. Watchman, guard, or security services; detective agents; merchant patrolmen plus \$10 additional for each agent (100.00), 28. Aircraft sales (175.00), 29. Service & flying school (150.00), 30. Private ambulance service (100.00), 31. Food services/catering (100.00), 32. Service professions, including but not limited to attorneys, engineers, architects, dentists, chiropractors, accountants, osteopaths, photographers, veterinarians, medical doctors and all other members of the healing arts plus \$10 for each professional over one (75.00), 33. Other non-domiciled businesses providing service, selling or distributing goods; seasonal businesses (75.00)

This applies to previous year's sales for any real estate sales operations being carried on in the City of Leawood, Kansas. Real estate operations for purposes of this section shall include all facets of the real estate sales business, including listing, advertising, showing, and contracting to sell or buy, of any home located in the City of Leawood, which results in an actual sale of a residence.

20. Domiciled greenhouses and nurseries, having retail sales outlets on premises 60.00

21. Real estate companies, based on the number of sales or listings sold in the City of Leawood during the previous calendar year: a. 1-10 80.00 b. Over 10 155.00

22. Any permitted accessory use under Section 15-2003 30.00

23. Private clubs 250.00

24. Hotels/motels shall pay an occupational tax of \$5.00 per rental room per year; Provided, shops and restaurants which are a part of the operation will be considered as individual businesses, and in addition hereto, all banquet and ballroom facilities, will be taxed individually on a square footage basis per year 50.00

25. Mobile veterinarians 100.00

26. Coin-operated machine vendors shall pay an occupational tax of \$3.00 per coin operating machine of whatsoever type 50.00

27. Watchman, guard, or security services; detective agents; merchant patrolmen plus \$10 additional for each agent 100.00

28. Aircraft sales 175.00

29. Service & flying school 150.00

30. Private ambulance service 100.00

31. Food services/catering 100.00

32. Service professions, including but not limited to attorneys, engineers, architects, dentists, chiropractors, accountants, osteopaths, photographers, veterinarians, medical doctors and all other members of the healing arts plus \$10 for each professional over one 75.00

33. Other non-domiciled businesses providing service, selling or distributing goods; seasonal businesses 75.00

The provisions of this subsection shall apply to any person as herein defined: who conducts, carries on, or pursues any business, trade, profession, or occupation in the City of Leawood, whether or not such person leases or owns property within the City, if such person carries on the principal elements of any such business, trade, profession, or occupation as defined in Section 8-103.

Any person meeting the above definition as a non-domiciled business or service shall pay an occupation fee as set out herein

a. A person may choose to pay a fee of \$6.00 per month when he transacts business within the City; Provided, that an person who has previously purchased five (5) one-day occupation permits shall, on the next occasion when he transacts business within the City, purchase an annual permit.

b. Businesses and services of any kind or nature which are seasonal in nature and occur on a once-a-year basis only shall secure a permit, and such permit may be secured for a time not to exceed thirty (30) days by payment of the sum of \$25.00.

34. Developers 60.00

35. Builders 60.00

36. All persons engaged in the business of selling or peddling goods or services not having a permanently located place of business in said City but having a permanently established business to house or wholesale business, per agent 17.00

37. Lawn, garden, tree services 60.00

38. Exterminators 60.00

B. Any business or occupation or profession named above this section is required to secure a license under the terms of this section. Any person who fails to obtain a license as required by this section may also be required to present to the City a certified copy of any federal or state labor union or association membership card or other document which is issued as a condition precedent to the conduct of such business, occupation or profession.

8-203. CLASSIFICATION APPLICABLE. Section 11. Whenever several classifications shall be applicable to a business, trade, profession, firm or calling shall pay the highest classification herein.

8-401. PENALTY. Section 12. Any person who shall violate any provision of this chapter or shall fail to comply with any of the requirements thereof shall be deemed guilty of maintaining a public nuisance (Sec. 10-309) or of permitting a public nuisance (Sec. 10-310) as said sections shall apply and shall be punished as therefor provided. Each day that a violation continues shall be deemed to be a separate offense.

8-402. VALIDITY OF CHAPTER. Section 13. Should any section, paragraph, sentence, clause or phrase of any ordinance, resolution, or order of the City of Leawood, Kansas, be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

TAKE EFFECT. Section 14. This ordinance shall take effect and be in force from and after its publication in the official newspaper.

First Reading: 6/18/79 Second Reading: 7/2/79

Passed by the Governing Body this 2nd day of July, 1979.

Approved by the Mayor this 2nd day of July, 1979.

(SEAL) Kent E. Cr...

Attest: J. Oberlander City Clerk

APPROVED FOR FORM: Larry Winn III, City Attorney

APPROVED FOR CONTENT: Jan Wise, Chrm., Ordinance Committee

First Published in The Johnson County Sun, Friday, August 31, 1979.

ORDINANCE NO. 638

AN ORDINANCE LEVYING AND IMPOSING TAXES OR FEES UPON AND FOR THE PRIVILEGE OF ENGAGING IN ANY BUSINESS, TRADE, OCCUPATION OR PROFESSION OR RENDERING OR FURNISHING ANY SERVICE FOR PROFIT OR LIVELIHOOD IN THE CITY OF LEAWOOD, KANSAS, TO PROVIDE REVENUE TO DEFRAY A PART OF THE EXPENSES OF SAID CITY; DEFINING TERMS USED IN THE ORDINANCE; PRESCRIBING LICENSING AND ADMINISTRATIVE PROCEDURE AND PENALTIES; AND REPEALING ORDINANCES.

Enacted by the Governing Body of the City of Leawood, Kansas

REPEAL. Section 1. Ordinance No. 454, adopted May 6, 1974; Ordinance No. 461, adopted August 19, 1974; and Ordinance No. 474, adopted December 16, 1974, are hereby repealed and the following enacted in lieu thereof:

8-101. PURPOSE. Section 2. This ordinance is solely for the purpose of providing revenue to defray a part of the expenses of the City of Leawood, Kansas, and is not for the purpose of regulation.

8-102. LICENSE REQUIRED. Section 3. No person, either as principal officer, agent, servant or employee, except as may be exempted by state statute or provisions of this ordinance, shall conduct, pursue, carry on, or operate within the City of Leawood, Kansas, any business, as hereinafter defined and specified, without first making application to the City Clerk for a license therefor, and paying to the office of the City Clerk the required occupation tax and license fee, as hereinafter prescribed, and obtaining such occupation license from the City Clerk.

8-103. DEFINITIONS. Section 4. As used in this ordinance:

- 1. "Business" means and includes businesses, trades, occupations, professions, and also the rendering or furnishing of a service; provided, that the name of a business, trade, occupation or profession may be used, and when so used shall refer to the particular business, trade, occupation or profession.
2. "Employee" means and includes any and all persons engaged in the operation or conduct of any business, whether as owner, member of the owner's family, partner, agent, manager, solicitor, and any and all other persons employed or working in said business.
3. "License" means the document issued by the City of Leawood, Kansas, and duly executed and signed by the proper City officials, which acknowledges payment of the required occupation tax and license fee and states the name of the licensee, the nature, type and location of the business, and the period for which the license is valid.
4. "Person" means and includes any individual, partnership, corporation, firm, organization, association, joint stock company, or syndicate who or which is engaged in any business, trade, occupation, or profession, or rendering or furnishing any service for profit or livelihood, and subject to the provisions of this ordinance; provided, that any individual in the direct employ of any person licensed under the provisions of this ordinance shall be exempt unless such individual operates as a subcontractor or practices his skill or performs services for compensation for any person other than his licensed employer, in which case such individual is subject to the full provisions of this ordinance.
5. "Tax" means the occupation tax or license fee assessed by the City of Leawood, Kansas, for the purpose of providing revenue without regulations upon and for the privilege of engaging in business within the City of Leawood, Kansas.

8-104. LICENSES. Section 5.

1. APPLICATION. Each person shall, before engaging in any business to which this ordinance applies or before continuing any such business after a license has expired, make application for a license and pay the occupation tax or license fee. Application shall be made to the City Clerk on a form approved by the City Clerk for such purposes and shall state the name and title, if any, of the applicant, the name and address of the business, the type and nature of the business, and such other information as may be necessary to determine the amount of tax to be paid. The City Clerk may, in his discretion, cause an investigation to be made to verify the accuracy of the information.

2. ISSUANCE OF LICENSE. Upon proper application for a license and upon payment of the occupation tax or license fee as provided in this ordinance, the City Clerk shall issue a valid license to the applicant. The license shall be signed by the Mayor, the City Clerk, and the City Treasurer. The City Clerk shall affix the official seal of the City to each license. The signatures of the Mayor and the City Treasurer and the official seal of the City may be affixed by printed, stamped, engraved or otherwise produced facsimile in accordance with the provisions of K.S.A. 75-4001 et seq.

PROVIDED, HOWEVER, that no license shall be issued for any business conducted in violation of or contrary to any state or federal law or any ordinance of the City.

3. TERM OF LICENSE. Each license issued pursuant to this ordinance shall be for a term commencing on the first day of July and expiring on the thirtieth day of June in each year.

4. TAX OR FEE PAYMENT. Every person making application for or receiving a license, as provided in this ordinance, shall pay to the City Clerk, at the time of such application, the full amount of the occupation tax or license fee as determined by this ordinance. No license shall be issued to any person without payment in full of the occupation tax or license fee.

Every person or firm commencing business shall first secure an occupational license covering the period from the date from which the business is to be started until the next succeeding July first. The fee which would be payable on an annual basis shall be determined as provided by this ordinance and the fee for this initial period shall be determined by dividing the annual fee by twelve (12) and multiplying by the number of months or fraction thereof remaining to the next July first.

5. REFUNDS. No refunds will be made for any business ceasing during the year for any tax or fee collected under the provisions of this ordinance.

6. EXPIRATION AND RENEWAL OF LICENSES - PENALTY FOR LATE RENEWAL. Each license issued under this ordinance shall expire on the thirtieth day of June next following the date of issuance of such license.

Any license which expires under the provisions of this section may be renewed for the next license term by making application for renewal to the City Clerk and by making payment in full of the annual occupational tax or license fee for the next current license term. The application for renewal shall comply with the requirements of Section 8-104 of this ordinance and in addition shall state the serial number of the license to be renewed and the date such license was issued shall be recorded.

A penalty of five percent (5%) per month shall be added in case of failure to pay the required fees when due for each month or fraction thereof that the fees have remained unpaid.

7. TRANSFER OF LICENSE. No license shall be transferred from one person to another except that a license shall continue until expiration for any business which is purchased in bulk, including stock and inventory, and which is operated by the new owner under the same name and in the same location.

8. CHANGE IN BUSINESS LOCATION; SUBSTITUTE LICENSE. The holder of a license shall immediately notify the City Clerk of any change in location of any business for which a license has been issued under this ordinance and shall return the license to the City Clerk and secure a substitute license, showing the new business location. The holder of the license shall pay a fee of ten dollars (\$10.00) for the substitute license and shall pay any additional prorated tax or fee required by this ordinance for the new location or business operation.

ORDINANCE NO. 637

AN ORDINANCE RELATING TO THE ACCEPTANCE OF A RIGHT-OF-WAY GRANT FOR STREET PURPOSES FROM JOSEPH LEE MILLER AND DIANE F. MILLER.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

Section 1.

19-641./ The Governing Body of the City of Leawood, Kansas, does hereby accept a Right-of-Way Grant from Joseph Lee Miller and Diane F. Miller, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, a Right-of-Way to construct, maintain, alter, repair, replace, a public road and sidewalk and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to wit:

Beginning at the SE corner of the N 1/2 of the NE 1/4 of Section 4, Township 14, Range 25; thence West 50'; thence North 268.80'; thence East 50'; thence South 268.80' to point of beginning. (14420 Mission Rd.)

19-642. INCORPORATION BY REFERENCE. Section 2. A copy of said Right-of-Way Grant is attached to the original ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 6/18/79 Second Reading: 7/2/79

Passed by the Governing Body this 2nd day of July, 1979.

Approved by the Mayor this 2nd day of July, 1979.

(S E A L)

*Kent E. Chippin*  
Kent E. Chippin Mayor

Attest:

*J. Oberlander*  
J. Oberlander City Clerk

APPROVED FOR FORM: *Larry Winn*, City Attorney  
Larry Winn III

APPROVED FOR CONTENT: *Jean Wise*, Chr., Ordinance Comm.  
Jean Wise

*1/2 of Prop. in safe*

1237163 ✓

RIGHT-OF-WAY GRANT

ORIGINAL COMPARED WITH RECORD

R.O.W.# \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, THAT JOSEPH LEE MILLER and

DIANE F. MILLER

of the Post Office of P. O. Box 654, Olathe, Kansas

In the State of Kansas, in consideration of A BUILDING

PERMIT ~~DEED~~ (\$ \_\_\_\_\_) in hand paid and other valuable consideration, receipt of which is hereby acknowledged, by grant and convey \_\_\_\_\_ unto the CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, its successors and assigns, a Right-of-Way to \_\_\_\_\_ maintain, alter, repair, replace, a public road and sidewalk and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

Beginning at the SE Corner of the N.1/2 of the NE 1/4 of Section 4/14/25, Thence West 50', Thence North 268.80', Thence East 50', Thence South 268.80' to Point of Beginning.

*14420 Mission Rd.*

JOHN H. YRATON  
NOTARY PUBLIC  
JOHNSON COUNTY, KANSAS  
My Comm. Expires \_\_\_\_\_

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 JUL 16 AM 8 53.2

RUBIE M. SCOTT  
REGISTER OF DEEDS

BY \_\_\_\_\_ DEP.

This grant is a permanent easement for the purpose aforesaid and full consideration therefore is acknowledged; provided however, if a temporary construction easement is granted herein, then the period of said temporary easement shall be no longer than one year from the date of acceptance of construction of said road within said City of Leawood, Johnson County, Kansas.

This agreement is binding upon the heirs, executors, administrators, successors, and assigns of the parties hereto, and it is understood that this agreement cannot be changed in any way except in writing, signed by the grantor \_\_\_\_\_ and a duly authorized agent of the grantee.

IN WITNESS WHEREOF the grantors have hereunto set their hands and seal \_\_\_\_\_ on this, the 16th day of June, 1979.

*Joseph Lee Miller*  
Joseph Lee Miller

*Diane F. Miller*  
Diane F. Miller

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
11th day of July, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribed and sworn to before me this 11th day of  
July, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 12.30  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson  
County Sun Wednesday, July 11,  
1979

**ORDINANCE NO. 637**

**AN ORDINANCE RELATING TO  
THE ACCEPTANCE OF A  
RIGHT-OF-WAY GRANT FOR  
STREET PURPOSES FROM  
JOSEPH LEE MILLER AND  
DIANE F. MILLER.**

**Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:**

**Section 1.**  
19-641. The Governing Body of  
the City of Leawood, Kansas, does  
hereby accept a Right-of-Way  
Grant from Joseph Lee Miller and  
Diane F. Miller, along with the  
restrictions and reservations as  
set forth therein, granting the  
City of Leawood, Kansas, its suc-  
cessors or assigns, a Right-of-  
Way to construct, maintain, alter,  
repair, replace, a public road and  
sidewalk and all appurtenances  
convenient for said public road,  
together with the right of ingress  
and egress, over and through the  
following premises in the County  
of Johnson in the State of Kansas,  
to wit:

Beginning at the SE corner of the  
N 1/2 of the NE 1/4 of Section 4,  
Township 14, Range 25; thence  
West 50'; thence North 268.80';  
thence East 50'; thence South  
268.80' to point of beginning.  
(14420 Mission Rd.)

19-642. INCORPORATION BY  
REFERENCE. Section 2. A copy  
of said Right-of-Way Grant is at-  
tached to the original ordinance  
and thereby incorporated by  
reference.

**TAKE EFFECT.** Section 3. This  
ordinance shall take effect and be  
in force from and after its  
publication in the official City  
newspaper.

First Reading: 6/19/79 Second  
Reading: 7/2/79

Passed by the Governing Body  
this 2nd day of July, 1979.

Approved by the Mayor this 2nd  
day of July, 1979.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
(AL)

\_\_\_\_\_  
John J. Oberlander, City Clerk

APPROVED FOR FORM  
(s) \_\_\_\_\_, City Attorney

APPROVED FOR COM. INT.  
(s) Jean Wise, Chr., Ordinance  
Comm.

(800.55W)

ORDINANCE NO. 636

Repealed by Ord. #839

CODE OF 1984

Effective 12/21/84

AN ORDINANCE RELATING TO THE OPERATION OF A CABLE TELEVISION FRANCHISE WITHIN THIS CITY; PROVIDING FOR SUBSCRIPTION RATE SCHEDULES; PROVIDING FOR NOTICE AND HEARINGS OR PROPOSED CHANGES IN SAID SUBSCRIPTION RATE SCHEDULES; AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

Section 1  
REPEAL OF SECTION. / Section 21-608 of the Revised Ordinances, as adopted by Ordinance No. 503, is hereby repealed and the following enacted in lieu thereof:

21-608. SUBSCRIBERS' RATE SCHEDULE. Section 2. Monthly rates for subscriber service shall be determined by franchisee and shall be uniform throughout the City for each type of service. Franchisee shall file with the City Clerk a schedule of current rates in effect.

Subscriber rates for installation shall be determined by franchisee and shall be uniform, except where extraordinary installation procedures are required in order to establish service, in which case franchisee may charge the subscriber the actual cost of materials and labor plus ten per cent.

The Governing Body of the City of Leawood may at any time require franchisee to provide sufficient financial information in order for the City to determine whether the unregulated rates charged to Leawood customers are in fact uniform and reasonably related to the cost of service.

Where a subscriber's service is disconnected for non-payment of monies due, franchisee is authorized to collect a reconnection fee.

21-608.1. COST OF PUBLICATION. Section 3. Pursuant to K.S.A. 12-2001, the cost of publication of this ordinance shall be borne by TeleCable of Overland Park, Inc.

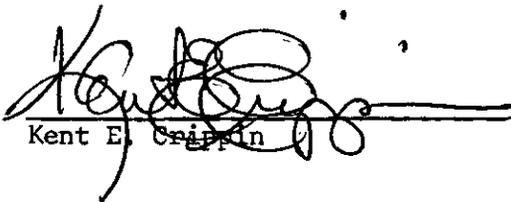
TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 6/4/79 Second Reading: 6/18/79

Passed by the Governing Body this 18th day of June, 1979.

Approved by the Mayor this 18th day of June, 1979.

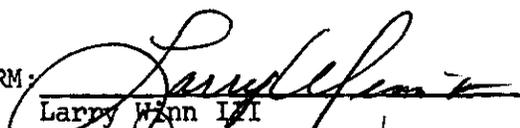


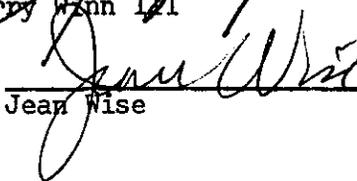
  
Kent E. Crippin Mayor

Page 2  
ORDINANCE NO. 636  
re Cable Television Franchise

Attest:

  
J. Oberlander City Clerk

APPROVED FOR FORM: , City Attorney  
Larry Winn IZI

APPROVED FOR CONTENT: , Chr., Ordinance Comm.  
Jean Wise

Repealed by Ord. #839

ORDINANCE NO. 635 CODE OF 1984

Effective 12/21/84

AN ORDINANCE RELATING TO DOGS RUNNING AT LARGE, AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 2-206 of the Revised Ordinances, as adopted by Ordinance No. 499, is hereby repealed and the following enacted in lieu thereof:

2-206. DOGS RUNNING AT LARGE. Section 2.

- A. Dogs Running at Large Defined. Any dog shall be deemed running at large when it is off the premises of the owner or keeper. All dogs must remain on the premises of the owner except when taken off the premises on a leash, in a cage, or in a car or other conveyance.
- B. Presumption of Ownership. Any person owning, keeping or harboring a dog for seven (7) consecutive days shall be conclusively presumed to be the owner of such dog for purposes of this ordinance.
- C. Dogs Running at Large. It shall be unlawful for the owner or keeper of any dog to allow such dog to run at large as defined by 2-206 A.

2-214.3. Section 3. A violation of Sections 2-201 thru 2-211 and 2-213 thru 2-214.2 of City ordinances shall be deemed a public offense and upon conviction shall be punishable under the penalty provisions of Section 2-217.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 5/21/79 Second Reading: 5/21/79

Passed by the Governing Body this 21st day of May, 1979, the Council having deemed this to be an emergency matter.

Approved by the Mayor this 21st day of May, 1979.

(SEAL)

*Kent E. Croppin*  
Kent E. Croppin

Mayor

Attest:

*J. Oberlander*  
J. Oberlander City Clerk

APPROVED FOR FORM: *Larry Winn III*, City Attorney  
Larry Winn III

APPROVED FOR CONTENT: *Jean Wise*, Chr., Ordinance Comm.  
Jean Wise

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,  
Deposes and says: That he is  
Editor of THE JOHNSON COUNTY SUN,  
a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation  
in JOHNSON County, Kansas, with a general  
paid circulation on a yearly  
(daily, weekly, monthly, yearly)  
basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)  
published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
23rd day of May, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribed and sworn to before me this 23rd day of  
May, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 13.75  
Additional copies \$ \_\_\_\_\_



First Published in  
Johnson County Sun Wednes-  
day, May 23, 1979.

ORDINANCE NO. 635

AN ORDINANCE RELATING  
TO DOGS RUNNING AT  
LARGE, AND REPEAL OF SEC-  
TION.

Be It ordained by the Govern-  
ing Body of the City of  
Leawood, Kansas:

REPEAL OF SECTION. Sec-  
tion 1. Section 2-206 of the  
Revised Ordinances, as  
adopted by Ordinance No. 499,  
is hereby repealed and the  
following enacted in lieu  
thereof:

2-206. DOGS RUNNING AT  
LARGE. Section 2.

A. Dogs Running at Large  
Defined. Any dog shall be  
deemed running at large  
when it is off the premises  
of the owner or keeper. All  
dogs must remain on the  
premises of the owner except  
when taken off the premises  
on a leash, in a cage, or in  
a car or other conveyance.

B. Presumption of Ownership.  
Any person owning, keeping  
or harboring a dog for seven  
(7) consecutive days shall be  
conclusively presumed to be  
the owner of such dog for  
purposes of this ordinance.

C. Dogs Running at Large. It  
shall be unlawful for the  
owner or keeper of any dog  
to allow such dog to run at  
large as defined by 2-206 A.

2-214.3. Section 3. A violation  
of Sections 2-201 thru 2-211  
and 2-213 thru 2-214.2 of City  
ordinances shall be deemed a  
public offense and upon con-  
viction shall be punishable un-  
der the penalty provisions of  
Section 2-217.

TAKE EFFECT. Section 4.  
This ordinance shall take ef-  
fect and be in force from  
and after its publication in  
the official City newspaper.

First Reading: 5/21/79 Second  
Reading: 5/21/79

Passed by the Governing  
Body this 21st day of May  
1979, the Council having  
deemed this to be an  
emergency matter.

Approved by the Mayor this  
21st day of May, 1979.

(SEAL)

(s) Kent E. Crippin, Mayor

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM  
(s) Larry Winn III, City At-  
torney

APPROVED FOR CONTENT:  
(s) Jean Wise, Chr., Ordinance

ORDINANCE NO. 634

AN ORDINANCE AUTHORIZING CONDEMNATION OF PRIVATE PROPERTY IN CONJUNCTION WITH THE CITY OF LEAWOOD IMPROVEMENT DISTRICT 79-1.

WHEREAS, the Governing Body, through Resolution Nos. 488 and 489, has previously created Improvement District 79-1 generally dealing with the improvement of Mission Road from 119th Street to 127th Street and 123rd Street from Cherokee to Mission Road; and

WHEREAS, the City, by passage of its Resolution No. 494, has determined the necessity and advisability of condemning private right of way so that the roadway improvement described in Improvement District 79-1 can in fact be completed; and

WHEREAS, the project engineer has provided the Governing Body with a survey or legal description of the land or interests in land to be condemned by the Governing Body;

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

19-112. Section 1. That the Governing Body of said City be authorized to condemn permanent and construction right of way and/or easements across the tracts described in Exhibit A attached hereto for the purpose of providing the land or interests in land necessary to construct the improvements described in Improvement District 79-1.

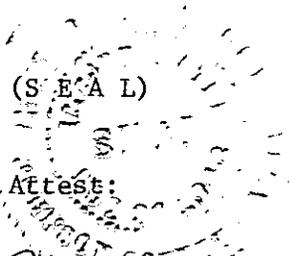
19-113. INCORPORATION BY REFERENCE. Section 2. A copy of said Exhibit A is attached to the original ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 4/16/79 Second Reading: 4/16/79

Passed by the Governing Body this 16th day of April, 1979, the Council having deemed this to be an emergency matter.

Approved by the Mayor this 16th day of April, 1979.



Attest:

J. Oberlander  
J. Oberlander City Clerk

Eugene E. Alt  
Eugene E. Alt Mayor

Exhibit A

TRACT 1-P and 1-T

Owners: Kenneth M., Jr. and Nancy L. Harris  
Mortgage Holder: North American Savings Association

PERMANENT EASEMENT

All of the East 50 feet of the South 250 feet of the East 660 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, subject to that part thereof dedicated for street purposes.

TEMPORARY EASEMENT

All of the East 65 feet of the South 250 feet of the East 660 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, subject to that part thereof dedicated for street purposes.

TRACT 2-P and 2-T

Owners: Donald F. and Virginia O. Wheelock  
Mortgage Holder: None

PERMANENT EASEMENT

All of the East 50 feet of the North 410 feet of the South 660 feet of the East 660 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, subject to that part thereof dedicated for street purposes.

TEMPORARY EASEMENT

All of the East 60 feet of the North full 10 feet of the South 660 feet of the East 660 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, subject to that part thereof dedicated for street purposes.

TRACT 3-P and 3-T

Owners: A. W., Jr. and Martha Jo Doephe  
Mortgage Holder: Patrons State Bank & Trust Co.

PERMANENT EASEMENT

All of the East 50 feet of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas.

TEMPORARY EASEMENT

All of the East 65 feet of the North 126 feet of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21 . . . and also . . . All of the South 330 feet of the North 456 feet of the East 300 feet of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 21 . . . and also . . . All of the East 75 feet of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 21 except the North 456 feet thereof, all in Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

TRACT 5-P and 5-T

Owners:  
Mortgage Holder:

Ronald E. Kaltz and Terri Lynn Ostroviak  
Commerce Bank of Florissant

PERMANENT EASEMENT

All that part of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the East line of the SE $\frac{1}{4}$  of said Section 21, and 481.49 feet South of the Northeast corner thereof; Westerly, along a line perpendicular to the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 50 feet; thence Southerly, along a line 50 feet West of and parallel to the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 220 feet; thence Easterly, along a line perpendicular to the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 50 feet, to a point on the East line thereof; thence Northerly, along the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 220 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

TEMPORARY EASEMENT

All that part of the NE $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the East line of the SE $\frac{1}{4}$  of said Section 21, and 481.49 feet South of the Northeast corner thereof; thence Westerly, along a line perpendicular to the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 100 feet; thence Southerly, along a line perpendicular to the last described course, a distance of 114 feet; thence Westerly, along a line perpendicular to the last described course, a distance of 25 feet; thence Southerly, along a line perpendicular to the last described course, a distance of 45 feet; thence Easterly, along a line perpendicular to the last described course, a distance of 45 feet; thence Southerly, along a line perpendicular to the last described course, a distance of 61 feet; thence Easterly, along a line perpendicular to the last described course, a distance of 80 feet, to a point on the East line of the SE $\frac{1}{4}$  of said Section 21; thence Northerly, along the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 220 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

TRACT 17-P and 17-T

Owners:

Patricia H. Hexum, Trustee U/A  
dated 12/26/74, R. Lofton Hudson  
Grantor

Mortgage Holder:

None

PERMANENT EASEMENT

All of the East 50 feet of the North 330 feet of the South 990 feet of the East 735 feet of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

TEMPORARY EASEMENT

All that part of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, and 990 feet North of the South line thereof; thence Westerly, along a line parallel to the South line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 100 feet; thence Southeasterly, to a point 75 feet West of the East line and 660 feet North of the South line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21; thence Easterly, along a line 660 feet North of and parallel to the South line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 75 feet, to a point on the East line thereof; thence Northerly, along the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 330 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

TRACT 18-P and 18-T and 18 R-E

Owners: Patricia B. Ehrsam  
Mortgage Holder: None

PERMANENT EASEMENT

All that part of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21; thence Southerly, along the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 339.90 feet; thence Westerly, a distance of 735 feet; thence Northerly, a distance of 189.1 feet, to the centerline of Tomahawk Creek, as now established; thence Northeasterly, along the centerline of said Tomahawk Creek, to a point on the North line of the NE $\frac{1}{4}$  of said Section 21; thence Easterly, along the North line of the NE $\frac{1}{4}$  of said Section 21, a distance of 400 feet, to the point of beginning.

TEMPORARY EASEMENT

All that part of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21; thence Southerly, along the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 339.90 feet; thence Westerly, a distance of 100 feet; thence Northwesterly, to a point on the North line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, and 120 feet West of the Northeast corner thereof; thence Easterly, along the North line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 120 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

ROAD EASEMENT

All that part of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Township 13, Range, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, and 50 feet West of the East line thereof; thence Westerly, along the North line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 130 feet; thence Southeasterly, to a point 35 feet South of the North line and 50 feet West of the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21; thence Northerly, along a line 50 feet West of and parallel to the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 35 feet, to the point of beginning.

TRACT 22-P and 22-T

Owners: Leawood South Country Club  
Mortgage Holder: Kansas City Life Ins. Co.

PERMANENT EASEMENT

All that part of the SW $\frac{1}{4}$  of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the SW $\frac{1}{4}$  of said Section 22; thence N 87° 40' 51" E, along the North line of the SW $\frac{1}{4}$  of said Section 22, a distance of 248.62 feet, to the true point of beginning of subject tract; thence S 0° E, to a point 40 feet South of the North line of the SW $\frac{1}{4}$  of said Section 22; thence N 87° 40' 51" E, along a line 40 feet South of and parallel to the North line of the SW $\frac{1}{4}$  of said Section 22, to a point on the Westerly line of Lot 27, Block 16, LEAWOOD SOUTH, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Northeasterly, along the Westerly line and its extension of said Lot 27, to a point on the North line of the SW $\frac{1}{4}$  of said Section 22; S 87° 40' 51" W, along the North line of the SW $\frac{1}{4}$  of said Section 22, to the point of beginning, all subject to that part thereof dedicated for street purposes.

Tract 22-P and 22-T  
Continuation

TEMPORARY EASEMENT

All that part of the SW $\frac{1}{4}$  of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the SW $\frac{1}{4}$  of said Section 22; thence N 87° 40' 51" E, along the North line of the SW $\frac{1}{4}$  of said Section 22, a distance of 248.62 feet, to the true point of beginning of subject tract; thence S 0° E, to a point 60 feet South of the North line of the SW $\frac{1}{4}$  of said Section 22; thence N 87° 40' 51" E, along a line 60 feet South of and parallel to the North of the SW $\frac{1}{4}$  of said Section 22, to a point on the Westerly line of Lot 27, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Northeasterly, along the Westerly line of said Lot 27, to a point on the North line of the SW $\frac{1}{4}$  of said Section 22; thence S 87° 40' 51" W, along the North line of the SW $\frac{1}{4}$  of said Section 22, to the point of beginning, all subject to that part thereof dedicated for street purposes . . . and also . . . All that part of the SW $\frac{1}{4}$  of said Section 22, more particularly described as follows: Beginning at the Southeast corner of Lot 25, Block 25, LEAWOOD SOUTH, SIXTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Northwesterly and Northerly, along the Easterly line of said Lot 25, to the Northeasterly corner thereof; thence Northerly and Northeasterly, along the Easterly line of Lot 26 of said Block 25, to a point 190 feet East of the West line of the SW $\frac{1}{4}$  of said Section 22; thence Southerly, along a line 190 feet East of and parallel to the West line of the SW $\frac{1}{4}$  of said Section 22, to a point 25 feet South of the Easterly extension of the North line of Lot 24 of said Block 25; thence Westerly, along a line 25 feet South of and parallel to the North line and its Easterly extension of said Lot 24, to a point on the East line thereof; thence Northwesterly, along the Easterly line of said Lot 24, to the point of beginning.

TRACT 27-T

Owners: James O. and Elizabeth P. Westby  
Mortgage Holder: Inter-State Federal Savings & Loan

TEMPORARY EASEMENT

All of the North 15 feet of Lot 27, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

TRACT 28-

Owners: James D. and Virginia D. Murray  
Mortgage Holder: Charter Bank of Ward Parkway, NA

TEMPORARY EASEMENT

All of the North 15 feet of Lot 28, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

TRACT 29-T

Owners: C. I. Jr. and Barbara P. Frieze  
Mortgage Holder: American Bank & Trust Company

TEMPORARY EASEMENT

All of the North 10 feet of Lot 29, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

**TRACT 30-T**

Owners: Mark J. and Edwina C. Thoeny  
Mortgage Holder: Capitol Federal Savings & Loan

TEMPORARY EASEMENT

All of the North 10 feet of Lot 30, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

**TRACT 31-T**

Owners: R. W. Dean Building Co.  
Mortgage Holder: Centennial Bank & Trust Co.  
Central Estates, Inc.

TEMPORARY EASEMENT:

All of the North 5 feet of Lot 31, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

**TRACT 32-T**

Owners: Frank and Shiela D. Worden  
Mortgage Holder: Overland Park Savings & Loan Assn.

TEMPORARY EASEMENT

All that part of Lot 32, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of said Lot 32; thence Southerly, along the Westerly line of said Lot 32, a distance of 5 feet; thence Southeasterly, to a point on the Easterly line of said Lot 32, and 25 feet Southerly of the Northeasterly corner thereof, as measured along said Easterly line; thence Northerly, along the Easterly line of said Lot 32, a distance of 25 feet, to the Northeasterly corner thereof; thence Westerly, along the Northerly line of said Lot 32, to the point of beginning.

**TRACT 33-T**

Owners: Stephen G. and Catherine T. Gesling  
Mortgage Holder: Central Estates, Inc.  
First Federal Savings & Loan Assn.

TEMPORARY EASEMENT

All that part of Lot 1, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwesterly corner of said Lot 1; thence Southerly, along the Westerly line of said Lot 1, a distance of 20 feet; thence Northeasterly, to a point on the Easterly line of said Lot 1, and 5 feet Southerly of the Northerly line thereof; thence Northerly, along the Easterly line of said Lot 1, to the Northeasterly corner thereof; thence Westerly, along the Northerly line of said Lot 1, to the point of beginning.

**TRACT 34-T**

Owners: Duane L. and Sharon Ann McIntyre  
Mortgage Holder: Boatman's Bank & Trust Co.  
Ranchmart Bank & Trust Co.

TEMPORARY EASEMENT

All of the North 5 feet of Lot 9, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

TRACT 35-T

Owners: Stanley H. and Marilyn K. Wilson  
Mortgage Holder: Home Savings Association

TEMPORARY EASEMENT

All of the North 10 feet of Lot 10, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

TRACT 36-T

Owners: Frank and Shirley K. Shahrokhi  
Mortgage Holder: Swedish-American Savings & Loan Assn.

TEMPORARY EASEMENT

All of the North 10 feet of Lot 11, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

TRACT 37-T

Owners: Edwin M. and Martenna R. Newcomb  
Mortgage Holder: Inter-State Federal Savings & Loan Assn.

TEMPORARY EASEMENT

All of the North 20 feet of Lot 12, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

TRACT 38-T

Owners: Robert E. and Carole P. Allen  
Mortgage Holder: Colonial Savings & Loan Assn.

TEMPORARY EASEMENT

All of the North 10 feet of Lot 13, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

TRACT 39-T

Owners: Arlene B. and Harold Clinton Lindley  
Mortgage Holder: Plaza Savings Association

TEMPORARY EASEMENT

All of the North 10 feet of Lot 14, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

TRACT 40-T

Owners: Maurice F. and Margaret J. Quirk  
Mortgage Holder: Leawood National Bank

TEMPORARY EASEMENT

All of the North 10 feet of Lot 15, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

TRACT 41-T

Owners: G. Ross and Delia H. Stephens  
Mortgage Holder: Capitol Federal Savings & Loan Assn.

TEMPORARY EASEMENT

All of the North 5 feet of Lot 16, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

TRACT 42-T

Owners: James and Linda Kalivas  
Mortgage Holder: Inter-State Federal Savings & Loan Assn.

TEMPORARY EASEMENT

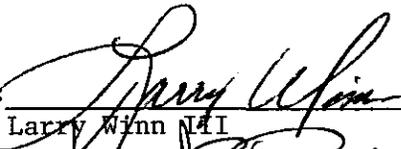
All that part of Lot 17, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwestern corner of said Lot 17; thence Southerly, along the Westerly line of said Lot 17, a distance of 5 feet; thence Southeasterly, to a point on the Easterly line of said Lot 17, and 20 feet Southerly of the Northeasterly corner thereof, as measured along said Easterly line; thence Northerly, along the Easterly line of said Lot 17, a distance of 20 feet, to the Northeasterly corner thereof; thence Westerly, along the Northerly line of said Lot 17, to the point of beginning.

Page 2

ORD. NO. 634

re Condemnation of Private Property;  
Improvement District 79-1

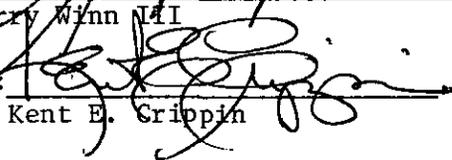
APPROVED FOR FORM:



, City Attorney

Larry Winn NAI

APPROVED FOR CONTENT:



Chr., Ordinance Committee

Kent E. Crippin

#33,950 pd.  
to Ct. 6/14/79

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS  
CIVIL COURT DEPARTMENT  
COURT NO. 1

IN THE MATTER OF THE ACQUISITION )  
OF PROPERTY BY EMINENT DOMAIN )  
THE CITY OF LEAWOOD, KANSAS, )  
A Municipal Corporation )  
Plaintiff, )  
vs. )  
DONALD F. and VIRGINIA O. WHEELOCK, )  
et al., )  
Defendants. )

Case No. 84060

STIPULATION AND JOURNAL ENTRY  
RELATING TO TRACT III  
A. W. DOEPKE, JR., AND MARTHA JO DOEPKE, OWNERS

Comes now plaintiff, City of Leawood, and separate defendants,  
A. W. Doepke, Jr., and Martha Jo Doepke, through their counsel of  
record, and make the following stipulations in the above captioned  
matter of eminent domain:

1. That negotiations between the parties and engineering design  
changes have resulted in a reduction of the amount of defendant's  
property required for a temporary construction area.

2. That the original petition relating to said Tract III should  
be therefore modified by this order to provide that the temporary  
taking on Tract III T be legally described and limited to the following:

All of the East 35 feet of the North 456 feet of the  
North 1/2 of the Southeast 1/4 of the Southeast 1/4  
of Section 21, and, also

All of the East 50 feet of the North 1/2 of the South-  
east 1/4 of the Southeast 1/4 of said Section 21, except  
the North 456 feet thereof, all in Township 13, Range 25,  
now in the City of Leawood, Kansas, all subject to that  
part thereof dedicated for street purposes.

3. Previous engineering plans and specifications called for the  
relocation of a spillway adjacent to the pond on defendant's property  
and that the appraisers appointed by this Court attributed damage  
to said spillway relocation of \$3,750.00. The plaintiff condemner  
has made a decision concerning said spillway that would negate the  
spillway relocation. Therefore, the parties hereby stipulate  
that the total amount awarded by the appraisers to the

defendants should be reduced to \$3,400.00 which represents the amount awarded for the permanent taking and the temporary taking exclusive of the spillway relocation. This stipulation is based upon verbal conversations with the appraisers and may be altered to conform to the precise allocation made by the appraisers.

4. That the plaintiff has paid the full amount of the appraisers awards for all tracts into Court except only the adjustment set out herein which defendant has approved.

5. That defendant by concurring in the adjustment made in the nature of the work to be performed on his property and the allocation of the appraisers award does not relinquish or waive any rights which he or they would otherwise have to appeal from the amount of the award for the balance of the permanent and temporary taking as herein adjusted.

The Court being well advised in the premises generally approves the stipulations set out hereinbefore by the parties.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that plaintiff's petition as it pertains to Tract III owned by the defendants, A. W. Doepke, Jr., and Martha Jo Doepke, be amended by interlineation as set out above and that the parties' rights hereafter be governed in accordance with this stipulation and order.

Judge Herbert W. Walton

APPROVED:

Larry Winn, III  
BENNETT, LYTLE, WETZLER WINN & MARTIN  
5100 West 95th Street  
P.O. Box 8030  
Prairie Village, Kansas 66206  
642-7300

ATTORNEY FOR DEFENDANT

---

Carl H. Helmstetter  
SPENCER, FANE, BRITT & BROWNE  
1000 Power & Light Building  
106 West 14th Street  
Kansas City, Missouri 64105  
474-8100

and

---

Thomas H. Payne  
PAYNE & JONES  
The Tower Building  
200 South Chestnut  
Olathe, Kansas 66061  
782-2500

ATTORNEYS FOR PLAINTIFF



APPRAISERS' REPORT

TRACT 1. Permanent and Temporary  
OWNERS Knowna White & Nancy Harris  
MORTGAGE HOLDER: North American Savings Assoc.

Permanent

All of the East 30 feet of the South 250 feet of the East 660 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, subject to that part thereof dedicated for street purposes.

Temporary

All of the East 45 feet of the South 250 feet of the East 660 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, subject to that part thereof dedicated for street purposes.

Value of the entire tract immediately before condemnation \$ 64450  
Value of the remaining tract immediately after condemnation \$ 63400  
Total award to the owners of Tract No. 1 for property taken and damage to the remainder \$ 1050.

APPRAISERS' REPORT

TRACT 2 Permanent and 2 Temporary  
OWNERS DONALD F. + VIRGINIA O WHEELER  
MORTGAGE HOLDER: KANSAS CITY LIFE INS. CO

Permanent

All of the East 30 feet of the North 410 feet of the South 660 feet of the East 660 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, subject to that part thereof dedicated for street purposes.

Temporary

All of the East 45 feet of the North 410 feet of the South 660 feet of the East 660 feet of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, subject to that part thereof dedicated for street purposes.

Value of the entire tract immediately before condemnation \$ 370,600  
Value of the remaining tract immediately after condemnation \$ 368,650  
Total award to the owners of Tract No. 2 for property taken and damage to the remainder \$ 1950.

APPRAISERS' REPORT

TRACT

3 Permanent and 3 Temporary

OWNERS

A. W. [unclear] & Martha J. Dapke

MORTGAGE  
HOLDER:

PATrons State Bank Trust Co

Permanent

All of the East 30 feet of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas.

Temporary

All of the East 35 feet of the North 126 feet of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21 . . . and also . . . All of the South 330 feet of the North 456 feet of the East 300 feet of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 21 . . . and also . . . All of the East 50 feet of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 21 except the North 456 feet thereof, all in Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

Use of the entire tract immediately before condemnation \$ 540,000

Use of the remaining tract immediately after condemnation \$ 532,850

Award to the owners of Tract No. 3 for property taken

Damage to the remainder \$ 7150

APPRAISERS' REPORT

TRACT 5 - Permanent and 5 - Temporary  
 OWNERS Ronald E. Kaltz and Terri Lynn Ostroviak  
 MORTGAGE Commerce Bank of Florissant  
 HOLDER: Permanent

All that part of the SE $\frac{1}{4}$  of Section 21, Township 19, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the East line of the SE $\frac{1}{4}$  of said Section 21, and 481.49 feet South of the Northeast corner thereof; westerly, along a line perpendicular to the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 50 feet; thence southerly, along a line 50 feet west of and parallel to the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 220 feet; thence easterly, along a line perpendicular to the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 50 feet, to a point on the East line thereof; thence northerly, along the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 220 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

Temporary

All that part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 19, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the East line of the SE $\frac{1}{4}$  of said Section 21, and 481.49 feet South of the Northeast corner thereof; thence westerly, along a line perpendicular to the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 100 feet; thence southerly, along a line perpendicular to the last described course, a distance of 114 feet; thence westerly, along a line perpendicular to the last described course, a distance of 25 feet; thence southerly, along a line perpendicular to the last described course, a distance of 45 feet; thence easterly, along a line perpendicular to the last described course, a distance of 45 feet; thence southerly, along a line perpendicular to the last described course, a distance of 61 feet; thence easterly, along a line perpendicular to the last described course, a distance of 80 feet, to a point on the East line of the SE $\frac{1}{4}$  of said Section 21; thence northerly, along the East line of the SE $\frac{1}{4}$  of said Section 21, a distance of 220 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

Value of the entire tract immediately before condemnation \$ 90,000  
 Value of the remaining tract immediately after condemnation \$ 82,650  
 Total award to the owners of Tract No. 5 for property taken  
 and damage to the remainder \$ 7,350

APPRAISERS' REPORT

TRACT 17 - Permanent and 17 Temporary  
 OWNERS Patricia H. Hexum, Trustee U/A dated 12/26/74,  
R. Lofton Hudson, Grantor  
 MORTGAGE  
 HOLDER: None

Permanent

All of the East 50 feet of the North 330 feet of the South 990 feet of the East 735 feet of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, all subject to that part thereof dedicated for street purposes.

Temporary

All that part of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, and 990 feet North of the South line thereof; thence Westerly, along a line parallel to the South line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 100 feet; thence Southeasterly, to a point 75 feet West of the East line and 660 feet North of the South line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21; thence Easterly, along a line 660 feet North of and parallel to the South line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 75 feet, to a point on the East line thereof; thence Northerly, along the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 330 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

Value of the entire tract immediately before condemnation \$ 95,150  
 Value of the remaining tract immediately after condemnation \$ 87,750  
 Total award to the owners of Tract No. 17 for property taken  
 and damage to the remainder \$ 7400.

APPRAISERS' REPORT

TRACT 18 - Permanent; 18 Temporary; 18 Road

OWNERS Patricia B. Ehrsam

MORTGAGE  
HOLDERS: None

**Permanent**

All that part of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21; thence Southerly, along the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 339.90 feet; thence Westerly, a distance of 735 feet; thence Northerly, a distance of 189.1 feet, to the centerline of Tomahawk Creek, as now established; thence Northeasterly, along the centerline of said Tomahawk Creek, to a point on the North line of the NE $\frac{1}{4}$  of said Section 21; thence Easterly, along the North line of the NE $\frac{1}{4}$  of said Section 21, a distance of 400 feet, to the point of beginning.

**Temporary**

All that part of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21; thence Southerly, along the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 339.90 feet; thence Westerly, a distance of 100 feet; thence Northeasterly, to a point on the North line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, and 120 feet West of the Northeast corner thereof; thence Easterly, along the North line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 120 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

*road easement*  
All that part of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Township 13, Range, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, and 50 feet West of the East line thereof; thence Westerly, along the North line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 130 feet; thence Southeasterly, to a point 35 feet South of the North line and 50 feet West of the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21; thence Northerly, along a line 50 feet West of and parallel to the East line of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 21, a distance of 35 feet, to the point of beginning.

Value of the entire tract immediately before condemnation \$ 66000

Value of the remaining tract immediately after condemnation \$ 58800

Total award to the owners of Tract No. 18 for property taken and damage to the remainder \$ 7700

APPRAISERS' REPORT

TRACT

F. J. PERMANENT and 22 Temporary

OWNERS

Leawood South Country Club

MORTGAGE  
HOLDER:

KANSAS CITY LIFE INS. CO.

Permanent

All that part of the SW $\frac{1}{4}$  of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the SW $\frac{1}{4}$  of said Section 22; thence N 87° 40' 51" E, along the North line of the SW $\frac{1}{4}$  of said Section 22, a distance of 248.62 feet, to the true point of beginning of subject tract; thence S 0° E, to a point 30 feet South of the North line of the SW $\frac{1}{4}$  of said Section 22; thence N 87° 40' 51" E, along a line 30 feet South of and parallel to the North line of the SW $\frac{1}{4}$  of said Section 22, to a point on the Westerly line of Lot 27, Block 16, LEAWOOD SOUTH, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Northeasterly, along the Westerly line and its extension of said Lot 27, to a point on the North line of the SW $\frac{1}{4}$  of said Section 22; thence S 87° 40' 51" W, along the North line of the SW $\frac{1}{4}$  of said Section 22, to the point of beginning, all subject to that part thereof dedicated for street purposes.

Temporary

All that part of the SW $\frac{1}{4}$  of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the SW $\frac{1}{4}$  of said Section 22; thence N 87° 40' 51" E, along the North line of the SW $\frac{1}{4}$  of said Section 22, a distance of 248.62 feet, to the true point of beginning of subject tract; thence S 0° E, to a point 60 feet South of the North line of the SW $\frac{1}{4}$  of said Section 22; thence N 87° 40' 51" E, along a line 60 feet South of and parallel to the North line of the SW $\frac{1}{4}$  of said Section 22, to a point on the Westerly line of Lot 27, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Northeasterly, along the Westerly line of said Lot 27, to a point on the North line of the SW $\frac{1}{4}$  of said Section 22; thence S 87° 40' 51" W, along the North line of the SW $\frac{1}{4}$  of said Section 22, to the point of beginning, all subject to that part thereof dedicated for street purposes . . . and also . . . All that part of the SW $\frac{1}{4}$  of said Section 22, more particularly described as follows: Beginning at the Southeast corner of Lot 25, Block 25, LEAWOOD SOUTH, SIXTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence Northwesterly and Northerly, along the Easterly line of said Lot 25, to the Northeasterly corner thereof; thence Northerly and Northeasterly, along the Easterly line of Lot 26 of said Block 25, to a point 190 feet East of the West line of the SW $\frac{1}{4}$  of said Section 22; thence Southerly, along a line 190 feet East of and parallel to the West line of the SW $\frac{1}{4}$  of said Section 22, to a point 25 feet South of the Easterly extension of the North line of Lot 24 of said Block 25; thence Westerly, along a line 25 feet South of and parallel to the North line and its Easterly extension of said Lot 24, to a point on the East line thereof; thence Northwesterly, along the Easterly line of said Lot 24, to the point of beginning.

APPRAISERS' REPORT

TRACT 29 - Temporary  
OWNERS C. I. Jr. and Barbara P. Frieze  
MORTGAGE American Bank & Trust Company  
HOLDER:

All of the North 10 feet of Lot 29, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Value of the entire tract immediately before condemnation \$ 115,000  
Value of the remaining tract immediately after condemnation \$ 114,850  
Total award to the owners of Tract No. 29 for property taken  
and damage to the remainder \$ 150.

APPRAISERS' REPORT

TRACT 30 - Temporary  
OWNERS Mark J. and Edwina C. Thoeny  
MORTGAGE Capitol Federal Savings & Loan  
HOLDER:

All of the North 10 feet of Lot 30, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Value of the entire tract immediately before condemnation \$ 112,000  
Value of the remaining tract immediately after condemnation \$ 114,850  
Total award to the owners of Tract No. 30 for property taken  
and damage to the remainder \$ 150.

APPRAISERS' REPORT

TRACT            31 - Temporary  
OWNERS           R. W. Dean Building Co.  
MORTGAGE        Centennial Bank & Trust Co.  
HOLDERS         Central States, Inc.

All of the North 5 feet of Lot 31, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Value of the entire tract immediately before condemnation \$ 120,000  
Value of the remaining tract immediately after condemnation \$ 119,850  
Total award to the owners of Tract No. 31 for property taken  
and damage to the remainder \$ 150.

APPRAISERS' REPORT

TRACT 32 - Temporary  
OWNERS Frank and Shiela D. Worden  
MORTGAGE Overland Park Savings & Loan Assn.  
HOLDER:

All that part of Lot 32, Block 16, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of said Lot 32; thence Southerly, along the Westerly line of said Lot 32, a distance of 5 feet; thence Southeastery, to a point on the Easterly line of said Lot 32, and 25 feet Southerly of the Northeastery corner thereof, as measured along said Easterly line; thence Northerly, along the Easterly line of said Lot 32, a distance of 25 feet, to the Northeastery corner thereof; thence Westerly, along the Northerly line of said Lot 32, to the point of beginning.

Value of the entire tract immediately before condemnation \$ 110,000  
Value of the remaining tract immediately after condemnation \$ 109,800  
Total award to the owners of Tract No. 32 for property taken  
and damage to the remainder \$ 200.

APPRAISERS' REPORT

TRACT 33 - Temporary  
OWNERS Stephan G. and Catherine T. Gesling  
MORTGAGE  
HOLDER: Central Estates, Inc. &  
First Federal Savings & Loan Assn.

All that part of Lot 1, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwesterly corner of said Lot 1; thence Southerly, along the Westerly line of said Lot 1, a distance of 20 feet; thence Northeasterly, to a point on the Easterly line of said Lot 1, and 5 feet Southerly of the Northerly line thereof; thence Northerly, along the Easterly line of said Lot 1, to the Northeasterly corner thereof; thence Westerly, along the Northerly line of said Lot 1, to the point of beginning.

Value of the entire tract immediately before condemnation \$ 110,000  
Value of the remaining tract immediately after condemnation \$ 109,800  
Total award to the owners of Tract No. 33 for property taken  
and damage to the remainder \$ 200.

APPRAISERS' REPORT

TRACT 35 - Temporary  
OWNERS Stanley H. and Marilyn K. Wilson  
MORTGAGE Home Savings Association  
HOLDER:

All of the North 10 feet of Lot 10, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Value of the entire tract immediately before condemnation \$ 125,000  
Value of the remaining tract immediately after condemnation \$ 124,800  
Total award to the owners of Tract No. 35 for property taken and damage to the remainder \$ 200.

APPRAISERS' REPORT

TRACT 36 - Temporary  
OWNERS Frank and Shirley K. Shahrokhi  
MORTGAGE Swedish-American Savings & Loan Assn.  
HOLDER:

All of the North 10 feet of Lot 11, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Value of the entire tract immediately before condemnation \$ 110,000  
Value of the remaining tract immediately after condemnation \$ 109,850  
Total award to the owners of Tract No. 36 for property taken  
and damage to the remainder \$ 150

APPRAISERS' REPORT

TRACT 37 - Temporary  
OWNERS Edwin M. and Martenna R. Newcomb  
MORTGAGE Inter-State Federal Savings & Loan Assn.  
HOLDER:

All of the North 20 feet of Lot 12, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Value of the entire tract immediately before condemnation \$ 95,000  
Value of the remaining tract immediately after condemnation \$ 94,700  
Total award to the owners of Tract No. 37 for property taken  
and damage to the remainder \$ 300.

APPRAISERS' REPORT

TRACT 38 - Temporary  
OWNERS Robert E. and Carole P. Allen  
MORTGAGE  
HOLDER: Colonial Savings & Loan Assn.

All of the North 10 feet of Lot 13, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Value of the entire tract immediately before condemnation \$ 95,000  
Value of the remaining tract immediately after condemnation \$ 94,500  
Total award to the owners of Tract No. 38 for property taken  
and damage to the remainder \$ 500.

APPRAISERS' REPORT

TRACT 39 - Temporary  
OWNERS Arlene B. and Harold Clinton Lindley  
MORTGAGE Plaza Savings Association  
HOLDER:

All of the North 10 feet of Lot 14, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Value of the entire tract immediately before condemnation \$95000  
Value of the remaining tract immediately after condemnation \$94850  
Total award to the owners of Tract No. 39 for property taken  
and damage to the remainder \$ 150.

APPRAISERS' REPORT

TRACT 40 - Temporary  
OWNERS Maurice F. and Margaret J. Quirk  
MORTGAGE Leawood National Bank  
HOLDER:

All of the North 10 feet of Lot 15, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Value of the entire tract immediately before condemnation \$ 98,000  
Value of the remaining tract immediately after condemnation \$ 97,850  
Total award to the owners of Tract No. 40 for property taken and damage to the remainder \$ 150.

APPRAISERS' REPORT

TRACT 41 - Temporary  
OWNERS G. Ross and Delia H. Stephens  
MORTGAGE Capitol Federal Savings & Loan Assn.  
HOLDER:

All of the North 5 feet of Lot 16, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Value of the entire tract immediately before condemnation \$ 95000  
Value of the remaining tract immediately after condemnation \$ 94850  
Total award to the owners of Tract No. 41 for property taken and damage to the remainder \$ 150.

APPRAISERS' REPORT

TRACT

42 - Temporary

OWNERS

James and Linda Kalivas

MORTGAGE  
HOLDER:

Inter-State Federal Savings & Loan Assn.

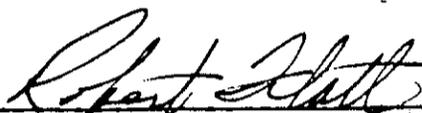
All that part of Lot 17, Block 18, LEAWOOD SOUTH, FOURTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwesterly corner of said Lot 17; thence Southerly, along the Westerly line of said Lot 17, a distance of 5 feet; thence Southeasterly, to a point on the Easterly line of said Lot 17, and 20 feet Southerly of the Northeasterly corner thereof, as measured along said Easterly line; thence Northerly, along the Easterly line of said Lot 17, a distance of 20 feet, to the Northeasterly corner thereof; thence Westerly, along the Northerly line of said Lot 17, to the point of beginning.

Use of the entire tract immediately before condemnation \$ 97500  
Value of the remaining tract immediately after condemnation \$ 97350  
Total award to the owners of Tract No. 42 for property taken  
and damage to the remainder \$ 150

APPRAISERS' REPORT

We, the undersigned appraisers, determine the total award for all tracts to be in the amount of \$ 37,700 .

We, the undersigned appraisers, file this appraisers' report in the office of the Clerk of the District Court of Johnson County, Kansas, this 7th day of June, 1979.

  
\_\_\_\_\_  
ROBERT FLATT

  
\_\_\_\_\_  
JACK FORBES

  
\_\_\_\_\_  
BENJAMIN FARNEY

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,  
Deposes and says: That he is  
Editor of THE JOHNSON COUNTY SUN,  
a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)  
State of Kansas, and published in and of general circulation  
in JOHNSON County, Kansas, with a general  
paid circulation on a yearly  
(daily, weekly, monthly, yearly)  
basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)  
published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

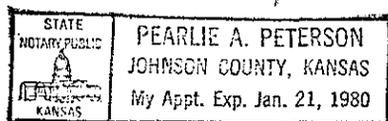
That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
20th day of April, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribe and sworn to before me this 20th day of  
April, 1979.  
Pearlie A. Peterson  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 14.40  
Additional copies \$ \_\_\_\_\_



ORDINANCE NO. 634

AN ORDINANCE AUTHORIZING CONDEMNATION OF PRIVATE PROPERTY IN CONJUNCTION WITH THE CITY OF LEAWOOD IMPROVEMENT DISTRICT 79-1

WHEREAS, the Governing Body through Resolution Nos. 488 and 489, has previously created Improvement District 79-1 generally dealing with the improvement of Mission Road from 119th Street to 127th Street and 123rd Street from Cherokee to Mission Road, and

WHEREAS, the City, by passage of Ordinance No. 494, has determined the necessity and advisability of condemning private right of way so that the roadway improvement described in Improvement District 79-1 can in fact be completed, and

WHEREAS, the project engineer has provided the Governing Body with a survey or legal description of the land or interests in land to be condemned by the Governing Body,

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

19-112, Section 1. That the Governing Body of said City be authorized to condemn permanent and construction right of way and/or easements across the tracts described in Exhibit A attached hereto for the purpose of providing the land or interests in land necessary to construct the improvements described in Improvement District 79-1.

19-113 INCORPORATION BY REFERENCE. A copy of said Ordinance, attached to the original of this Ordinance, is hereby incorporated by reference.

TAKE SECTION 1 of Ordinance No. 634 in force in the City of Leawood, Kansas, from the date of publication in the Official Gazette.

First Reading: 1979  
Second Reading: 1979

Passed by the Governing Body this 16th day of April, 1979, the Council having deemed this to be an emergency matter.

Approved by the Mayor this 16th day of April, 1979.

(s) Eugene E. [redacted]  
Mayor

(SEAL)

Attest:

(s) J. Oberlander  
City Clerk

APPROVED FOR FORM:

(s) Larry Winn III  
City Attorney

APPROVED FOR CONTENT:

(s) Kent E. Grippin,  
Chr., Ordinance Committee

ORDINANCE NO. 633

AN ORDINANCE ESTABLISHING FEES FOR PLAN COMMISSION ACTIVITIES

REPEAL OF SECTIONS: Section 1. Section 5-109 as enacted by Ordinance #582, April 17, 1978, is hereby repealed and the following enacted in lieu thereof.

5-901. Section 2. To partially cover the cost of administering the procedures set forth in the Zoning Ordinance of the City of Leawood, 1978 Edition, fees in the following amounts shall be required at the time of submission of corresponding plans.

Rezoning application	\$ 50.00
Preliminary Plan	200.00
Final Development Plan	100.00
Sign Approval	50.00
Special Use Permit	100.00
Street Vacation	50.00

5-902. Section 3. To partially cover the cost of administering the procedures set forth in the Subdivision Regulations of the City of Leawood, 1978, a fee in the following amount shall be paid to the City of Leawood at the time the preliminary plat is submitted to the Plan Commission:

Ten dollars (\$10.00) per lot for the first ten lots plus two dollars (\$2.00) for each lot over ten, the minimum being one hundred dollars (\$100.00) and no fee shall exceed seven hundred fifty dollars (\$750.00).

An additional fee in the amount of three dollars (\$3.00) per lot shall be paid with the submittal of the final plat.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 3/5/79 Second Reading: 3/19/79

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979.

*Eugene E. Alt*

Eugene E. Alt

Mayor

*repealed by Ord. 680, 10/20/80*



Attest:

J. Oberlander  
J. Oberlander City Clerk

APPROVED FOR FORM: Larry Winn III, City Attorney  
Larry Winn III

APPROVED FOR CONTENT: Kent E. Crippin, Chairman, Ordinance Committee  
Kent E. Crippin

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive days  
(weeks, days)

the first publication thereof being made as aforesaid on the  
23rd day of March, 1979, with  
subsequent publications being made on the following dates:

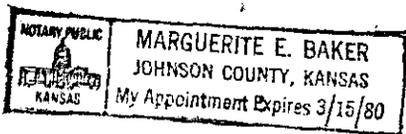
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 23rd day of  
March, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 12.90  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson  
County Sun Friday, March 23,  
1979.

ORDINANCE NO. 633

AN ORDINANCE  
ESTABLISHING FEES FOR  
PLAN COMMISSION AC-  
TIVITIES

REPEAL OF SECTIONS: Section  
1. Section 5-109 as enacted by Or-  
dinance #582, April 17, 1978, is  
hereby repealed and the following  
enacted in lieu thereof.

5-901. Section 2. To partially cover  
the cost of administering the  
procedures set forth in the Zoning  
Ordinance of the City of Leawood,  
1978 Edition, fees in the following  
amounts shall be required at the  
time of submission of cor-  
responding plans.

Rezoning application	\$ 50.00
Preliminary Plan	200.00
Final Development Plan	100.00
Sign Approval	50.00
Special Use Permit	100.00
Street Vacation	50.00

5-902. Section 3. To partially cover  
the cost of administering the  
procedures set forth in the Sub-  
division Regulations of the City of  
Leawood, 1978, a fee in the follow-  
ing amount shall be paid to the  
City of Leawood at the time the  
preliminary plat is submitted to  
the Plan Commission:

Ten dollars (\$10.00) per lot for the  
first ten lots plus two dollars  
(\$2.00) for each lot over ten, the  
minimum being one hundred  
dollars (\$100.00) and no fee shall  
exceed seven hundred fifty  
dollars (\$750.00).

An additional fee in the amount of  
three dollars (\$3.00) per lot shall  
be paid with the submittal of the  
final plat.

TAKE EFFECT. Section 4. This  
ordinance shall take effect and be  
in force from and after its  
publication in the official City  
newspaper.

First Reading: 3/5/79 Second  
Reading: 3/19/79

Passed by the Governing Body  
this 19th day of March, 1979.

Approved by the Mayor this 19th  
day of March, 1979.

(s) Eugene E. Alt, Mayor

(SEAL)

Attest:

(s) J. Oberlander  
City Clerk

APPROVED FOR FORM: (s)  
Larry Winn III, City Attorney

APPROVED FOR CONTENT:  
(s) Kent E. Crippin, Chairman,  
Ordinance Committee.

(600-245)

AN ORDINANCE GOVERNING REMOVAL OF STRUCTURES AND REPEAL OF SECTIONS

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS: Section 1. Sections 5-601, 5-602, 5-604, 5-607, 5-608, 5-609, as established by the Codification of Ordinances, 1970; and Sections 5-603, 5-605, and 5-606, as established by Ordinance No. 479, are hereby repealed and the following enacted in lieu thereof:

5-701. DEFINITIONS. Section 2. For the purposes of this article, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the past tense, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Building or structure. An assembly of materials forming a construction for occupancy or use including among other, houses, building, stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, water tanks, trestles, piers, wharfs, open sheds, coal bins, shelters, fences and display signs, excluding mobile homes for transfer.
- b. Chief Building Official shall be that city official designated under Section 107.1, The BOCA Basic Building Code, 7th Edition, 1978.
- c. City is the City of Leawood, Kansas.
- d. Person. Any person, firm, partnership, corporation, association, company, individual, or organization of any kind.
- e. Applicant. Any person making application for a permit.
- f. Permittee. Any person obtaining a permit as provided for herein.

5-702. MOVING PERMIT REQUIRED. Section 3. No person shall move any building or structure having a floor area of two hundred (200) or more square feet, upon, across, or over any highway, street, alley or sidewalk in the city without first obtaining from the Chief Building Official a permit so to do.

5-703. MOVING PERMIT, APPLICATION, PERMIT FEES. Section 4. All applications for permits to move buildings or other structures described in Section 5-701 and 5-702 shall be made to the Chief Building Official and such application shall state and be in compliance with the following procedure:

- a. The dimensions of the building or structure as to length, width and height at its highest point when loaded for moving.

*Repealed by Ord. 732, 3/1/82*

- b. The definite description of the building or structure proposed to be moved, giving street number, construction materials, dimensions in square feet, number of rooms and condition of exterior and interior.
- c. The plot plan to scale with legal description of the lot from which the building is to be moved, giving the lot number, block number and subdivision, if located within the City.
- d. The plot plan to scale with the legal description of the lot to which it is proposed such building be moved, giving lot number, block number and subdivision, if located within the city.
- e. The day and hour when the moving is to commence and length of time of the move. In no event will a moving be allowed on a Saturday or Sunday or a holiday unless specifically allowed by the Chief Building Official and the Chief of Police.
- f. The highways, streets, alleys or sidewalks over, along, or across which the building or structure is proposed to be moved.
- g. The application shall be made not less than thirty-five (35) calendar days prior to the commencement of the moving and shall be accompanied by a fee of one hundred and fifty dollars (\$150.00) made payable to The City of Leawood.
- h. The application must include copies of written notices that have been given by the applicant to the owners of adjacent lots. Such application shall also state whether it will be necessary to cut and move, raise or in any way interfere with any telephone, telegraph, electric lights or electric power wires, cables or other aerial equipment of any public utility owned by the City of Leawood, and if so, the application shall also state the name of such public or Leawood owned utility and the time and location that the applicant's moving operation shall necessitate the cutting, moving, raising or otherwise interfering with such aerial facility.
- i. The applicant shall file with the application sufficient evidence that the building or structure and lot from which it is to be moved are free of any entanglements and that all taxes and any city charges against the said owner are paid in full. Applicant should furnish a certificate of liability insurance for bodily injury and property damage in a minimum amount of one hundred thousand dollars (\$100,000) injury each person, three hundred thousand dollars (\$300,000) each occurrence, and fifty thousand dollars (\$50,000) property damage.
- j. The applicant, if other than the owner, shall file with the application a written statement or bill of sale signed by the owner, or other sufficient evidence, that he is entitled to move the building or structure.

*repealed by Ord. 732,  
3/1/82*

5-704. BONDS REQUIRED: SURETY. Section 5. It shall be the duty of any

person at the time of making application for a permit to move a structure through the City of Leawood and not relocate it within the City to execute in favor of the City of surety bond in the sum of ten thousand dollars (\$10,000) conditioned among other things that the principal shall pay any and all damages which may be caused to any property, public or private, within the City when such injury or damage is inflicted by the principal or his agent, servant, employee, workman, contractor or subcontractor, and such bond shall be conditioned also that the principal will save, indemnify and protect the city from any and all liability, and that he will in all respects comply with all ordinances of the City and comply with the terms of his permit, and be conditioned upon his faithful performance of the move.

In addition to the permit fee required for moving a building or structure from one permanent site to a new location within the city, the applicant shall furnish a surety bond conditioned upon the completion of the relocation of such building or structure upon the site to which it is to be moved in accordance with the plans, specifications and requirements set forth in the permit issued therefor. Such bond shall be in an amount equal to the estimated cost of removal and reconstruction upon a foundation as set forth in the permit and conditioned upon final completion and inspection within six (6) months from the date thereof. No permit shall be issued for the relocation of a building or structure within the city, unless the plans and specifications, location and use conform in all respects to the rules and regulations applicable to the new location of said building or structure.

5-705. DUTIES OF CHIEF BUILDING OFFICIAL. Section 6. The duties of the Chief building official for the City of Leawood, Kansas, shall be as follows:

- a. Inspection. The chief building official shall inspect the building or structure and the applicant's equipment to determine whether the standard for issuance of a permit is met and issue or deny such a permit.
- b. Standards for Issuance. The Chief building official shall refuse to issue a permit if he finds:
  1. That any application requirement or any fee, deposit, or bond requirement has not been complied with;
  2. That the building or structure is too large to move without injuring persons or property in the city;
  3. That the building or structure is in such a state of deterioration, disrepair or is otherwise so structurally unsafe that it cannot be moved without endangering persons or property within the city;
  4. That the building or structure is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the city;
  5. That the applicant's equipment is unsafe and that persons and property would be endangered by its use;

*Repealed by Ord. 732, 3/1/82*

6. That zoning subdivision or any other ordinances would be violated by the building or structure in its new location;
7. That for any reason persons or property in the city would be endangered by the moving of the building or structure;
8. That the building or structure to be moved is not compatible to the neighborhood where building or structure is proposed to be located;
9. That any weight, length, width, or other restriction imposed upon the use of the public or private roadways within the city limits by either city traffic ordinances or state statutes would be violated.

c. Fees and Deposits.

1. Deposits. The chief building official shall deposit all fees and deposits and all cash with the Finance Department.
2. Return upon Nonissuance. Upon the refusal to issue a permit, all funds deposited shall be returned to the applicant. If a permit is granted and the move is not made by the applicant, then one-half ( $\frac{1}{2}$ ) of all funds deposited will be refunded.
3. Claim on Bond. After the building or structure has been removed, the chief building official shall furnish the city engineer, and city attorney, a written statement of all expenses and damages incurred in removing and replacing all property belonging to the city, and of all material used in making the removal and replacement together with a statement of all damages caused to or inflicted upon property, both private and public, for claim against the surety bond.

- d. The applicant shall notify necessary utilities at least 15 days in advance of the move and provide evidence of notification to the Chief building official.

5-706 DUTIES OF PERMITTEE. Section 7. Every permittee as defined in Section 5-701 f of this article shall:

- a. Over Designated Streets. Move a building or structure only over streets designated for such use in the written permit;
- b. Notify of Revised Moving Time. Notify the chief building official within forty-eight (48) hours of move in writing of a desired change in moving date and hour and route of move as proposed in the application and such change must be approved by the chief building official;
- c. Notify of Damage. Notify the chief building official in writing of any and all damages done to property belonging to the public and private property within twenty-four (24) hours after the damage or injury has occurred;

*repealed by Ord. 732, 3/1/82*

- d. Warning Devices at Night. It shall be the duty of any person moving any building or structure mentioned above upon or across any street alley or sidewalk or other public place in the city to display red lanterns or other warning devices used in compliance with city traffic ordinances or state statutes thereon in such a manner as to show the extreme height and width thereof from thirty (30) minutes after sunset to thirty (30) minutes before sunrise; he shall at all times erect and maintain barricades across the street in such a manner as to protect the public from damage or injury by reason of removal of the building or structure, and shall have sufficient escort as provided by city ordinance, state statutes, or as determined as necessary for the public safety by the chief of police;
- e. Layover. Not leave any building or structure or any part of any building or structure being moved in the parkway, street, or on the dedicated right of way line between the curb and the front property line of any lot;
- f. Comply with Governing Law. Comply with the building code, fire protection zoning chapters and all other applicable traffic ordinances and laws upon relocating the building or structure in the city or move the same through the city;
- g. Clear Old Premises. Remove all rubbish and materials and fill all excavations to existing grade at the original building or structure site so that the premises are left in a safe and sanitary condition within ten (10) days from the date of the move;
- h. Remove Service Connections. Permittee shall give the public or Leawood owned utility not less than twenty-four (24) hours advance notice of the actual moving operation; provided that should the moving operation be delayed, then the permittee shall again give the public or city owned utility not less than twenty-four (24) hours advance notice of the actual operation. Copies of the notification shall be furnished to the Chief Building Official;
- i. Comply with the building code within three (3) months after the physical move is made;
- j. Comply with the regulations and specifications contained in such permit granted by the chief building official to such permittee.

5-707. ENFORCEMENT. Section 8. The enforcing officers shall be as follows and shall carry out the following requirements:

- a. Enforcing Officers. The chief building official, police department and the department of public works, city engineer and city attorney shall enforce and carry out the requirements of this article as set forth herein.
- b. Permittee Liable for Expense. The permittee shall be liable for any expenses, damages, costs in excess of deposited amounts or

*Repealed by Ord. 732, 3/1/82*

securities, and the city attorney shall prosecute an action against the permittee in a court of competent jurisdiction for the recovery of such excessive amounts.

c. Original Premises Left Unsafe. This city shall proceed to do the work necessary to leave the original premises in a safe and sanitary condition, where permittee does not comply within ten (10) days with the requirements of this article, and the cost thereof shall be charged against the bonds posted by the permittee.

5-708. PERMIT TIME LIMITATION. Section 9. Permits issued under and pursuant to this article shall be valid for a maximum time of two (2) months.

5-709. PROPER FOUNDATION. Section 10. No building shall be moved to any lot unless and until a proper and suitable foundation or basement has been theretofore constructed on such lot on which such building will be permanently placed unless waived by the chief building official.

5-710. PENALTY. Section 11. Any person who shall violate any provision of this chapter or shall fail to comply with any of the requirements thereof shall be deemed guilty of maintaining a public nuisance (Sec. 10-309) or of permitting a public nuisance (Sec. 10-310) as said sections shall apply and shall be punished as therefor provided. Each day that a violation continues shall be deemed to be a separate offense.

5-711 SAVINGS CLAUSE. Section 12. That nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court or any rights acquitted, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

TAKE EFFECT. Section 13. This ordinance shall take effect and be in force from and after its publication in the official City newspaper

First Reading 3/5/79 Second Reading 3/19/79

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979

(SEAL)

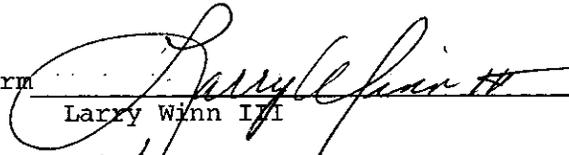
Attest:

J. Oberlander  
City Clerk J. Oberlander

Eugene E. Alt  
Eugene E. Alt, Mayor

*repealed by Ord. 732, 3/1/82*

Approved for Form



City Attorney

Larry Winn III

Approved for Content



Chairman, Ordinance Committee

Kent E. Crippin

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
23rd day of March, 1929, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribe and sworn to before me this 23rd day of  
March, 1929.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires:  
Printer's fee \$ 85.95  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson County Sun Friday, March 23, 1979.

**ORDINANCE NO. 632**

**AN ORDINANCE GOVERNING REMOVAL OF STRUCTURES AND REPEAL OF SECTIONS**

Be it ordained by the Governing Body of the City of Leawood, Kansas:

**REPEAL OF SECTIONS:** Section 1. Sections 5-601, 5-602, 5-604, 5-607, 5-608, 5-609, as established by the Codification of Ordinances, 1970; and Sections 5-603, 5-605, and 5-606, as established by Ordinance No. 479, are hereby repealed and the following enacted in lieu thereof:

**5-701. DEFINITIONS.** Section 2. For the purposes of this article, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the past tense, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Building or structure. An assembly of materials forming a construction for occupancy or use including among other, houses, building, stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, water tanks, trestles, piers, wharfs, open sheds, coal bins, shelters, fences and display signs, excluding mobile homes for transfer.

b. Chief Building Official shall be that city official designated under Section 107.1, The BOCA Basic Building Code, 7th Edition, 1978.

c. City is the City of Leawood, Kansas.

d. Person. Any person, firm, partnership, corporation, association, company, individual, or organization of any kind.

e. Applicant. Any person making application for a permit.

f. Permittee. Any person obtaining a permit as provided for herein.

**5-702. MOVING PERMIT REQUIRED.** Section 3. No person shall move any building or structure having a floor area of two hundred (200) or more square feet, upon, across, or over any highway, street, alley or sidewalk in the city without first obtaining from the Chief Building Official a permit so to do.

**5-703. MOVING PERMIT, APPLICATION, PERMIT FEES.** Section 4. All applications for permits to move buildings or other structures described in Section 5-701 and 5-702 shall be made to the Chief Building Official and such application shall state and be in compliance with the following procedure:

a. The dimensions of the building or structure as to length, width and height at its highest point when loaded for moving.

b. The definite description of the building or structure proposed to be moved, giving street number, construction materials, dimensions in square feet, number of rooms and condition of exterior and interior.

c. The plot plan to scale with legal description of the lot from which the building is to be moved, giving the lot number, block number and subdivision, if located within the City.

d. The plot plan to scale with the legal description of the lot to which it is proposed such building be moved, giving lot number, block number and subdivision, if located within the city.

e. The day and hour when the moving is to commence and length of time of the move. In no event will a moving be allowed on a Saturday or Sunday or a holiday unless specifically allowed by the Chief Building Official and the Chief of Police.

f. The highways, streets, alleys or sidewalks over, along, or across which the building or structure is proposed to be moved.

g. The application shall be made not less than thirty-five (35) calendar days prior to the commencement of the moving and shall be accompanied by a fee of one hundred and fifty dollars (\$150.00) made payable to The City of Leawood.

h. The application must include copies of written notices that have been given by the applicant to the owners of adjacent lots. Such application shall also state whether it will be necessary to cut and move, raise or in any way interfere with any telephone, telegraph, electric lights or electric power wires, cables or other aerial equipment of any public utility owned by the City of Leawood, and if so, the application shall also state the name of such public or Leawood owned utility and the time and location that the applicant's moving operation shall necessitate the cutting, moving, raising or otherwise interfering with such aerial facility.

i. The applicant shall file with the

application sufficient evidence that the building or structure and lot from which it is to be moved are free of any entanglements and that all taxes and any city charges against the said owner are paid in full. Applicant should furnish a certificate of liability insurance for bodily injury and property damage in a minimum amount of one hundred thousand dollars (\$100,000) injury each person, three hundred thousand dollars (\$300,000) each occurrence, and fifty thousand dollars (\$50,000) property damage.

j. The applicant, if other than the owner, shall file with the application a written statement or bill of sale signed by the owner, or other sufficient evidence, that he is entitled to move the building or structure.

**5-704. BONDS REQUIRED: SURETY.** Section 5. It shall be the duty of any person at the time of making application for a permit to move a structure through the City of Leawood and not relocate it within the City to execute in favor of the City of surety bond in the sum of ten thousand dollars (\$10,000) conditioned among other things that the principal shall pay any and all damages which may be caused to any property, public or private, within the City when such injury or damage is inflicted by the principal or his agent, servant, employee, workman, contractor or subcontractor, and such bond shall be conditioned also that the principal will save, indemnify and protect the city from any and all liability, and that he will in all respects comply with all ordinances of the City and comply with the terms of his permit, and be conditioned upon his faithful performance of the move.

In addition to the permit fee required for moving a building or structure from one permanent site to a new location within the city, the applicant shall furnish a surety bond conditioned upon the completion of the relocation of such building or structure upon the site to which it is to be moved in accordance with the plans, specifications and requirements set forth in the permit issued therefor. Such bond shall be in an amount equal to the estimated cost of removal and reconstruction upon a foundation as set forth in the permit and conditioned upon final completion and inspection within six (6) months from the date thereof. No permit shall be issued for the relocation of a building or structure within the city, unless the plans and specifications, location and use conform in all respects to the rules and regulations applicable to the new location of said building or structure.

**5-705. DUTIES OF CHIEF BUILDING OFFICIAL.** Section 6. The duties of the Chief building official for the City of Leawood, Kansas, shall be as follows:

a. Inspection. The chief building official shall inspect the building or structure and the applicant's equipment to determine whether the standard for issuance of a permit is met and issue or deny such a permit.

b. Standards for Issuance. The Chief building official shall refuse to issue a permit if he finds:

1. That any application requirement or any fee, deposit, or bond requirement has not been complied with;

2. That the building or structure is too large to move without injuring persons or property in the city;

3. That the building or structure is in such a state of deterioration, disrepair or is otherwise so structurally unsafe that it cannot be moved without endangering persons or property within the city;

4. That the building or structure is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the city;

5. That the applicant's equipment is unsafe and that persons and property would be endangered by its use;

6. That zoning subdivision or any other ordinances would be violated by the building or structure in its new location;

7. That for any reason persons or property in the city would be endangered by the moving of the building or structure;

8. That the building or structure to be moved is not compatible to the neighborhood where building or structure is proposed to be located;

9. That any weight, length, width, or other restriction imposed upon the use of the public or private roadways within the city limits by either city traffic ordinances or state statutes would be violated.

c. Fees and Deposits.

1. Deposits. The chief building official shall deposit all fees and deposits and all cash with the Finance Department.

2. Return upon Nonissuance. Upon the refusal to issue a permit, all funds deposited shall be returned to the applicant. If a permit is granted and the move is not made by the applicant, then one-half (1/2) of all funds deposited will be refunded.

3. Claim on Bond. After the building or structure has been removed, the chief building official shall furnish the city engineer, and city attorney, a written statement of all expenses and damages incurred in removing and replacing all property belonging to the city, and of all material used in making the removal and replacement together with a statement of all damages caused to or inflicted upon property, both private and public, for claim against the surety bond.

d. The applicant shall notify necessary utilities at least 15 days in advance of the move and provide evidence of notification to the Chief building official.

**5-706 DUTIES OF PERMITTEE.** Section 7. Every permittee as defined in Section 5-701 of this article shall:

a. Over designated Streets. Move a building or structure only over streets designated for such use in the written permit;

b. Notify of Revised Moving Time. Notify the chief building official within forty-eight (48) hours of move in writing of a desired change in moving date and hour and route of move as proposed in the application and such change must be approved by the chief

building official;

c. Notify of Damage. Notify the chief building official in writing of any and all damages done to property belonging to the public and private property within twenty-four (24) hours after the damage or injury has occurred;

d. Warning Devices at Night. It shall be the duty of any person moving any building or structure mentioned above upon or across any street alley or sidewalk or other public place in the city to display red lanterns or other warning devices used in compliance with city traffic ordinances or state statutes thereon in such a manner as to show the extreme height and width thereof from thirty (30) minutes after sunset to thirty (30) minutes before sunrise; he shall at all times erect and maintain barricades across the street in such a manner as to protect the public from damage or injury by reason of removal of the building or structure, and shall have sufficient escort as provided by city ordinance, state statutes, or as determined as necessary for the public safety by the chief of police;

e. Layover. Not leave any building or structure or any part of any building or structure being moved in the parkway, street, or on the dedicated right of way line between the curb and the front property line of any lot;

f. Comply with Governing Law. Comply with the building code, fire protection zoning chapters and all other applicable traffic ordinances and laws upon relocating the building or structure in the city or move the same through the city;

g. Clear Old Premises. Remove all rubbish and materials and fill all excavations to existing grade at the original building or structure site so that the premises are left in a safe and sanitary condition within ten (10) days from the date of the move;

h. Remove Service Connections. Permittee shall give the public or Leawood owned utility not less than twenty-four (24) hours advance notice of the actual moving operation; provided that should the moving operation be delayed, then the permittee shall again give the public or city owned utility not less than twenty-four (24) hours advance notice of the actual operation. Copies of the notification shall be furnished to the Chief Building Official;

i. Comply with the building code within three (3) months after the physical move is made;

j. Comply with the regulations and specifications contained in such permit granted by the chief building official to such permittee.

**5-707. ENFORCEMENT.** Section 8. The enforcing officers shall be as follows and shall carry out the following requirements:

a. Enforcing Officers. The chief building official, police department and the department of public works, city engineer and city attorney shall enforce and carry out the requirements of this article as set forth herein.

b. Permittee Liable for Expense. The permittee shall be liable for any expenses, damages, costs in excess of deposited amounts or securities, and the city attorney shall prosecute an action against the permittee in a court of competent jurisdiction for the recovery of such excessive amounts.

c. Original Premises Left Unsafe. This city shall proceed to do the work necessary to leave the original premises in a safe and sanitary condition, where permittee does not comply within ten (10) days with the requirements of this article, and the cost thereof shall be charged against the bonds posted by the permittee.

**5-708. PERMIT TIME LIMITATION.** Section 9. Permits issued under and pursuant to this article shall be valid for a maximum time of two (2) months.

**5-709. PROPER FOUNDATION.** Section 10. No building shall be moved to any lot unless and until a proper and suitable foundation or basement has been theretofore constructed on such lot on which such building will be permanently placed unless waived by the chief building official.

**5-710. PENALTY.** Section 11. Any person who shall violate any provision of this chapter or shall fail to comply with any of the requirements thereof shall be deemed guilty of maintaining a public nuisance (Sec. 10-309) or of permitting a public nuisance (Sec. 10-310) as said sections shall apply and shall be punished as therefor provided. Each day that a violation continues shall be deemed to be a separate offense.

**5-711 SAVINGS CLAUSE.** Section 12. That nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**TAKE EFFECT.** Section 13. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading 3/5/79 Second Reading 3/19/79

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979

(s) Eugene E. Alt, Mayor  
(SEAL)  
Attest:

(s) J. Oberlander  
City Clerk  
Approved for Form (s) Larry Winn III City Attorney  
Approved for Content (s) Kent E. Crippin Chairman, Ordinance Committee (900)245

ORDINANCE NO. 631

AN ORDINANCE ADOPTING THE BOCA BASIC MECHANICAL CODE, THIRD EDITION, 1978,  
AND REPEAL OF SECTIONS

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 5-401 and 5-402 as established by the Codification of Ordinances, 1970; and Section 5-403 as established by Ordinance No. 465 are hereby repealed and the following enacted in lieu thereof:

5-601. ADOPTION OF MECHANICAL CODE. Section 2. There is hereby incorporated by reference by K.S.A. 1975 Supp. 12-3009 and 12-3015 "The BOCA Basic Mechanical Code, Third Edition, 1978", as published by The Building Officials and Code Administrators International, Inc., three copies of which are on file in the office of the City Clerk of Leawood, Kansas. "The BOCA Basic Mechanical Code, Third Edition, 1978" is adopted as the mechanical code of the City of Leawood, Kansas for the control of buildings and structure as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of the "BOCA Basic Mechanical Code, Third Edition, 1978" are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this ordinance.

5-602. ADDITIONS, INSERTIONS AND CHANGES. Section 3. The following sections are hereby revised as follows:

Section M-100.1. Title (page 1, second line) insert "City of Leawood, Kansas"

Section M-114.2. Periodic Inspections (page 8, third line). Refer to "BOCA Basic Building Code" Article 2, Section 117.3.1 - fee schedule.

Section M 114-3. Fee Schedule (page 8, third line). Refer to Section 5-203, Additions, Insertions and Changes" Fee Schedule.

Section M 117.4. Penalties (page 10, fifth and sixth lines). Insert "Public Nuisance, \$500.00, and "One month".

Section M 118.2. Unlawful Continuance (page 10, fourth and fifth lines). Insert \$1.00, \$500.00.

Section M 201.0. General Definitions (page 16, Air for Combustion, second line). Insert "City of Leawood, Kansas".

Section M 201.0. General Definitions (page 23). Insert "City of Leawood, Kansas"

Section M 201.0. General Definitions (page 25). Insert "City of Leawood, Kansas".

Section M 201.0. General Definitions (page 27, Gas, seventh line). Insert "City of Leawood, Kansas".

*repealed by Ord. 731, 3/1/82*

Section M 201.0. General Definitions. (page 32, Rating Input, second line). Insert "City of Leawood, Kansas".

Table M-502. INSPECTION FEE SCHEDULE. (page 128). Power Boilers: Insert \$7.00, \$10.00, \$13.00, \$16.00, \$19.00, and \$25.00. Heating Boilers: Insert \$7.00, \$10.00, \$13.00, \$16.00, \$19.00, and \$25.00. All inspections other than the normal required, shall be assessed \$20.00 for each additional inspection.

Section M 602.5. Pipe Entry into Building (page 131). Delete paragraph, and insert "All piping shall enter into building above grade".

Section M 602.7.1. Connections. (page 132). Delete paragraph, and add the following:

"When underground plastic tube or pipe, steel tube or copper tube is supplied from interior gas piping, the interior piping shall be extended through the outside wall, above grade, with steel or wrought iron pipe. Underground connections made to the copper tube, steel tube, or plastic tube or pipe, shall be made at a point at least fifteen (15) inches below the surface of the ground. Above ground connections shall be provided with a protective steel or wrought iron pipe sleeve. The sleeve shall extend from a point nine (9) inches below the ground surface to a rigid connection with the extended interior house gas piping. The exterior gas-carrying pipe or its protective sleeve shall be not more than six (6) inches from the outside face of the building wall. The underground portion of the gas-carrying steel or wrought iron pipe must be wrapped or coated. The opening in the foundation or wall through which the extended pipe passes shall be sealed with waterproof material."

Section M 900.3. Annual Inspection (page 217). Delete.

Section M-904.1. General (page 236, fifth line). Insert "State of Kansas".

Section M-1117.1., Penalties and Offenses. General (page 270) Insert \$500.00. 5-603

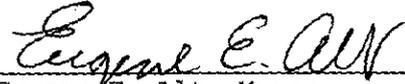
SAVINGS CLAUSE - Section 4. That nothing in this ordinance or in the Mechanical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquitted, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

TAKE EFFECT. Section 5. This ordinance shall take effect and be in force, from and after its publication in the official city newspaper.

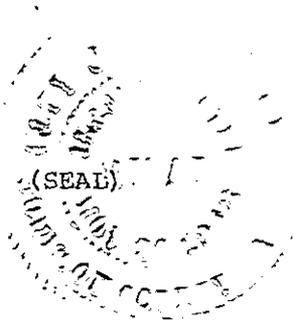
First reading 3/5/79 Second reading 3/19/79

Passed by the Governing Body this 19th day of March 1979.

Approved by the Mayor this 19th day of March 1979.

  
Eugene E. Alt, Mayor

Repealed by Ord. 731, 3/1/82



Attest:

*J. Oberlander*  
City Clerk

Approved for Form

*Larry Winn III*

City Attorney

Approved for Content

*Kent E. Crippin*

Chairman, Ordinance Committee

Kent E. Crippin

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
23rd day of March, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 23rd day of  
March, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 32.25  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson County Sun Friday, March 23, 1979.

ORDINANCE NO. 631

AN ORDINANCE ADOPTING THE BOCA BASIC MECHANICAL CODE, THIRD EDITION, 1978, AND REPEAL OF SECTIONS

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 5-401 and 5-402 as established by the Codification of Ordinances, 1970, and Section 5-403 as established by Ordinance No. 465 are hereby repealed and the following enacted in lieu thereof:

5-601. ADOPTION OF MECHANICAL CODE. Section 2. There is hereby incorporated by reference by K.S.A. 1975 Supp. 12-3009 and 12-3015 "The BOCA Basic Mechanical Code, Third Edition, 1978", as published by The Building Officials and Code Administrators International, Inc., three copies of which are on file in the office of the City Clerk of Leawood, Kansas. "The BOCA Basic Mechanical Code, Third Edition, 1978" is adopted as the mechanical code of the City of Leawood, Kansas for the control of buildings and structure as herein provided, and each and all of the regulations, provisions, penalties, conditions, and terms of the "BOCA Basic Mechanical Code, Third Edition, 1978" are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this ordinance.

5-602. ADDITIONS, INSERTIONS AND CHANGES. Section 3. The following sections are hereby revised as follows:

Section M-100.1. Title (page 1, second line) insert "City of Leawood, Kansas"

Section M-114.2. Periodic Inspections (page 8, third line). Refer to "BOCA Basic Building Code" Article 2, Section 117.3.1 - fee schedule.

Section M 114-3. Fee Schedule (page 8, third line). Refer to Section 5-203, Additions, Insertions and Changes" Fee Schedule.

Section M 117.4. Penalties (page 10, fifth and sixth lines). Insert "Public Nuisance, \$500.00, and "One month".

Section M 118.2. Unlawful Continuance (page 10, fourth and fifth lines). Insert \$1.00, \$500.00.

Section M 201.0. General Definitions (page 16, Air for Combustion, second line). Insert "City of Leawood, Kansas".

Section M 201.0. General Definitions (page 23). Insert "City of Leawood, Kansas"

Section M 201.0. General Definitions (page 25). Insert "City of Leawood, Kansas".

Section M 201.0. General Definitions (page 27, Gas, seventh line). Insert "City of Leawood, Kansas".

Section M 201.0. General Definitions. (page 32, Rating Input, second line). Insert "City of Leawood, Kansas".

Table M-502. INSPECTION FEE SCHEDULE. (page 128). Power Boilers: Insert \$7.00, \$10.00, \$13.00, \$16.00, \$19.00, and \$25.00. Heating Boilers: Insert \$7.00, \$10.00, \$13.00, \$16.00, \$19.00, and \$25.00. All inspections other than the normal required, shall be assessed \$20.00 for each additional inspection.

Section M-902.5. Pipe Entry into Building (page 131). Delete paragraph, and insert "Piping shall enter into building above grade".

Section M 602.7.1. Connections. (page 132). Delete paragraph, and add the following:

"When underground plastic tube or pipe, steel tube or copper tube is supplied from interior gas piping, the interior piping shall be extended through the outside wall, above grade, with steel or wrought iron pipe. Underground connections made to the copper tube, steel tube, or plastic tube or pipe, shall be made at a point at least fifteen (15) inches below the surface of the ground. Above ground connections shall be provided with a protective steel or wrought iron pipe sleeve. The sleeve shall extend from a point nine (9) inches below the ground surface to a rigid connection with the extended interior house gas piping. The exterior gas-carrying pipe or its protective sleeve shall be not more than six (6) inches from the outside face of the building wall. The underground portion of the gas-carrying steel or wrought iron pipe must be wrapped or coated. The opening in the foundation or wall through which the extended pipe passes shall be sealed with waterproof material."

Section M 900.3. Annual Inspection (page 217). Delete.

Section M-904.1. General (page 236, fifth line). Insert "State of Kansas".

Section M-1117.1. Penalties and Offenses. General (page 270) Insert \$500.00. 5-603

SAVINGS CLAUSE - Section 4. That nothing in this ordinance or in the Mechanical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquitted, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

TAKE EFFECT. Section 5. This ordinance shall take effect and be in force from and after its publication in the official city newspapers.

First Reading 3/5/79 Second Reading 3/19/79

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979.

(s) Eugene E. Alt, Mayor

(SEAL)

Attest:

(s) J. Oberlander  
City Clerk

Approved for Form (s) Larry Winn III City Attorney

Approved for Content (s) Kent Crippin, Chairman, Ord. Committee

(900 245)

ORDINANCE NO. 630

AN ORDINANCE ADOPTING THE BOCA BASIC PLUMBING CODE, FOURTH EDITION, 1978 AND REPEAL OF SECTIONS

Be it ordained by the Governing Body of the City of Leawood, Kansas

REPEAL OF SECTIONS: Section 1. Sections 5-301, 5-302 a, b, c, d, e, g, and h, 5-303, 5-304, and 5-306, as established by the Codification of Ordinances, 1970; Section 5-302 f, as established by Ordinance No. 465; and Section 5-305, as established by Ordinance No. 483, are hereby repealed and the following enacted in lieu thereof:

5-501 ADOPTION OF PLUMBING CODE. Section 2. There is hereby incorporated by reference by K.S.A. 1975 Supp. 12-3009 and 12-3015 "The BOCA Basic Plumbing Code/1978" as published by The Building Officials and Code Administrators International, Inc., three copies of which are on file in the office of the City Clerk of Leawood, Kansas, as the plumbing code of the City of Leawood, Kansas, for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions and terms of the BOCA Basic Plumbing Code, Fourth Edition, 1978, are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the deletions, insertions and changes, if any, prescribed in Section 3 of this ordinance.

5-502 AMENDMENTS TO PLUMBING CODE. Section 3. The following sections of "The BOCA Basic Plumbing Code/1978" are hereby revised as follows:  
Section P-100.1 Title: Insert "City of Leawood, Kansas".  
Section P-104.1. Continuation (page 6, second line). Insert date of adoption of code.

Section P-114.2. Fee Schedule (page 12). Insert "Refer to Section 5-203, Additions, Insertions and Changes, Fee Schedule.

Section P-117.4. Penalties (page 14, second, third and fourth lines). Insert "Public Nuisance, \$500.00, One Month.

Section P 118-2. Unlawful continuance (page 14, fifth line). Insert "Not less than \$1.00 nor more than \$500.00".

Section P-303.2. Public Systems Available (page 34). Delete.

Section P-308.3. Freezing (page 35, second and third lines). Insert "3 feet 6 inches", and, "in accordance with Johnson County Main Sewer District regulations for sewers".

5-503 SAVING CLAUSE - Section 4. That nothing in this ordinance nor in the Plumbing Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquitted, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed as cited in Section 1 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

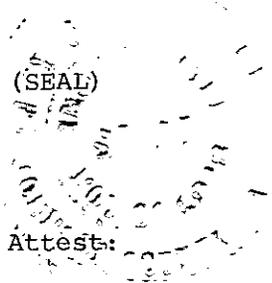
*repealed by Ord. 730, 3/1/82*

TAKE EFFECT. Section 5. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

First reading 3/5/79 Second Reading 3/19/79

Passed by the Governing Body this 19th day of March 1979

Approved by the Mayor this 19th day of March 1979



Eugene E. Alt  
Eugene E. Alt, Mayor

Attest:

J. Oberlander  
City Clerk

Approved for Form Larry Winn III City Attorney

Approved for Content Kent E. Crippin Chairman, Ordinance Committee

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
23rd day of March, 1979, with  
subsequent publications being made on the following dates:

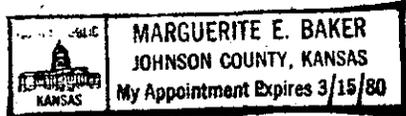
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 23rd day of  
March, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 19.95  
Additional copies \$ \_\_\_\_\_



ORDINANCE NO. 630

AN ORDINANCE ADOPTING  
THE BOCA BASIC PLUMBING  
CODE, FOURTH EDITION, 1978  
AND REPEAL OF SECTIONS

Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas

REPEAL OF SECTIONS: Section  
1. Sections 5-301, 5-302 a, b, c, d, e,  
g, and h, 5-303, 5-304, and 5-306; as  
established by the Codification of  
Ordinances, 1970; Section 5-302 f,  
as established by Ordinance No.  
465; and Section 5-305, as es-  
tablished by Ordinance No. 483,  
are hereby repealed and the  
following enacted in lieu thereof:

5-501 ADOPTION OF PLUMB-  
ING CODE. Section 2. There is  
hereby incorporated by reference  
by K.S.A. 1975 Supp. 12-3009 and  
12-3015 "The BOCA Basic Plumb-  
ing Code/1978" as published by  
The Building Officials and Code  
Administrators International,  
Inc., three copies of which are on  
file in the office of the City Clerk  
of Leawood, Kansas, as the  
plumbing code of the City of  
Leawood, Kansas; for the control  
of buildings and structures as  
herein provided, and each and all  
of the regulations, provisions,  
penalties, conditions and terms of  
the BOCA Basic Plumbing Code,  
Fourth Edition, 1978, are hereby

referred to, adopted and made a  
part hereof, as if fully set out in  
this ordinance, with the deletions,  
insertions and changes, if any,  
prescribed in Section 3 of this or-  
dinance.

5-502 AMENDMENTS TO  
PLUMBING CODE. Section 3.  
The following sections of "The  
BOCA Basic Plumbing  
Code/1978" are hereby revised as  
follows: Section P-100.1 Title:  
Insert "City of Leawood,  
Kansas". Section P-104.1. Con-  
tinuation (page 6, second line).  
Insert date of adoption of code.

Section P-114.2. Fee Schedule  
(page 12). Insert "Refer to Sec-  
tion 5-203, Additions, Insertions  
and Changes, Fee Schedule.

Section P-117.4. Penalties (page  
14, second, third and fourth lines).  
Insert "Public Nuisance, \$500.00,  
One Month.

Section P 118-2. Unlawful con-  
tinuance (page 14, fifth line).  
Insert "Not less than \$1.00 nor  
more than \$500.00".

Section P-303.2. Public Systems  
Available (page 34). Delete.

Section P-308.3. Freezing (page  
35, second and third lines). Insert  
"3 feet 6 inches", and, "in accor-  
dance with Johnson County Main  
Sewer District regulations for  
sewers".

5-503 SAVING CLAUSE - Section  
4. That nothing in this ordinance  
nor in the Plumbing Code hereby  
adopted shall be construed to af-  
fect any suit or proceeding im-  
pending in any court, or any  
rights acquired, or liability in-  
curred, or any cause or causes of  
action acquired or existing under  
any act or ordinance hereby  
repealed as cited in Section 1 of  
this ordinance; nor shall any just  
or legal right or remedy of any  
character be lost, impaired or af-  
fected by this ordinance.

TAKE EFFECT. Section 5. This  
ordinance shall take effect and be  
in force from and after its  
publication in the official city  
newspaper.

First reading 3/5/79 Second  
Reading 3/19/79

Passed by the Governing Body  
this 19th day of March, 1979

Approved by the Mayor this 19th  
day of March, 1979

(s) Eugene E. Ait, Mayor

(SEAL)

Attest:

(s) J. Oberlander  
City Clerk

Approved for Form (s) Larr  
Winn III, City Attorney

Approved for Content (s) Kent  
Crippin, Chairman, Ordinar  
Committee

ORDINANCE NO. 629

AN ORDINANCE ESTABLISHING MINIMUM STANDARDS FOR THE DESIGN AND INSTALLATION OF ELECTRICAL SYSTEMS IMPLEMENTED BY SPECIFIC REQUIREMENTS WHICH WILL PROVIDE REASONABLE SAFEGUARDS AND PROTECTION OF THE PUBLIC HEALTH AND REPEALING EXISTING ORDINANCE NUMBER 465 of OCTOBER 7, 1974.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS: Section 1. Sections 5-201 and 5-202 as established by the Codification of Ordinances, 1970, and Section 5-203 as established by Ordinance No. 465 are hereby repealed and the following enacted in lieu thereof.

5-401. ADOPTION OF THE NATIONAL ELECTRICAL CODE. Section 2. There is hereby incorporated by reference by K.S.A. 1975 Supp. 12-3009 and 12-3015 the "National Electrical Code, 1978" as published by the National Fire Protection Association, three copies of which are on file in the Office of the City Clerk of Leawood, Kansas, as the Electrical Code of the City of Leawood, Kansas for the control of electrical systems in the City of Leawood. Each and all of the regulations, provisions, penalties, conditions, and terms of the National Electrical Code of 1978 are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, and changes, if any, prescribed in Section 3 of this ordinance.

5-402. ADDITIONS, INSERTIONS, CHANGES. Section 3. The following sections are hereby revised, as follows:

Section 110-5. Conductors (page 17). Delete, and insert the following:

Conductors for residential application shall be copper only from the meter to disconnect or panel board and branch circuit wiring from the panel board. Conductors for branch circuits, #6 AWG and below, shall be copper in commercial and industrial applications.

Section 110-8. Wiring Method (page 17). Delete, and insert the following:

All construction other than one and two family dwellings shall be wired with insulated conductors in conduit, except that multi-family dwellings with not more than four living units per floor and not more than eight living units between fire walls may be wired with nonmetallic sheathed cable subject to approval of the Chief Building Official.

Section 230-1. Scope (page 56). Add:

Service conductors, bus bars, and equipment ratings shall not be less than 80 percent of the combined ampacity of the service switches or circuit breakers.

Article 324. Concealed Knob and Tube Wiring (pages 163-164). Delete. This type of wiring is prohibited.

*Repealed by Ord. 729, 3/1/82*

Article 334. Metal Clad Cable (pages 168, 169 and 170). Delete. This method of wiring is prohibited.

Section 370.17 (a). Outlet Boxes (page 214). Add: "Where the fixture is required to be grounded to comply with Article 410-E, the fixture outlet box shall be metallic".

5-403. PENALTY. Section 4. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a public nuisance, punishable by a fine of not more than \$500.00, or by imprisonment not exceeding 30 days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

5-404. SAVING CLAUSE. Section 5. Nothing in this Ordinance or in the National Electrical Code, 1978 Edition, hereby adopted, shall be construed to affect any suit or proceeding impending in any court or any rights acquitted, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading 3/5/79 Second Reading 3/19/79

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979.

(SEAL)

Attest

J. D. Alexander  
City Clerk

Eugene E. Alt  
Eugene E. Alt, Mayor

Approved for Form Larry Winn III, City Attorney

Approved for Content Kent E. Crippin Chairman, Ordinance Committee

repealed by Ord. 729, 3/1/82

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal

publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

23rd day of March, 1979, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 23rd day of

March, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 27.45  
Additional copies \$ \_\_\_\_\_



ORDINANCE NO. 629

AN ORDINANCE ESTABLISHING MINIMUM STANDARDS FOR THE DESIGN AND INSTALLATION OF ELECTRICAL SYSTEMS IMPLEMENTED BY SPECIFIC REQUIREMENTS WHICH WILL PROVIDE REASONABLE SAFEGUARDS AND PROTECTION OF THE PUBLIC HEALTH AND REPEALING EXISTING ORDINANCE NUMBER 465 OF OCTOBER 7, 1974.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS: Section 1. Sections 5-201 and 5-202 as established by the Codification of Ordinances, 1970, and Section 5-203 as established by Ordinance No. 465 are hereby repealed and the following enacted in lieu thereof.

5-401. ADOPTION OF THE NATIONAL ELECTRICAL CODE. Section 2. There is hereby incorporated by reference by K.S.A. 1975 Supp. 12-3009 and 12-3015 the "National Electrical Code, 1978" as published by the National Fire Protection Association, three copies of which are on file in the Office of the City Clerk of Leawood, Kansas, as the Electrical Code of the City of Leawood, Kansas for the control of electrical systems in the City of Leawood. Each and all of the regulations, provisions, penalties, conditions, and terms of the National Electrical Code of 1978 are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, and changes, if any, prescribed in Section 3 of this ordinance.

5-402. ADDITIONS, INSERTIONS, CHANGES. Section 3. The following sections are hereby revised, as follows:

Section 110-5. Conductors (page 17). Delete, and insert the following:

Conductors for residential application shall be copper only from the meter to disconnect or panel board and branch circuit wiring from the panel board. Conductors for branch circuits, #6 AWG and below, shall be copper in commercial and industrial applications.

Section 110-8. Wiring Method (page 17). Delete, and insert the following:

All construction other than one and two family dwellings shall be wired with insulated conductors in conduit, except that multi-family dwellings with not more than four living units per floor and not more than eight living units between fire walls may be wired with nonmetallic sheathed cable subject to approval of the Chief Building Official.

Section 230-1. Scope (page 56). Add:

Service conductors, bus bars, and equipment ratings shall not be less than 80 percent of the combined ampacity of the service switches or circuit breakers.

Article 324. Concealed Knob and Tube Wiring (pages 163-164). Delete. This type of wiring is prohibited.

Article 334. Metal Clad Cable (pages 168, 169 and 170). Delete. This method of wiring is prohibited.

Section 370.17 (a). Outlet Boxes (page 214). Add: "Where the fixture is required to be grounded to comply with Article 410-E, the fixture outlet box shall be metallic".

5-403. PENALTY. Section 4. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a public nuisance, punishable by a fine of not more than \$500.00, or by imprisonment not exceeding 30 days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

5-404. SAVING CLAUSE. Section 5. Nothing in this Ordinance or in the National Electrical Code, 1978 Edition, hereby adopted, shall be construed to affect any suit or proceeding impending in any court or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading 3/5/79 Second Reading 3/19/79

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979.

(s) Eugene E. Alf, Mayor

(SEAL)

Attest

(s) J. Oberlander  
City Clerk

Approved for Form (s) Larry Winn III, City Attorney

Approved for Content (s) K. Flippin, Chairman, Ordinance Committee

(900 24S)

ORDINANCE NO. 628

AN ORDINANCE GOVERNING MINIMUM REQUIREMENTS FOR ENERGY CONSERVATION  
AS OUTLINED

Be it ordained by the Governing Body of the City of Leawood, Kansas:

PREAMBLE. Section 1. Based on American Society of Heating, Refrigeration and Air Conditioning Engineers Standard 90-75 and other generally accepted standards with respect to design and construction of the exterior envelopes and selection of heating, ventilation, air conditioning, service water heating, electrical distribution systems, and equipment required for the purpose of effective use of energy, this ordinance shall govern all buildings and structures, or portions thereof, hereafter erected that provide facilities or shelter for human occupancy, and providing for alternate systems, all ordinances or parts of ordinances in conflict having been repealed.

5-301. ADOPTION OF THE BOCA BASIC ENERGY CONSERVATION CODE.

Section 2. That a certain document, three (3) copies of which are on file in the Office of the City Clerk, City of Leawood, Kansas, being marked and designated as "The BOCA Basic Energy Conservation Code, Second Edition, 1978", as published by the Building Officials & Code Administrators International, Inc., be and is hereby adopted as the Energy Conservation Code of the City of Leawood in the State of Kansas; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the BOCA Basic Energy Conservation Code, Second Edition, 1978, are hereby referred to, adopted and made a part hereof, as if fully set out in this Ordinance.

5-302. SAVINGS CLAUSE. Section 3. That nothing in this Ordinance or in the Energy Conservation Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

TAKE EFFECT. Section 4. That the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published

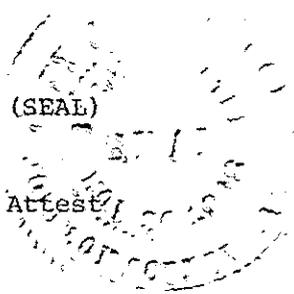
*repealed by Ord. 728,  
3/1/82*

as required by law; and this Ordinance shall take effect approximately one year after adoption or 1 January 1980.

FIRST READING 3/5/79 SECOND READING 3/19/79

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979.



(SEAL)

Eugene E. Alt  
Eugene E. Alt, Mayor

J. Oberlander  
City Clerk

Approved for Form Larry Winn, III, City Attorney  
Larry Winn, III

Approved for Content Kent E. Crippin, Chairman, Ordinance Committee  
Kent E. Crippin

Report to Editor  
due to week  
error in orig  
ord.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,  
Deposes and says: That he is  
Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation  
in JOHNSON County, Kansas, with a general  
paid circulation on a yearly  
(daily, weekly, monthly, yearly)  
basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)  
published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 2 consecutive days  
(weeks, days)

the first publication thereof being made as aforesaid on the  
23rd day of March, 1979, with  
subsequent publications being made on the following dates:

June 13, 1979 \_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_

*Mark Anson*

Subscribe and sworn to before me this 13th day of  
June, 1979.

*Marguerite E. Baker*  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 34.20  
Additional copies \$ \_\_\_\_\_



AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
23rd day of March, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 23rd day of  
March, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 17.10  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson  
County Sun-Friday, March 23,  
1979.

**ORDINANCE NO. 628**

**AN ORDINANCE GOVERNING  
MINIMUM REQUIREMENTS  
FOR ENERGY CONSERVA-  
TION AS OUTLINED**

**Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:**

**PREAMBLE.** Section 1: Based on  
American Society of Heating,  
Refrigeration and Air Condition-  
ing Engineers Standard 90-75 and  
other generally accepted stan-  
dards with respect to design and  
construction of the exterior  
envelopes and selection of  
heating, ventilation, air con-  
ditioning, service water heating,  
electrical distribution systems,  
and equipment required for the  
purpose of effective use of  
energy, this ordinance shall  
govern all buildings and struc-  
tures, or portions thereof,  
hereafter erected that provide  
facilities or shelter for human oc-  
cupancy, and providing for alter-  
nate systems, all ordinances or  
parts of ordinances in conflict  
having been repealed.

**5-301. ADOPTION OF THE BOCA  
BASIC ENERGY CONSERVA-  
TION CODE.**

Section 2. That a certain docu-  
ment, three (3) copies of which  
are on file in the Office of the City  
Clerk, City of Leawood, Kansas,  
being marked and designated as  
'The BOCA Basic Energy  
Conservation Code, First Edition,  
1977', as published by the  
Building Officials & Code Ad-  
ministrators International, Inc.,  
be and is hereby adopted as the  
Energy Conservation Code of the  
City of Leawood in the State of  
Kansas; for the control of  
buildings and structures as herein  
provided; and each and all of the  
regulations, provisions, penalties,  
conditions and terms of the BOCA  
Basic Energy Conservation Code,  
First Edition, 1977, are hereby  
referred to, adopted and made a  
part hereof, as if fully set out in  
this Ordinance.

**5-302. SAVINGS CLAUSE.** Section  
3. That nothing in this Ordinance  
or in the Energy Conservation  
Code hereby adopted shall be con-  
strued to affect any suit or  
proceeding impending in any  
court, or any rights acquired or  
existing, under any act or or-  
dinance hereby repealed as cited  
in Section 3 of this Ordinance; nor  
shall any just or legal right or  
remedy of any character be lost,  
impaired or affected by this Or-  
dinance.

**TAKE EFFECT.** Section 4.  
That the City Clerk shall certify to  
the adoption of this Ordinance  
and cause the same to be  
published as required by law; and  
this Ordinance shall take effect  
approximately one year after  
adoption or 1 January 1980.

**FIRST READING 3/5/79 SE-  
COND READING 3/19/79**

Passed by the Governing Body this  
19th day of March, 1979.

Approved by the Mayor this 19th  
day of March, 1979.

(s) Eugene E. Alt, Mayor

(SEAL)

Attest:

(s) J. Oberlander

City Clerk

Approved for Form (s) Larry  
Winn III, City Attorney

Approved for Content (s) Kent E.  
Crippin, Chairman, Ordinance  
Committee

ORDINANCE NO. 627

AN ORDINANCE ADOPTING THE BOCA BUILDING CODE GOVERNING ALL CONSTRUCTION OTHER THAN ONE AND TWO FAMILY DWELLINGS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

PREAMBLE. Section 1. The City of Leawood, Kansas, to clearly define the design, construction, alteration, enlargement, equipment, repair, demolition, removal, conversion, use or maintenance of all buildings and structures, other than one and two family dwellings does hereby enact the following:

5-201 ADOPTION OF BUILDING CODE. Section 2. The City of Leawood, Kansas, does hereby incorporate by reference by K.S.A. 1975 Supp. 12-3009 and 12-3015, the BOCA Basic Building Code of 1978. Three copies of this document shall be on file in the Office of the City Clerk of Leawood, Kansas, being marked and designated as "The BOCA Basic Building Code, 7th Edition 1978" as published by the Building Officials and Code Administrators International, Inc. Each and all of the regulations, provisions, penalties, conditions and terms of the BOCA Basic Building Code, 7th Edition, 1978 are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 4 of this ordinance.

5-202 INCONSISTENT ORDINANCES REPEALED. Section 3. Ordinances of the City of Leawood, Kansas and any parts of ordinances in conflict herewith have been repealed by Ordinance No. 626.

5-203 ADDITIONS, INSERTIONS AND CHANGES. Section 4. The following sections of the BOCA Basic Building Code, 1978 are hereby revised as follows:

Section 100.1 (Page 1, second line) insert "Leawood, Kansas"

Section 100.2 (Page 1, fourth line) insert "Leawood, Kansas"

Section 105.1 (Page 3) is changed to read the legal use and occupancy of any structure existing on the publication date of this ordinance or for which it had been heretofore approved, may be continued without change, except as may be specifically covered in this code and the housing code or as may be deemed necessary by the building official for the general safety and welfare of the occupants and the public."

Section 107.1 (Page 4, line 2) insert "Leawood, Kansas"

Section 114.6 ADD: POTABLE WATER CERTIFICATION. A permit shall not be issued until written evidence is presented to the Building Official certifying the availability of satisfactory potable water supply. Applicants from areas within the corporate limits of the City that are also within areas under the jurisdiction of a duly constituted water district shall submit a connection permit or notice of intent to supply water service from said water district. Applicants from areas within the corporate limits of the City that are not within an area under the jurisdiction of a duly constituted water district shall submit a certificate from the Johnson County Health Director that the proposed water supply meets the required standards for health and safety.

*Repealed by Ord. 728, 3/1/82*

Section 114.7 ADD: FIRE PROTECTION CERTIFICATION. A permit for other than one or two family dwellings shall not be issued until written evidence is presented to the Building Official certifying the availability of satisfactory hydrant locations and their appropriate fire flows. Applicants for areas within the corporate limits of the City that are also within areas under the jurisdiction of a duly constituted water district shall submit a statement from said district certifying that the proposed fire protection system conforms to the regulations of that district provided that those regulations set forth requirements for a system that will meet or exceed fifty percent of the fire flow requirements set forth in Bulletin 266 of the National Board of Firewriters with one standard fire hydrant located within five hundred (500) feet of each building for each five hundred gallons per minute required fire flow. Applicants from areas within the corporate limits of the City that are not within an area under the jurisdiction of a duly constituted water district shall submit plans and specifications for, or satisfactory evidence of, a fire protection water supply that will meet or exceed fifty percent of the fire flow requirements set forth in Bulletin 266 of the National Board of Fire Underwriters with one standard fire hydrant located within five hundred feet of each building for each five hundred gallons per minute required fire flow and will also supply the flow rates specified in this code.

Section 116.0 Delete "Moved Structures" in its entirety.

Section 117.3.1 FEE SCHEDULE. Delete lines one and two and enact the following:

No person, firm, partnership, association or corporation shall initiate or perform any work under the provisions of Article 2 of the Leawood Building Code Ordinance, without first having obtained a permit. There shall be charged and collected from the applicant, a fee for each permit in accordance with the fee schedule as set out in this chapter.

Provided, however, that where work for which any permit is required is started or initiated prior to obtaining said permit, the fee specified for such permit shall be doubled; provided, further, however, the payment of such double fee shall not relieve any person, firm, partnership, association or corporation from fully complying with the requirements of the permit in the execution of any work nor any other penalties prescribed herein.

For each permit issued for new construction there shall be charged and collected from the applicant a fee in accordance with the following schedule, defined classification, and defined chargeable floor area:

- A. Classification I shall be defined as all buildings or structures constructed on land zoned residential, R-1, except those buildings or structures specifically listed in Classification II. The square feet chargeable shall be defined as the total square feet or gross area of the building measured from the exterior surface of outside walls or joint partitions, including basements and garages.

*repealed by Ord. 728, 3/1/82*

B. Classification II shall be defined as all buildings or structures constructed on land zoned other than R-1, Residential, and shall include land designated and classified for special uses, planned residential, planned office, and retail, and planned industrial use. The square feet chargeable shall be defined as the total square feet of the buildings measured from the exterior surface of outside walls or joint partitions, including basements and mezzanines.

C. Classification III shall be defined as all alteration work on existing buildings or structures.

D. Classification IV shall be the following:

Fence Construction	15.00
Wall Construction	15.00
Patio Cover Construction	15.00
Electrical, Mechanical, Plumbing	15.00
Towers	20.00
Lawn Sprinkler Systems	15.00
Swimming Pools	50.00
Reroofing	12.00
Demolition (for each separate unit)	50.00

E. Classification V. Removal of structures shall be defined as moving any building or structure having a floor area of 200 square feet or more upon, across, or over any highway, street, alley or sidewalk in the city.

Effective at the adoption of this ordinance the fee schedule will be as follows:

1. Classification I - 4¢ per square foot
2. Classification II - 8¢ for the first 5,000 sq. ft.; thereafter 5¢ a sq. ft.
3. Classification III - 4.5¢ per square foot with a minimum of \$50.00
4. Classification IV - as listed under "D" above
5. Classification V - \$150.00 for each separate structure.

Section 117.4 Moving of Buildings. Delete.

Section 117.5 Demolition. Delete.

Section 117.8 Refunds. Delete. There shall be no refunds.

Section 118.0 Volume Computation. Delete entire section.

Section 121.4 Page 16, sixth and seventh lines, insert "Public Nuisance", "500.00" and "30 days".

*repealed by Ord. 728, 3/1/82*

Section 122.2 Shall be changed to read "UNLAWFUL CONTINUANCE" - Any person who shall continue any work in or about the building after having been served with a Stop Work Order, except such work as he is directed to perform to remove a violation or unsafe condition, shall, upon conviction, be punished as provided in Section 121.4.

Section 125.3 (Page 19, second line) insert \$50.00.

Section 200.1 (Page 25, third line) insert "City of Leawood".

Section 200.3 (Page 25, third line) insert "City of Leawood".

Section 300.1 (Page 83, second line) insert "City of Leawood".

Section 301.2 (Page 83, fourth line) Delete. Insert "fire limits shall comprise all industrial and commercially zoned property and the buildings and structures thereupon now existing or in the future within the City".

Section 302.2 (Page 84) shall be revised to read as follows: "Type 2C and 3C Construction Permitted; Buildings and Structures, additions to existing buildings and structures hereinafter erected within the fire limits may be unprotected noncombustible (Type 2C) or ordinary unprotected (Type 3C) construction, as defined in Article 2 and regulated in Tables 214 and 305, when constructed and located in accordance with the requirements of Table 302."

Section 315.1 APPLICABILITY. Page 95 shall be revised to read: "The provisions of this section shall apply to all levels and areas used by the general public, employees, persons visiting or on the premises for any reason, and shall apply to all use groups except R-2, three stories or less, R-3, R-4, T, and the second story of two story office buildings of less than 10,000 square feet gross area.

Section 428.6.1 (Page 142) shall be revised to read as follows: WATER SUPPLY. All swimming pools shall be provided with a potable water supply, free of cross connections with the pool or its equipment. Filters meeting applicable National Sanitation Foundation Standards shall be deemed to meet the filtration standards of this code.

Section 428.8.2 SWIMMING POOL SAFETY DEVICES. Delete entire section.

Section 431.3 (Page 145) shall be revised as follows: "OPTIONS All buildings or structures in excess of twelve stories or 150 feet in height shall be provided with an approved automatic fire suppression system meeting the provisions of Section 431.3.1.

All buildings or structures of twelve stories or 150 feet in height or less shall be provided with either an approved automatic fire suppression system or safe area of refuge (compartmentation) in accordance with the provisions of 431.3.1 or Section 431.3.2.

Section 1307.2.1 (Page 367, second line) insert "3 feet".

Section 1307.2.2 (Page 368, second line) insert "3 feet".

Section 1402.0 (Page 376) delete entire section.

Section 1403.2.3 (Page 377) Projecting Signs. Delete.

*Revised by Ord. 728, 3/1/82*

Section 1406.1 (Page 378, fourth, fifth and sixth lines) to read: "filed in the sum of \$10,000.00 as herein required or until an insurance policy shall have been filed for public liability in the amount of \$100,000.00/300,000.00 per accident, \$50,000.00 for property damage, as herein required."

Section 1406.2 (Page 378, second line) insert "City of Leawood, Kansas".

Section 1411.0 (Page 380) Projecting Signs. Delete entire section.

Section 1702.1 (Page 410, fourth line) insert "City of Leawood, Kansas".

Section 1800.5 (Page 416, third line) insert "City of Leawood, Kansas".

5-204.

SAVING CLAUSE Section 5. That nothing in this ordinance nor in the Building Code hereby adopted shall be constructed to affect any suit or proceeding impending in any court or any rights acquitted or liability incurred or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance nor shall any just or legal right or remedy of any character be lost, or impaired or affected by this ordinance.

TAKE EFFECT Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 3/5/79 Second Reading 3/19/79

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979.

(SEAL)

Attest:

J. Oberlander  
J. Oberlander, City Clerk

Eugene E. Alt  
Eugene E. Alt, Mayor

APPROVED FOR FORM: Larry Winn, Larry Winn, City Attorney

APPROVED FOR CONTENT: Kent E. Crippin, Kent E. Crippin, Chairman, Ordinance Committee

Repealed by Ord. 728, 3/1/82

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal

publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so

published continuously and uninterruptedly in said county

and state for a period of more than five years prior to

the first publication of said notice; and has been

admitted at the post office of SHAWNEE MISSION, KANSAS

in said County as a second class matter.

That the attached notice is a true copy thereof and

was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

23rd day of March, 1979, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

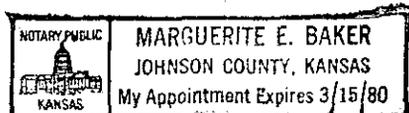
Mark Anson

Subscribe and sworn to before me this 23rd day of

March, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 71.85  
Additional copies \$ \_\_\_\_\_



PREAMBLE. Section 1. The City of Leawood, Kansas, to clearly define the design, construction, alteration, enlargement, equipment, repair, demolition, removal, conversion, use or maintenance of all buildings and structures, other than one and two family dwellings does hereby enact the following:

5-201 ADOPTION OF BUILDING CODE. Section 2. The City of Leawood, Kansas, does hereby incorporate by reference by K.S.A. 1975 Supp. 12-3009 and 12-3015, the BOCA Basic Building Code of 1978. Three copies of this document shall be on file in the Office of the City Clerk of Leawood, Kansas, being marked and designated as "The BOCA Basic Building Code, 7th Edition 1978" as published by the Building Officials and Code Administrators International, Inc. Each and all of the regulations, provisions, penalties, conditions and terms of the BOCA Basic Building Code, 7th Edition, 1978 are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 4 of this ordinance.

5-202 INCONSISTENT ORDINANCES REPEALED. Section 3. Ordinances of the City of Leawood, Kansas and any parts of ordinances in conflict herewith have been repealed by Ordinance No. 626.

5-203. ADDITIONS, INSERTIONS AND CHANGES. Section 4. The following sections of the BOCA Basic Building Code, 1978 are hereby revised as follows:

Section 100.1 (Page 1, second line) insert "Leawood, Kansas"

Section 100.2 (Page 1, fourth line) insert "Leawood, Kansas"

Section 105.1 (Page 3) is changed to read the legal use and occupancy of any structure existing on the publication date of this ordinance or for which it had been heretofore approved, may be continued without change, except as may be specifically covered in this code and the housing code or as may be deemed necessary by the building official for the general safety and welfare of the occupants and the public."

Section 107.1 (Page 4, line 2) insert "Leawood, Kansas"

Section 114.6 ADD: POTABLE WATER CERTIFICATION. A permit shall not be issued until written evidence is presented to the Building Official certifying the availability of satisfactory potable water supply. Applicants from areas within the corporate limits of the City that are also within areas under the jurisdiction of a duly constituted water district shall submit a connection permit or notice of intent to supply water service from said water district. Applicants from areas within the corporate limits of the City that are not within areas under the jurisdiction of a duly constituted water district shall submit a certificate from the Johnson County Health Director that the proposed water supply meets the required standards for health and safety.

square feet of the buildings measured from the exterior surface of outside walls or joint partitions, including basements and mezzanines.

C. Classification III shall be defined as all alteration work on existing buildings or structures.

D. Classification IV shall be the following:

Fence Construction	15.00
Wall Construction	15.00
Patio Cover Construction	15.00
Electrical, Mechanical, Plumbing	15.00
Towers	20.00
Lawn Sprinkler Systems	15.00
Swimming Pools	50.00
Reroofing	12.00
Demolition (for each separate unit)	50.00

E. Classification V. Removal of structures shall be defined as moving any building or structure having a floor area of 200 square feet or more upon, across, or over any highway, street, alley or sidewalk in the city.

Effective at the adoption of this ordinance the fee schedule will be as follows:

1. Classification I - 4c per square foot.
2. Classification II - 8c for the first 5,000 sq. ft.; 5c a sq. ft. thereafter
3. Classification III - 4.5c per square foot with a minimum of \$50.00
4. Classification IV - as listed under "D" above
5. Classification V - \$150.00 for each separate structure.

Section 117.4 Moving of Buildings. Delete.

Section 117.5 Demolition. Delete.

Section 117.8 Refunds. Delete. There shall be no refunds.

Section 118.0 Volume Computation. Delete entire section.

Section 121.4 Page 16, sixth and seventh lines, insert "Public Nuisance", "500.00" and "30 days".

Section 122.2 Shall be changed to read "UNLAWFUL CONTINUANCE" - Any person who shall continue any work in or about the building after having been served with a Stop Work Order, except such work as he is directed to perform to remove a violation or unsafe condition, shall, upon conviction, be punished as provided in Section 121.4.

Section 125.3 (Page 19, second line) insert \$50.00

Section 200.1 (Page 25, third line) insert "City of Leawood".

Section 200.3 (Page 25, third line) insert "City of Leawood".

Section 300.1 (Page 83, second line) insert "City of Leawood".

acquitted or liability incurred or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance nor shall any just or legal right or remedy of any character be lost, or impaired or affected by this ordinance.

TAKE EFFECT Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 3/5/79 Second Reading 3/19/79.

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979.

(s) Eugene E. Ait, Mayor

(SEAL)

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM:

(s) Larry Winn III, City Attorney

APPROVED FOR CONTENT:

(s) Kent E. Crippin, Chairman, Ordinance Committee

(900 245)

Section 114.7 ADD: FIRE PROTECTION CERTIFICATION. A permit for other than one or two family dwellings shall not be issued until written evidence is presented to the Building Official certifying the availability of satisfactory hydrant locations and their appropriate fire flows. Applicants for areas within the corporate limits of the City that are also within areas under the jurisdiction of a duly constituted water district shall submit a statement from said district certifying that the proposed fire protection system conforms to the regulations of that district provided that those regulations set forth requirements for a system that will meet or exceed fifty percent of the fire flow requirements set forth in Bulletin 266 of the National Board of Firewriters with one standard fire hydrant located within five hundred (500) feet of each building for each five hundred gallons per minute required fire flow. Applicants from areas within the corporate limits of the City that are not within an area under the jurisdiction of a duly constituted water district shall submit plans and specifications for, or satisfactory evidence of, a fire protection water supply that will meet or exceed fifty percent of the fire flow requirements set forth in Bulletin 266 of the National Board of Fire Underwriters with one standard fire hydrant located within five hundred feet of each building for each five hundred gallons per minute required fire flow and will also supply the flow rates specified in this code.

Section 116.0 Delete "Moved Structures" in its entirety.

Section 117.3.1. FEE SCHEDULE. Delete lines one and two and enact the following:

No person, firm, partnership, association or corporation shall initiate or perform any work under the provisions of Article 2 of the Leawood Building Code Ordinance, without first having obtained a permit. There shall be charged and collected from the applicant, a fee for each permit in accordance with the fee schedule as set out in this chapter.

Provided, however, that where work for which any permit is required is started or initiated prior to obtaining said permit, the fee specified for such permit shall be doubled; provided, further, however, the payment of such double fee shall not relieve any person, firm, partnership, association or corporation from fully complying with the requirements of the permit in the execution of any work nor any other penalties prescribed herein.

For each permit issued for new construction there shall be charged and collected from the applicant a fee in accordance with the following schedule, defined classification, and defined chargeable floor area:

A. Classification I shall be defined as all buildings or structures constructed on land zoned residential, R-1, except those buildings or structures specifically listed in Classification II. The square feet chargeable shall be defined as the total square feet or gross area of the building measured from the exterior surface of outside walls or joint partitions, including basements and garages.

B. Classification II shall be defined as all buildings or structures constructed on land zoned residential, R-2, R-3, R-4, and shall include residential and classified for special uses, planned residential, planned office, and retail, and planned industrial use. The square feet chargeable shall be defined as the total square feet or gross area of the building measured from the exterior surface of outside walls or joint partitions, including basements and garages.

Section 301.2 (Page 83, fourth line) Delete. Insert "fire limits shall comprise all industrial and commercially zoned property and the buildings and structures thereupon now existing or in the future within the City"

Section 302.2 (Page 84) shall be revised to read as follows: "Type 2C and 3C Construction Permitted: Buildings and Structures, additions to existing buildings and structures hereinafter erected within the fire limits may be unprotected noncombustible (Type 2C) or ordinary unprotected (Type 3C) construction, as defined in Article 2 and regulated in Tables 214 and 305, when constructed and located in accordance with the requirements of Table 302."

Section 315.1 APPLICABILITY. Page 95 shall be revised to read: "The provisions of this section shall apply to all levels and areas used by the general public, employees, persons visiting or on the premises for any reason, and shall apply to all use groups except R-2, three stories or less, R-3, R-4, T, and the second story of two story office buildings of less than 10,000 square feet gross area."

Section 428.6.1 (Page 142) shall be revised to read as follows: WATER SUPPLY. All swimming pools shall be provided with a potable water supply, free of cross connections with the pool or other water supply. The applicable National Sanitation Foundation standards shall be deemed to meet the filtration standards of this code.

Section 428.8.2 SWIMMING POOL SAFETY DEVICES. Delete entire section.

Section 431.3 (Page 145) shall be revised as follows: "OPTIONS All buildings or structures in excess of twelve stories or 150 feet in height shall be provided with an approved automatic fire suppression system meeting the provisions of Section 431.3.1."

All buildings or structures of twelve stories or 150 feet in height or less shall be provided with either an approved automatic fire suppression system or safe area of refuge (compartmentation) in accordance with the provisions of 431.3.1 or Section 431.3.2.

Section 1307.2.1 (Page 367, second line) insert "3 feet"

Section 1307.2.2 (Page 368, second line) insert "3 feet"

Section 1402.0 (Page 376) delete entire section.

Section 1403.2.3 (Page 377) Protecting Signs. Delete.

Section 1406.1 (Page 378, fourth, fifth and sixth lines) to read: "filed in the sum of \$10,000.00 as herein required or until an insurance policy shall have been filed for public liability in the amount of \$100,000.00/300,00.00 per accident; \$50,000.00 for property damage, as herein required."

Section 1406.2 (Page 378, second line) insert "City of Leawood, Kansas"

Section 1411.0 (Page 380) Protecting Signs. Delete entire section.

Section 1702.1 (Page 410, fourth line) insert "City of Leawood, Kansas"

Section 1800.5 (Page 416, third line) insert "City of Leawood, Kansas"

5-204 SAVING CLAUSE Section 204 shall be revised to read: "The provisions of this ordinance shall not be construed to affect in any suit or proceeding pending in any court or any rights"

First Published in The Johnson County Sun, Friday, March 23, 1979.

ORDINANCE NO. 627  
AN ORDINANCE ADOPTING THE BOCA BUILDING CODE GOVERNING ALL CONSTRUCTION OTHER THAN ONE AND TWO FAMILY DWELLINGS.

B If ordained by the Governing Body of the City of Leawood, Kansas:

ORDINANCE NO. 626

AN ORDINANCE GOVERNING CONSTRUCTION OF DETACHED ONE AND TWO FAMILY DWELLINGS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS: Section 1, Sections 5-101 through 5-104, and Sections 5-501 and 5-701, as established by the Codification of Ordinances, 1970 and Ordinance No. 465; and Sections 5-105 through 5-108, as established by Ordinance No. 462, are hereby repealed and the following enacted in lieu thereof:

PREAMBLE: Section 2. The Governing Body of the City of Leawood, Kansas to more concisely and clearly define rules and regulations governing the fabrication, erection, construction, enlargement, alteration, repair, location and use of detached one and two family dwellings, their appurtenances and accessory structures, providing for the issuance of permits therefor, and providing penalties for the violation thereof, does enact the following:

5-101 ADOPTION OF THE ONE AND TWO FAMILY DWELLING CODE. Section 3.  
The City of Leawood, Kansas does hereby incorporate by reference under K.S.A. 1975 Supp. 12-3009 and 12-3015, the "One and Two Family Dwelling Code", Second Edition, 1975, as published by the nationally recognized model code groups, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the "One and Two Family Dwelling Code", Second Edition, 1975, are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions and changes, if any, prescribed in Section 4 of this ordinance. Three copies of this document shall be on file in the Office of the City Clerk of Leawood, Kansas.

5-102 ADDITIONS, DELETIONS AND CHANGES. Section 4. The following sections of the "One and Two Family Dwelling Code" are hereby revised as follows:

Chapter 1, Administration, "One and Two Family Dwelling Code".  
Delete entire chapter.

Article 1, Administration and Enforcement, BOCA Basic Building Code, 1978 Edition. Add entire chapter.

Table 2-A, Page 11, One and Two Family Dwelling Code. Add the following:

Roof Live Loads	-	30 lbs. per sq. ft.
Roof Snow Loads	-	20 lbs. per sq. ft.
Wind Velocity	-	30 lbs. per sq. ft.
Seismic Condition	-	Zone One (1)
Frost Line Depth	-	3 Feet

Section R-210. Change, Private Garages. Openings between garage and residence shall be equipped with solid wood doors not less than 1 3/4" in thickness.

*Repealed by Ord. 727, 3/1/82*

Section R-210, Add Private Garages. The ceiling in the garage shall be 5/8" fire code gypsum board or equivalent if there is habitable space above.

Section 5-305, Add, Waterproofing. A 4" plastic or cast iron "T" connection shall be located under the footing connecting the underground drains to a sump pit if a sump pump is required.

Section P-2205, Add Prohibited Fittings. No stormwater drains shall be connected to the sanitary system.

Section P-2503, Add Disposal Systems. Private Single Family sewage disposal systems shall conform to the standards of the Johnson County Health Department published August, 1978 as minimum requirements.

5-103 SAVINGS CLAUSE. Section 5. Nothing in this Ordinance or in the One and Two Family Dwelling Code hereby adopted shall be construed to affect any suit or proceeding impending in any court or any rights acquitted or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

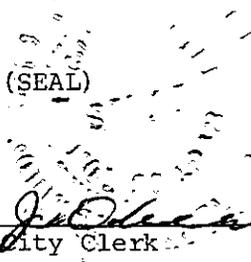
TAKE EFFECT: Section 6. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

*repealed by Ord. 727, 3/1/82*

First Reading 3/5/79 Second Reading 3/19/79

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979.



*[Signature]*  
City Clerk

*Eugene E. Alt*  
Eugene E. Alt, Mayor

Approved for Form *[Signature]* City Attorney

Approved for Content *[Signature]* Ordinance Committee  
Kent E. Griffin Chairman

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
23rd day of March, 1979, with  
subsequent publications being made on the following dates:

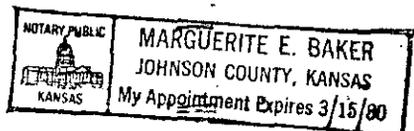
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 23rd day of  
March, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 33.90  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson County Sun, Friday, March 23, 1979.

ORDINANCE NO. 626

AN ORDINANCE GOVERNING CONSTRUCTION OF DETACHED ONE AND TWO FAMILY DWELLINGS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS: Section 1. Sections 5-101 through 5-104, and Sections 5-501 and 5-701, as established by the Codification of Ordinances, 1970 and Ordinance No. 465; and Sections 5-105 through 5-108, as established by Ordinance No. 462, are hereby repealed and the following enacted in lieu thereof:

PREAMBLE: Section 2. The Governing Body of the City of Leawood, Kansas to more concisely and clearly define rules and regulations governing the fabrication, erection, construction, enlargement, alteration, repair, location and use of detached one and two family dwellings, their appurtenances and accessory structures, providing for the issuance of permits therefor, and providing penalties for the violation thereof; does enact the following:

5-101 ADOPTION OF THE ONE AND TWO FAMILY DWELLING CODE. Section 3.

The City of Leawood, Kansas does hereby incorporate by reference under K.S.A. 1975 Supp. 12-3009 and 12-3015, the "One and Two Family Dwelling Code", Second Edition, 1975, as published by the nationally recognized model code groups, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the "One and Two Family Dwelling Code", Second Edition, 1975, are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions and changes, if any, prescribed in Section 4 of this ordinance. Three copies of this document shall be on file in the Office of the City Clerk of Leawood, Kansas.

5-102 ADDITIONS, DELETIONS, and CHANGES. Section 4. The following sections of the "One and Two Family Dwelling Code" are hereby revised as follows:

Chapter 1, Administration, "One and Two Family Dwelling Code". Delete entire chapter.

Article 1, Administration and Enforcement, BOCA Basic Building Code, 1978 Edition. Add entire chapter.

Table 2-A, Page 11, One and Two Family Dwelling Code. Add the following:

Roof Live Loads	30 lbs. per sq. ft.
Roof Snow Loads	20 lbs. per sq. ft.
Wind Velocity	30 lbs. per sq. ft.
Seismic Condition	Zone One (1)
Frost Line Depth	3 Feet

Section R-210. Change, Private Garages. Openings between garage and residence shall be equipped with solid wood doors not less than 1 $\frac{3}{4}$ " in thickness.

Section R-210. Add Private Garages. The ceiling in the garage shall be  $\frac{5}{8}$ " fire code gypsum board or equivalent if there is habitable space above.

Section 5-305. Add, Waterproofing. A 4" plastic or cast iron "T" connection shall be located under the footing connecting the underground drains to a sump pit if a sump pump is required.

Section P-2205. Add Prohibited Fittings. No stormwater drains shall be connected to the sanitary system.

Section P-2503. Add Disposal Systems. Private Single Family sewage disposal systems shall conform to the standards of the Johnson County Health Department published August, 1978 as minimum requirements.

5-103 SAVINGS CLAUSE. Section 5. Nothing in this Ordinance or in the One and Two Family Dwelling Code hereby adopted shall be construed to affect any suit or proceeding impending in any court or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

TAKE EFFECT: Section 6. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

First Reading 3/5/79 Second Reading 3/19/79.

Passed by the Governing Body this 19th day of March, 1979.

Approved by the Mayor this 19th day of March, 1979.

(s) Eugene E. Alt, Mayor

(SEAL)

(s) J. Oberlander  
City Clerk

Approved for Form:

(s) Larry Winn, III,  
City Attorney

Approved for Content:

(s) Kent E. Crippin, Chairman  
Ordinance Committee

Repealed by Ord. #839  
CODE OF 1984  
Effective 12/21/84

ORDINANCE NO. 625

AN ORDINANCE RELATING TO RESTRICTED DRIVER'S LICENSE, AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 14-401, as established by the Codification of 1970, is hereby repealed and the following enacted in lieu thereof:

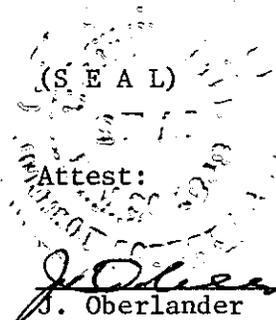
14-401. RESTRICTED DRIVER'S LICENSE. Section 2. Any person who is under the age of sixteen (16) years and is at least fourteen (14) years of age upon the written application of the parents or guardian of said minor must submit any application for a Kansas driver's license to the Chief Law Enforcement Officer of the City. The Chief Law Enforcement Officer of the City may recommend the issuance of a driver's license provided that the parent or guardian shows necessity for the issuance of such license. The Chief Law Enforcement Officer upon making a recommendation of the application for driver's license must forward the recommendation with the application to the Division of Vehicles.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 1/2/79 Second Reading: 1/15/79

Passed by the Governing Body this 15th day of January, 1979.

Approved by the Mayor this 15th day of January, 1979.



Eugene E. Alt  
Eugene E. Alt Mayor

J. Oberlander  
J. Oberlander City Clerk

APPROVED FOR FORM: Larry Winn III, City Attorney

APPROVED FOR CONTENT: Kent E. Crippin, Chr., Ordinance Committee

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Stanley J. Rose, being first Duly sworn,  
Deposes and says: That he is

Publisher of THE JOHNSON COUNTY SUN, a  
semi-weekly Newspaper printed in the State of  
(daily, semi-weekly, weekly)

Kansas, and published in and of general circulation in

JOHNSON County, Kansas, with a general paid  
circulation on a yearly basis in  
(daily, weekly, monthly, yearly)

JOHNSON County, Kansas, and that said newspaper  
is not a trade, religious or fraternal publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to the  
first publication of said notice; and has been admitted at  
the post office of SHAWNEE MISSION, KANSAS in said County  
as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said newspaper  
for 1 consecutive day, the first  
(weeks, days)

publication thereof being made as aforesaid on the 24th  
day of January, 1979, with subsequent publications  
being made on the following dates:

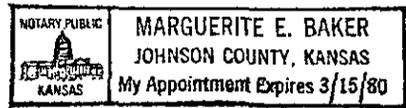
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Stanley J. Rose

Subscribe and sworn to before me this 24th day of  
January, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 10.95  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson County Sun Wednesday January 24, 1979

**ORDINANCE NO. 625**

**AN ORDINANCE RELATING TO RESTRICTED DRIVER'S LICENSE, AND REPEAL OF SECTION**

Be it ordained by the Governing Body of the City of Leawood, Kansas:

**REPEAL OF SECTION.** Section 1, Section 14-401, as established by the Codification of 1970, is hereby repealed and the following enacted in lieu thereof:

**14-401. RESTRICTED DRIVER'S LICENSE.** Section 2. Any person who is under the age of sixteen (16) years and is at least fourteen (14) years of age upon the written application of the parents or guardian of said minor must submit any application for a Kansas driver's license to the Chief Law Enforcement Officer of the City. The Chief Law Enforcement Officer of the City may recommend the issuance of a driver's license provided that the parent or guardian shows necessity for the issuance of such license. The Chief Law Enforcement Officer upon making a recommendation of the application for driver's license must forward the recommendation with the application to the Division of Vehicles.

**EFFECT.** Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 1/2/79 Second Reading: 1/15/79

Passed by the Governing Body of the City of Leawood, Kansas, on this 15th day of January, 1979.

Approved by the Mayor on this 15th day of January, 1979.

(s) Kent E. Crippin, Mayor

Attest:

APPROVED FOR FORM (s) Larry Winn III, City Attorney

APPROVED FOR CONTENT: (s) Kent E. Crippin, Ch. Ordinance Committee

S. side 123<sup>rd</sup> St, Hunter's Ridge 1<sup>st</sup> Peak W. to LS

ORDINANCE NO. 624

AN ORDINANCE RELATING TO ACCEPTANCE OF A ROADWAY EASEMENT FOR STREET PURPOSES FROM HUNTER'S RIDGE, INC.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

<sup>639</sup>  
19-535. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Roadway Easement from Hunter's Ridge, Inc., along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, a permanent easement to construct, maintain, alter, repair, replace, a public road and sidewalk, utilities and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All of the North 40 feet of the West 887.36 feet of the SE $\frac{1}{4}$  of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas.

<sup>640</sup>  
19-536. INCORPORATION BY REFERENCE. Section 2. A copy of said Roadway Easement is attached to the original ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/18/78 Second Reading: 1/2/79

Passed by the Governing Body this 2nd day of January, 1979.

Approved by the Mayor this 2nd day of January, 1979.

(S E A L)

Eugene E. Alt  
Eugene E. Alt Mayor

Attest:

J. Oberlander  
J. Oberlander City Clerk

APPROVED FOR FORM: Larry Winn III, City Attorney

APPROVED FOR CONTENT: Kent E. Crippin, Chr., Ordinance Comm.

KNOW ALL MEN BY THESE PRESENTS, THAT HUNTER'S RIDGE, INC.

of the Post Office of Shawnee Mission  
in the State of Kansas, in consideration of \_\_\_\_\_  
Dollars (\$ \_\_\_\_\_) in hand paid and other valuable  
consideration, receipt of which is hereby acknowledged, hereby grant and  
convey unto the CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, its successors and  
assigns, a Permanent Easement to construct, maintain, alter, repair, replace, a  
public road and sidewalk, utilities and all appurtenances convenient for said public  
road, together with the right of ingress and egress, over and through the following  
premises in the County of Johnson in the State of Kansas, to-wit:

All of the North 40 feet of the West 887.36 feet of the SE $\frac{1}{4}$  of Section  
22, Township 13, Range 25, now in the City of Leawood, Johnson County,  
Kansas.

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1978 NOV 9 PM 4 39 8

6.00 RUDIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

This grant is a permanent easement for the purpose aforesaid and full consideration  
therefore is acknowledged; provided however, if a temporary construction easement  
is granted herein, then the period of said temporary easement shall be no longer than  
one year from the date of acceptance of construction of said road within said City  
of Leawood, Johnson County, Kansas.

This agreement is binding upon the heirs, executors, administrators, successors,  
and assigns of the parties hereto, and it is understood that this agreement cannot  
be changed in any way except in writing, signed by the grantor and a duly  
authorized agent of the grantee.

IN WITNESS WHEREOF the grantor has hereunto set his hand and seal  
on this, the \_\_\_\_\_ day of November, 19 78.

Saul Ellis, President  
Hunter's Ridge, Inc.

JOHNSON COUNTY, KANSAS  
STATE NOTARY PUBLIC  
J. ANOMAS

6.00  
cash

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,  
Deposes and says: That he is  
Editor of THE JOHNSON COUNTY SUN,  
a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)  
State of Kansas, and published in and of general circulation  
in JOHNSON County, Kansas, with a general  
paid circulation on a yearly  
(daily, weekly, monthly, yearly)  
basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)  
published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
10th day of January, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribe and sworn to before me this 10th day of  
January, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires:  
Printer's fee \$ 11.55  
Additional copies \$ \_\_\_\_\_



First Published in the Johnson  
County Sun Wednesday, January  
10, 1979.

**ORDINANCE**

**AN ORDINANCE RELATING TO  
ACCEPTANCE OF A ROADWAY  
EASEMENT FOR STREET  
PURPOSES FROM HUNTER'S  
RIDGE, INC.**

Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:

19-535. Section 1. The Governing  
Body of the City of Leawood,  
Kansas, does hereby accept a  
Roadway Easement from  
Hunter's Ridge, Inc., along with  
the restrictions and reservations  
as set forth therein, granting the  
City of Leawood, Kansas, its suc-  
cessors ~~the right to~~ a permanent  
easement to construct, maintain,  
alter, repair, replace, a public  
road and sidewalk, utilities and  
all appurtenances convenient for  
said public road, together with  
the right of ingress and egress,  
over and through the following  
premises in the County of Johnson  
in the State of Kansas, to-wit:

All of the North 40 feet of the West  
887.36 feet of the SE 1/4 of Section  
22, Township 13, Range 25, now in  
the City of Leawood, Johnson  
County, Kansas.

19-536. INCORPORATION BY  
REFERENCE. Section 2. A copy  
of said Roadway Easement is at-  
tached to the original ordinance  
and thereby incorporated by  
reference.

TAKE EFFECT. Section 3. This  
ordinance shall take effect and be  
in force from and after its  
publication in the official City  
newspaper.

First Reading: 12/18/78 Second  
Reading: 1/2/79

Passed by the Governing Body  
this 2nd day of January, 1979.

Approved by the Mayor this 2nd  
day of January, 1979.

(s) Eugene E. Alt, Mayor

(SEAL)

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM:  
(s) Larry Winn III, City Attorney

APPROVED FOR CONTENT:  
(s) Kent E. Crippin, Chr., Or-  
dinance Comm.

(3W)

S. side 123<sup>rd</sup> St., Hunter's  
Ridge 1<sup>st</sup> Plat. W. to LS

ORDINANCE NO. 623

AN ORDINANCE RELATING TO ACCEPTANCE OF A ROADWAY EASEMENT FOR STREET PURPOSES FROM CAPITOL FUNDS, INC.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

<sup>637</sup>  
~~19-533~~. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Roadway Easement from Capitol Funds, Inc., along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, a permanent easement to construct, maintain, alter, repair, replace, a public road and sidewalk, utilities and all appurtenances convenient for said public road, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the SE $\frac{1}{4}$  of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line of the SE $\frac{1}{4}$  of said Section 22, and 1199.88 feet West of the Northeast corner thereof, as measured along said North line; thence Southerly along a line perpendicular to the North line of the SE $\frac{1}{4}$  of said Section 22, a distance of 40 feet; thence Westerly along a line 40 feet South of and parallel to the North line of the SE $\frac{1}{4}$  of said Section 22, to a point 887.36 feet East of the West line thereof; thence Northerly along a line 887.36 feet East of and parallel to the West line of the SE $\frac{1}{4}$  of said Section 22, a distance of 40 feet, to a point on the North line thereof; thence Easterly, along the North line of the SE $\frac{1}{4}$  of said Section 22, to the point of beginning.

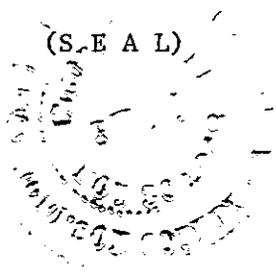
<sup>638</sup>  
~~19-534~~. INCORPORATION BY REFERENCE. Section 2. A copy of said Roadway Easement is attached to the original ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 12/18/78 Second Reading: 1/2/79

Passed by the Governing Body this 2nd day of January, 1979.

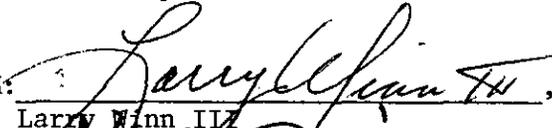
Approved by the Mayor this 2nd day of January, 1979.

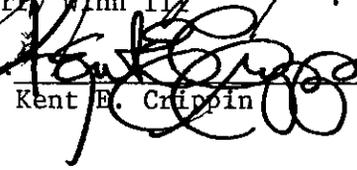


Eugene E. Alt  
Eugene E. Alt Mayor

Attest:

  
J. Oberlander City Clerk

APPROVED FOR FORM: , City Attorney  
Larry Winn II

APPROVED FOR CONTENT: , Chr., Ordinance Comm.  
Kent E. Crippin

KNOW ALL MEN BY THESE PRESENTS, THAT CAPITOL FUNDS, INC.

of the Post Office of Shawnee Mission  
in the State of Kansas, in consideration of \_\_\_\_\_  
Dollars (\$ \_\_\_\_\_) in hand paid and other valuable  
consideration, receipt of which is hereby acknowledged, hereby grant and  
convey unto the CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS, its successors and  
assigns, a Permanent Easement to construct, maintain, alter, repair, replace, a  
public road and sidewalk, utilities and all appurtenances convenient for said public  
road, together with the right of ingress and egress, over and through the following  
premises in the County of Johnson in the State of Kansas, to-wit:

All that part of the SE $\frac{1}{4}$  of Section 22, Township 13, Range 25, now in the City of  
Leawood, Johnson County, Kansas, more particularly described as follows: Beginning  
at a point on the North line of the SE $\frac{1}{4}$  of said Section 22, and 1199.88 feet West  
of the Northeast corner thereof, as measured along said North line: thence Southerly  
along a line perpendicular to the North line of the SE $\frac{1}{4}$  of said Section 22, a distance  
of 40 feet; thence Westerly along a line 40 feet South of and parallel to the North  
line of the SE $\frac{1}{4}$  of said Section 22, to a point 887.36 feet East of the West line  
thereof; thence Northerly along a line 887.36 feet East of and parallel to the West  
line of the SE $\frac{1}{4}$  of said Section 22, a distance of 40 feet, to a point on the North  
line thereof; thence Easterly, along the North line of the SE $\frac{1}{4}$  of said Section 22,  
to the point of beginning.

STATE OF KANSAS } SS  
COUNTY OF JOHNSON }  
FILED FOR RECORD

1978 NOV 9 PM 4 39 6

6.00 RUDIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

This grant is a permanent easement for the purpose aforesaid and full consideration  
therefore is acknowledged; provided however, if a temporary construction easement  
is granted herein, then the period of said temporary easement shall be no longer than  
one year from the date of acceptance of construction of said road within said City  
of Leawood, Johnson County, Kansas.

This agreement is binding upon the heirs, executors, administrators, successors,  
and assigns of the parties hereto, and it is understood that this agreement cannot  
be changed in any way except in writing, signed by the grantor \_\_\_\_\_ and a duly  
authorized agent of the grantee.

IN WITNESS WHEREOF the grantor \_\_\_\_\_ has hereunto set his hand and seal  
on this, the 2nd day of November, 19 78.

Steve C. Gebhart, Vice President  
CAPITOL FUNDS, INC



6.00 cash

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,  
Deposes and says: That he is  
Editor of THE JOHNSON COUNTY SUN,  
a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)  
State of Kansas, and published in and of general circulation  
in JOHNSON County, Kansas, with a general  
paid circulation on a yearly  
(daily, weekly, monthly, yearly)  
basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)  
published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
10th day of January, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 10th day of  
January, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 14.70  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson  
County Sun Wednesday, January  
10, 1979.

ORDINANCE NO. 623

AN ORDINANCE RELATING TO  
ACCEPTANCE OF A ROADWAY  
EASEMENT FOR STREET  
PURPOSES FROM CAPITOL  
FUNDS, INC.

Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:

19-533. Section 1. The Governing  
Body of the City of Leawood,  
Kansas, does hereby accept a  
Roadway Easement from Capitol  
Funds, Inc., along with the restric-  
tions and reservations as set forth  
therein, granting the City of  
Leawood, Kansas, its successors  
or assigns, a permanent ease-  
ment to construct, maintain,  
alter, repair, replace, a public  
road and sidewalk, utilities and  
all appurtenances convenient for  
said public road, together with  
the right of ingress and egress,  
over and through the following  
premises in the County of Johnson  
in the State of Kansas, to-wit:

All that part of the SE $\frac{1}{4}$  of Section  
22, Township 13, Range 25, now in  
the City of Leawood, Johnson  
County, Kansas, more particular-  
ly described as follows: Beginn-  
ing at a point on the North line of  
the SE $\frac{1}{4}$  of said Section 22, and  
1199.88 feet West of the Northeast  
corner thereof, as measured  
along said North line; thence  
Southerly along a line perpen-  
dicular to the North line of the  
SE $\frac{1}{4}$  of said Section 22, a distance  
of 40 feet; thence Westerly along  
a line 40 feet South of and parallel  
to the North line of the SE $\frac{1}{4}$  of  
said Section 22, to a point 887.36  
feet East of the West line thereof;  
thence Northerly along a line  
887.36 feet East of and parallel to  
the West line of the SE $\frac{1}{4}$  of said  
Section 22, a distance of 40 feet, to  
a point on the North line thereof;  
thence Easterly, along the North  
line of the SE $\frac{1}{4}$  of said Section 22,  
to the point of beginning.

19-534. INCORPORATION BY  
REFERENCE. Section 2. A copy  
of said Roadway Easement is at-  
tached to the original ordinance  
and thereby incorporated by  
reference.

TAKE EFFECT. Section 3. This  
ordinance shall take effect and be  
in force from and after its  
publication in the official City  
newspaper.

First Reading: 12/18/78 Second  
Reading: 1/2/79

Passed by the Governing Body  
this 2nd day of January, 1979.

Approved by the Mayor this 2nd  
day of January, 1979.

(SEAL)

(s) Eugene E. Ah, Mayor

Attest:

(s) J. Oberlander, Clerk

APPROVED FOR  
(s) Larry Winn III, City

APPROVED FOR CONTENT  
(s) Kent E. Crippin, Chr., Or-  
dinance Comm. (3W)

ORDINANCE NO. 622

AN ORDINANCE ESTABLISHING THE POSITION, DUTIES, RESPONSIBILITIES AND AUTHORITY OF THE CITY ADMINISTRATOR AND REPEAL OF SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 1-422 and 1-423 of Ordinance No. 512 of the Revised Ordinances of the City of Leawood, Kansas as passed March 15, 1976 are hereby repealed and the following enacted in lieu thereof:

PREAMBLE: Section 2. Establishment of the position of City Administrator has as its objectives the providing of professional management of the affairs of the City by a trained Administrator selected on the basis of merit with significant experience; to provide creative initiative in the formulation of public policy alternatives; and, upon adoption, the City Administrator has the responsibility for their uniform application.

1-422 ESTABLISHMENT OF THE POSITION OF CITY ADMINISTRATOR. Section 3. There is hereby established the position of City Administrator.

1-423 QUALIFICATIONS. Section 4. The City Administrator shall be a graduate of an accredited college or university with a masters degree in public or business administration, urban planning or related field. The Governing Body may consider equivalent education, training and experience. Experience shall consist of not less than 3 years in municipal management or administration. The Administrator shall be knowledgeable of principles, practices, and techniques of municipal administration, administrative, legislative and social research; federal and state laws and regulations underlying municipal organization; programs and services and ability to research, organize and present in writing or oral form, information, reports and recommendations and an ability to establish and maintain effective working relationships with the elected and appointed officials, associates and representatives of other units of government, business interests and the public.

1-424 APPOINTMENT. Section 5. The Mayor by and with the consent of the City Council shall appoint the City Administrator.

1-425 TERM OF OFFICE. Section 6. The term of office of the City Administrator shall be for a term of one year and until a successor is appointed or qualified provided by K.S.A. (1975) 14-201 and 14-305.

1-426 REMOVAL FROM OFFICE. Section 7. Removal of the City Administrator from office shall be in accordance with Section 1-406, a and b, of Chapter I, Article 4 of the Revised Ordinances of the City of Leawood, 1973 and amendments thereto.

1-427 SUPERVISION OF CITY ADMINISTRATOR. Section 8. The City Administrator shall be under the general supervision of the Mayor as provided by K.S.A. (1975) 14-301 and 14-305.

*Repealed by Ord. 642, 9/6/79*

1-428. DUTIES AND RESPONSIBILITIES. Section 9. The City Administrator shall be primarily responsible for the following:

1. Coordination between all major City departments including administration, public works, recreation, police, fire, building and development and such other operations as assigned by the Mayor and the City Council.
2. Coordinate the dissemination of information so that all input from City departments is presented to the Governing Body in a concise and organized manner.
3. The general administration of the City's ordinances dealing with personnel administration, including recommendations to the Mayor and Council for changes and modifications of said ordinances.
4. The preparation of the annual operating budget and long-range capital improvement budget with authority to obtain information from all departments. In addition, the City Administrator shall submit monthly and annual financial reports of all revenue and expenditures and the status of all City funds and accounts.
5. The coordination through the City departments of a systematic purchasing policy.
6. The City Administrator shall supervise preparation of the Council agenda. The City Administrator shall bring to the Council's attention any item which has been pending for more than sixty days with no action having been taken.
7. Meet with heads of any department, individually or collectively, with the purpose of facilitating City business through departmental coordination.
8. Attendance at all meetings of the Governing Body, with authority to participate in discussion of matters before the Body but shall have no authority to vote thereon.
9. General responsibility for the coordination of relationships between the City and other governmental units and agencies.
10. Such other related duties as may be assigned by the Governing Body.

*... pending by Ord. 142, 8/10/17*

1-429 VALIDATION OF ORDINANCE. Section 10. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

*repealed by Ord. 142, 8/6/79*

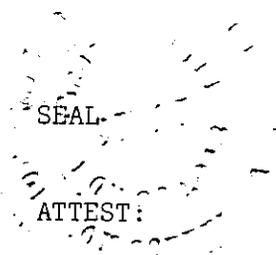
~~1-430~~ EFFECTIVE DATE Section 11. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First reading 11/6/78 Second reading 1/2/79

Passed by the Governing Body this 2nd day of January, 1979

Approved by the Mayor this 8th day of January, 1979

*Eugene E. Alt*  
Eugene E. Alt, Mayor



*J. Oberlander*  
J. Oberlander, City Clerk

APPROVED FOR FORM *[Signature]* City Attorney  
Libby Winn III

APPROVED FOR CONTENT *[Signature]* Chairman, Ordinance Committee  
Kent C. Crippin

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,  
Deposes and says: That he is  
Editor of THE JOHNSON COUNTY SUN,  
a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)  
State of Kansas, and published in and of general circulation  
in JOHNSON County, Kansas, with a general  
paid circulation on a yearly  
(daily, weekly, monthly, yearly)  
basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)  
published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

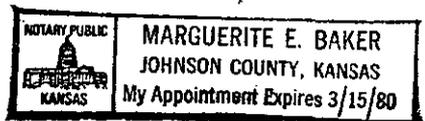
That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)  
the first publication thereof being made as aforesaid on the  
10th day of January, 1979, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
Mark Anson

Subscribe and sworn to before me this 10th day of  
January, 1979.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 32.70  
Additional copies \$ \_\_\_\_\_



ORDINANCE NO. 622

AN ORDINANCE ESTABLISHING THE POSITION, DUTIES, RESPONSIBILITIES AND AUTHORITY OF THE CITY ADMINISTRATOR AND REPEAL OF SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 1-422 and 1-423 of Ordinance No. 512 of the Revised Ordinances of the City of Leawood, Kansas as passed March 15, 1976 are hereby repealed and the following enacted in lieu thereof:

PREAMBLE: Section 2. Establishment of the position of City Administrator has as its objectives the providing of professional management of the affairs of the City by a trained Administrator selected on the basis of merit with significant experience; to provide creative initiative in the formulation of public policy alternatives; and, upon adoption, the City Administrator has the responsibility for their uniform application.

1-422 ESTABLISHMENT OF THE POSITION OF CITY ADMINISTRATOR. Section 3. There is hereby established the position of City Administrator.

1-423 QUALIFICATIONS. Section 4. The City Administrator shall be

a graduate of an accredited college or university with a masters degree in public or business administration, urban planning or related field. The Governing Body may consider equivalent education, training and experience. Experience shall consist of not less than 3 years in municipal management or administration. The Administrator shall be knowledgeable of principles, practices, and techniques of municipal administration, administrative, legislative and social research; federal and state laws and regulations underlying municipal organization; programs and services and ability to research, organize and present in writing or oral form, information, reports and recommendations and an ability to establish and maintain effective working relationships with the elected and appointed officials, associates and representatives of other units of government, business interests and the public.

1-424 APPOINTMENT. Section 5. The Mayor by and with the consent of the City Council shall appoint the City Administrator.

1-425 TERM OF OFFICE. Section 6. The term of office of the City Administrator shall be for a term of one year and until a successor is appointed or qualified provided by K.S.A. (1975) 14-201 and 14-305.

1-426 REMOVAL FROM OFFICE. Section 7. Removal of the City Administrator from office shall be in accordance with Section 1-406, a and b, of Chapter 1, Article 4 of the Revised Ordinances of the City of Leawood, 1973 and amendments thereto.

1-427 SUPERVISION OF CITY ADMINISTRATOR. Section 8. The City Administrator shall be under the general supervision of the Mayor as provided by K.S.A. (1975) 14-301 and 14-305.

1-428. DUTIES AND RESPONSIBILITIES. Section 9. The City Administrator shall be primarily responsible for the following:

1. Coordination between all major City departments including administration, public works, recreation, police, fire, building and development and such other operations as assigned by the Mayor and the City Council.

2. Coordinate the dissemination of information so that all input from City departments is presented to the Governing Body in a concise and organized manner.

3. The general administration of the City's ordinances dealing with personnel administration, including recommendations to the Mayor and Council for changes and modifications of said ordinances.

4. The preparation of the annual operating budget and long-range capital improvement budget with authority to obtain information from all departments. In addition, the City Administrator shall submit monthly and annual financial reports of all revenue and expenditures and the status of all City funds and accounts.

5. The coordination through the City departments of a systematic purchasing policy.

6. The City Administrator shall supervise preparation of the Council agenda. The City Administrator shall bring to the Council's attention any item which has been pending for more than sixty days with no action having been taken.

7. Meet with heads of any department, individually or collectively, with the purpose of facilitating City business through departmental coordination.

8. Attendance at all meetings of the Governing Body, with authority to participate in discussion of matters before the Body but shall have no authority to vote thereon.

9. General responsibility for the coordination of relationships between the City and other governmental units and agencies.

10. Such other related duties as may be assigned by the Governing Body.

1-429 VALIDATION OF ORDINANCE. Section 10. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

EFFECTIVE DATE Section 11. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First reading 11/6/78 Second reading 1/2/79

Passed by the Governing Body this 2nd day of January, 1979

Approved by the Mayor this 8th day of January, 1979

(s) Eugene E. Alt, Mayor

SEAL

ATTEST:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM  
(s) Larry Winn III City Attorney

APPROVED FOR CONTENT  
(s) Kent E. Crippin Chairman, Ordinance Committee

(3W)

ORDINANCE NO. 621 ~~Repealed by Ord. #839~~  
CODE OF 1984  
Effective 12/21/84

AN ORDINANCE RELATING TO THE REPEAL OF THE REGULATION OF WAGES AND SALARIES FOR RECREATION DEPARTMENT EMPLOYEES.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION: Section 1. Ordinance No. 597 as adopted July 25, 1978, is hereby repealed.

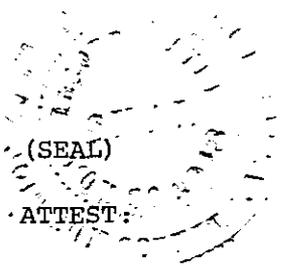
TAKE EFFECT. Section 2. This ordinance shall take effect and be in force January 1, 1979 after its publication in the official City newspaper.

First Reading: 12/18/78 Second Reading: 12/18/78

Passed by the Governing Body this 18th day of December, 1978, the Council having deemed this to be an emergency matter.

Approved by the Mayor this 19th day of December, 1978

Eugene E. Alt  
Eugene E. Alt, Mayor



J. Oberlander  
Oberlander, City Clerk

Approved for Form: Larry Winn III, City Attorney

Approved For Content: Kent E. Crippin, Chr., Ord. Comm.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,  
Deposes and says: That he is  
Editor of THE JOHNSON COUNTY SUN,  
a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)  
State of Kansas, and published in and of general circulation  
in JOHNSON County, Kansas, with a general  
paid circulation on a yearly  
(daily, weekly, monthly, yearly)  
basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)  
published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
27th day of December, 1978, with  
subsequent publications being made on the following dates:

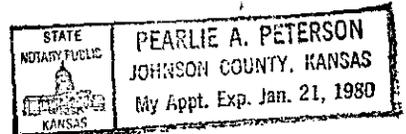
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 27 day of  
December, 1978.

Pearlie A. Peterson  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 7.50  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson  
County Sun Wednesday,  
December 27, 1978.

ORDINANCE NO. 621

AN ORDINANCE RELATING TO  
THE REPEAL OF THE  
REGULATION OF WAGES AND  
SALARIES FOR RECREATION  
DEPARTMENT EMPLOYEES.

Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:

REPEAL OF SECTION: Section  
1. Ordinance No. 597 as adopted  
July 25, 1978, is hereby repealed.

TAKE EFFECT: Section 2. This  
Ordinance shall take effect and be  
in force January 1, 1979 after its  
publication in the official City  
newspaper.

First Reading: 12/18/78 Second  
Reading: 12/18/78

Passed by the Governing Body  
this 18th day of December, 1978,  
the Council having deemed this to  
be an emergency matter.

Approved by the Mayor this 19th  
day of December, 1978

(s) Eugene E. Ait, Mayor

(SEAL)

ATTEST:

(s) J. Oberlander, City Clerk

Approved for Form: (s) Larry  
Winn III, City Attorney

Approved For Content: (s) Kent  
E. Crippin, Chr., Ord. Comm.

ORDINANCE NO. 620

AN ORDINANCE RELATING TO ACCEPTANCE OF TWO EASEMENTS FOR SEWER PURPOSES FROM KROH BROTHERS DEVELOPMENT COMPANY.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-635. ACCEPTANCE OF TWO EASEMENTS FOR SEWER PURPOSES. Section 1. The Governing Body of the City of Leawood, Kansas does hereby accept two easements from Kroh Brothers Development Company, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, easements or rights of way to enter upon, locate, construct and maintain or to authorize the location, construction and maintenance of sewer mains, over, under, across and along the following described land, located in the County of Johnson, State of Kansas, to serve the Leawood Office Park, located at 89th and State Line Road - West side:

EXHIBIT A PERMANENT EASEMENT:

A ten (10') foot wide strip of land across a part of the North 1/2 of the Fractional Section 35, Township 12, Range 25, in the City of Leawood, Johnson County, Kansas; said strip of land located five (5') feet on each side of a centerline described as follows: Commencing at the Southeast Corner of a tract of land described as: All that part of the North 1/2 of fractional Section 35, Township 12, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the intersection of the West line of the Missouri-Kansas State Line Road with the East-West center line of the North half of Fractional Section 35; thence South 00° -40'-27" East, along the West line of said road, 115.44 feet; thence South 89°-19'-33", West, 2.32 feet; thence Westerly and Northwesterly along a line following a curve bearing to the right having a radius of 245 feet, common to the last described course, 174.93 feet to a point of reverse curve; thence continuing Northwesterly along a line following a curve bearing to the left having a radius of 345 feet whose initial tangent bears North 49°-45'-57" West, 74.97 feet; thence North 00°-01'-51" East, 165.14 feet; thence North 29°-33'-47" West, 175.50 feet; thence South 89°-55'-13" East, 306.10 feet to a point in the West line of said State Line Road; thence South 00°-51'-26" East along said right-of-way line, 301.74 feet to the point of beginning, containing 91,619 square feet of area.

The above described tract of land is subject to a utility easement granted to Water District No. 1 of Johnson County, Kansas, filed for record March 16, 1971, recorded in Book 215 at Page 329, being all of the most Easterly 10 feet of said Tract 6, laying adjacent to the West line of said State Line Road and now existing running in an East-West direction are overhead wires both telephone and power in that part of now vacated 89th Street; thence North along the East property line, North 00°40'27" West a distance of 115.44 feet; thence North 00°51'26" West a distance of 285.05 feet; thence South 89°08'34" West a distance of 154.33 feet to the TRUE POINT OF BEGINNING OF THE PERMANENT EASEMENT HEREIN DESCRIBED; thence South 4°26'47" East a distance of 324.19 feet; thence South 43°10'53" East to a point on the South property line of the said tract of land, said point to be the end of this Permanent Easement herein described.

CONSTRUCTION (TEMPORARY) EASEMENT

A thirty (30') foot wide strip of land located fifteen (15') feet on each side of the centerline of the Permanent Easement herein described.

EXHIBIT A PERMANENT EASEMENT (2)

A ten (10') foot wide strip of land across a part of the South 1/2 of the North 1/2 of the Fractional Section 35, Township 12, Range 25, in the City of Leawood, Johnson County, Kansas; said strip of land located five (5') feet on each side of a centerline described as follows: Commencing at the Northeast corner of a tract of land conveyed to City Bond and Mortgage Company on October 7, 1976, recorded in Book 1156, page 638-41 in the Johnson County Recorders office; thence South along the East property line of the said tract of land a bearing South of 00°40'22" East a distance of 492.83 feet to the TRUE POINT OF BEGINNING OF THE CENTERLINE OF THE PERMANENT EASEMENT HEREIN DESCRIBED: thence North 12°45'27" West a distance of 76.42 feet; thence North 00°40'22" West a distance of 400 feet, said line being parallel and 16 feet West of the East property line of the said tract of land; thence North 43°10'53" West to a point on the North property line of the said tract of land, said point to be the end of the centerline of this Permanent Easement herein described.

CONSTRUCTION (TEMPORARY) EASEMENT

A thirty (30') foot wide strip of land located fifteen (15') feet on each side of the centerline of the Permanent Easement herein described.

19-636 INCORPORATION BY REFERENCE. Section 2. Copies of the two (2) said easements are attached to the original of this ordinance and thereby incorporated by reference.

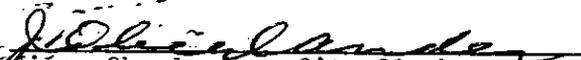
TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

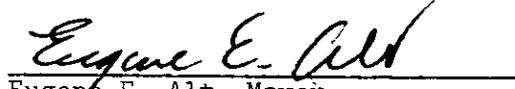
First Reading 12/4/78 Second Reading 12/18/78

Passed by the City Council this 18th day of December, 1978.

Approved by the Mayor this 19th day of December, 1978.

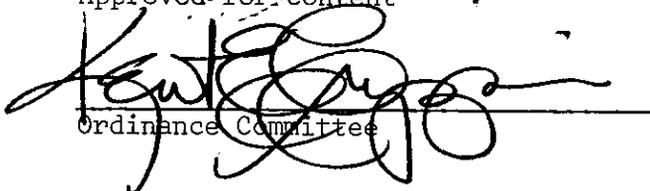
Attest:

  
Ginny Oberlander, City Clerk

  
Eugene E. Alt, Mayor

Approved for Content

Approved for Form

  
Ordinance Committee

  
City Attorney

RIGHT-OF-WAY GRANT

R-O-W #

KNOW ALL MEN BY THESE PRESENTS, That

KROH BROTHERS DEVELOPMENT COMPANY

of the Post Office of Kansas City, Missouri  
in the State of

in consideration of One Dollars (\$ 1.00 ) in hand paid and other valuable consideration, receipt of which is hereby acknowledged, hereby grant and convey unto the City of Leawood, Johnson County, Kansas

THEREIN, its successors and assigns, a Right-of-way to lay, construct, maintain, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through the following premises in the County of Johnson in the State of Kansas, to-wit:

SEE ATTACHED

EXHIBITS A & B

*89th & State Line - West side*

This grant is a permanent easement for the purpose aforesaid and full consideration therefore is acknowledged; provided however, if a temporary construction easement is granted herein, then the period of said temporary easement shall be no longer than one year from the date of acceptance of construction of sewers within said Sewer District.

All sod damaged by the installation of said line or by making future repairs or in removing said property, shall be replaced by grantee. Grantor agree that the planting of any trees or placing of other improvements on said permanent right-of-way will be done at the risk of subsequent damage thereto without compensation therefore.

This agreement is binding upon the heirs, executors, administrators, successors, and assigns of the parties hereto, and it is understood that this agreement cannot be changed in any way except in writing, signed by the grantor and a duly authorized agent of the grantee.

IN WITNESS WHEREOF the grantor ha 5 hereunto set its hand and seal on this, the 24 day of October, 1974.

ATTEST:

*A.T. Wheeler Jr*  
A.T. WHEELER JR  
A.T. Wheeler, Jr.

Kroh Brothers Development Company

By: *John A. Kroh Jr*  
JOHN A. KROH JR  
John A. Kroh, Jr.

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1979 JAN 8 AM 8 36

8.00  
RUBIE M. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

SANITARY SEWER EASEMENT

## PERMANENT EASEMENT:

A ten (10') foot wide strip of land across a part of the South 1/2 of the North 1/2 of the Fractional Section 35, Township 12, Range 25, in the City of Leawood, Johnson County, Kansas; said strip of land located five (5') feet on each side of a centerline described as follows: Commencing at the Northeast Corner of a tract of land conveyed to City Bond and Mortgage Company on October 7, 1976, recorded in Book 1156, Page 638-41 in the Johnson County Recorders office; thence South along the East property line of the said tract of land a bearing South  $00^{\circ}40'22''$  East a distance of 492.83 feet to the TRUE POINT OF BEGINNING OF THE CENTERLINE OF THE PERMANENT EASEMENT HEREIN DESCRIBED: thence North  $12^{\circ}45'27''$  West a distance of 76.42 feet; thence North  $00^{\circ}40'22''$  West a distance of 400 feet, said line being parallel and 16 feet West of the East property line of the said tract of land; thence North  $43^{\circ}10'53''$  West to a point on the North property line of the said tract of land, said point to be the end of the centerline of this Permanent Easement herein described.

## CONSTRUCTION (TEMPORARY) EASEMENT:

A thirty (30') foot wide strip of land located fifteen (15') feet on each side of the centerline of the Permanent Easement herein described.



RIGHT-OF-WAY GRANT

R-O-W # \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, That \_\_\_\_\_

KROH BROTHERS DEVELOPMENT COMPANY

of the Post Office of Kansas City, Missouri  
in the State of Missouri, in consideration of  
One Dollars (\$ 1.00 ) in hand paid and other val-  
uable consideration, receipt of which is hereby acknowledged, hereby grant  
and convey unto City of Leawood, Kansas

THEREIN, its successors and assigns, a Right-  
of-Way to lay, construct, maintain, alter, repair, replace, and operate one or  
more sewer lines and all appurtenances convenient for the collection of sanitary  
sewage, together with the right of ingress and egress, over and through the  
following premises in the County of Johnson in the State of Kansas, to-wit:

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS.  
FILED FOR RECORD

1979 JAN 8 AM 8 36 7

SEE ATTACHED

EXHIBITS A & B

8:00 CURIE K. SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

*89th & State Line - west side*

This grant is a permanent easement for the purpose aforesated and full consid-  
eration therefore is acknowledged; provided however, if a temporary construction  
easement is granted herein, then the period of said temporary easement shall be no  
longer than one year from the date of acceptance of construction of sewers within  
said \_\_\_\_\_

All sod damaged by the installation of said line or by making future repairs or  
in removing said property, shall be replaced by grantee. Grantor agree that  
the planting of any trees or placing of other improvements on said permanent  
right-of-way will be done at the risk of subsequent damage thereto without com-  
pensation therefore.

This agreement is binding upon the heirs, executors, administrators, successors,  
and assigns of the parties hereto, and it is understood that this agreement can-  
not be changed in any way except in writing, signed by the grantor and a duly  
authorized agent of the grantee.

IN WITNESS WHEREOF the grantor ha 2 hereunto set its hand and seal  
on this, the 24 day of October, 1978.

ATTEST



*A. T. Wheeler, Jr.*  
A.T. WHEELER JR  
A.T. Wheeler, Jr.

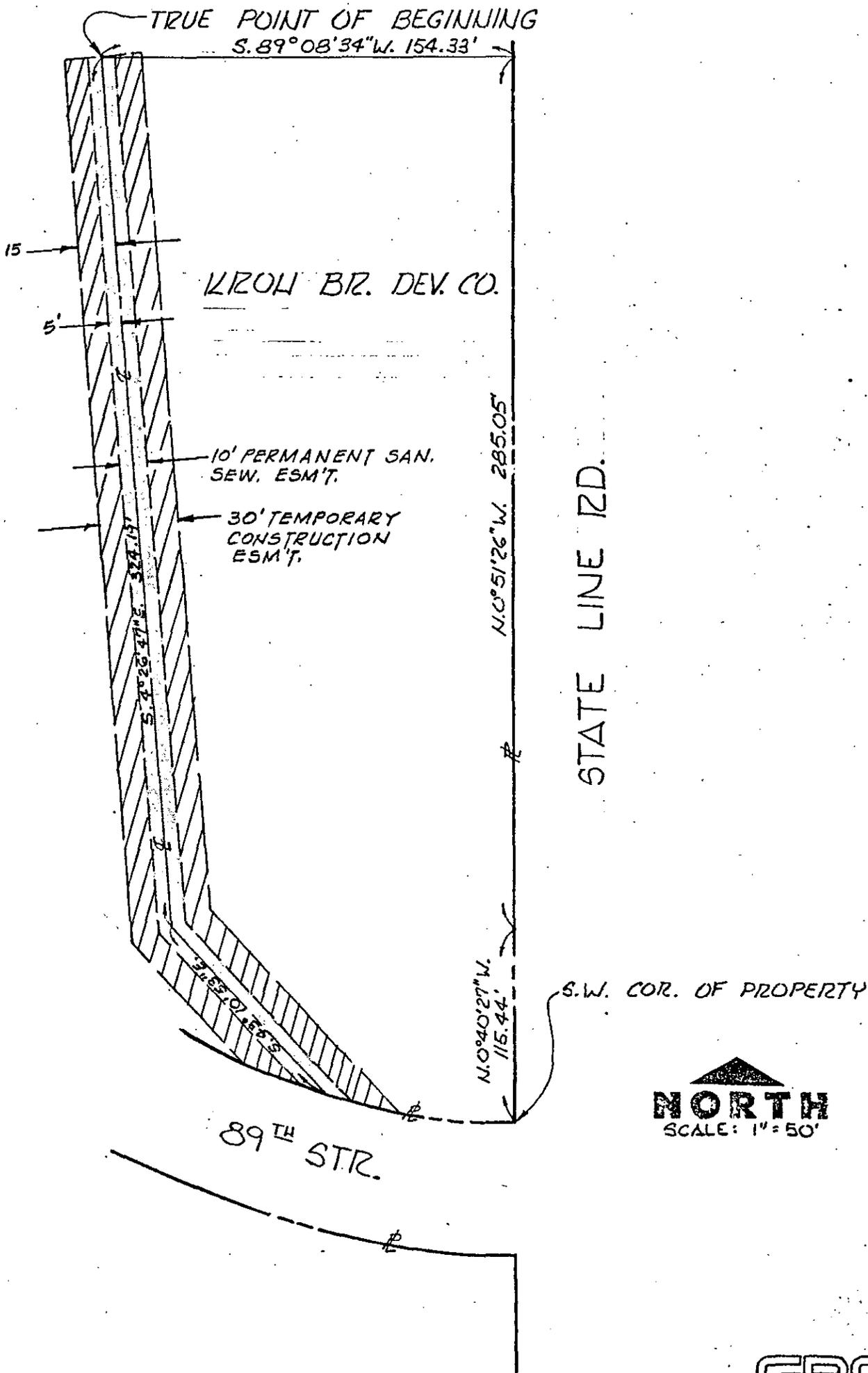
Kroh Brothers Development Company

By: *John A. Kroh, Jr.*  
JOHN A. KROH JR  
John A. Kroh, Jr.

# SANITARY SEWER EASEMENT

## CITY OF LEAWOOD, KANSAS

A PART OF  
SECTION 35, TOWNSHIP 12 SOUTH, RANGE 25 EAST  
JOHNSON COUNTY, KANSAS



SANITARY SEWER EASEMENT

To be obtained from: Kroh Brothers Development Company

PERMANENT EASEMENT

A ten (10') foot wide strip of land across a part of the North 1/2 of the Fractional Section 35, Township 12, Range 25, in the City of Leawood, Johnson County, Kansas; said strip of land located five (5') feet on each side of a centerline described as follows: Commencing at the Southeast Corner of a tract of land described as: All that part of the North 1/2 of fractional Section 35, Township 12, Range 25, in the city of Leawood, Johnson County, Kansas, described as follows: Beginning at the intersection of the West line of the Missouri-Kansas State Line Road with the East-West center line of the North half of fractional Section 35; thence South 00°-40'-27" East; along the West line of said road, 115.44 feet; thence South 89°-19'-33" West, 2.32 feet; thence Westerly and Northwesterly along a line following a curve bearing to the right having a radius of 245 feet, common to the last described course, 174.93 feet to a point of reverse curve; thence continuing Northwesterly along a line following a curve bearing to the left having a radius of 345 feet whose initial tangent bears North 49°-45'-57" West, 74.97 feet; thence North 00°-01'-51" East, 165.14 feet; thence North 29°-33'-47" West, 175.50 feet; thence South 89°-55'-13" East, 306.10 feet to a point in the West line of said State Line Road; thence South 00°-51'-26" East, along said right-of-way line, 301.74 feet to the point of beginning, containing 91,619 square feet of area.

The above described tract of land is subject to a utility easement granted to Water District No. 1 of Johnson County, Kansas, filed for record March 16, 1971, recorded in Book 215 at page 329, being all of the most Easterly 10 feet of said Tract 6, lying adjacent to the West line of said State Line Road and now existing running in an East-West direction are overhead wires both telephone and power in that part of now vacated 89th Street; thence North along the East property line, North 00°40'27" West a distance of 115.44 feet; thence North 00°51'26" West a distance of 285.05 feet; thence South 89°08'34" West a distance of 154.33 feet to the TRUE POINT OF BEGINNING OF THE PERMANENT EASEMENT HEREIN DESCRIBED: thence South 4°26'47" East a distance of 324.19 feet; thence South 43°10'53" East to a point on the South property line of the said tract of land, said point to be the end of this Permanent Easement herein described.

CONSTRUCTION (TEMPORARY) EASEMENT

A thirty (30') foot wide strip of land located fifteen (15') feet on each side of the centerline of the Permanent Easement herein described.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,  
Deposes and says: That he is  
Editor of THE JOHNSON COUNTY SUN,  
a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)  
State of Kansas, and published in and of general circulation  
in JOHNSON County, Kansas, with a general  
paid circulation on a yearly  
(daily, weekly, monthly, yearly)  
basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)  
published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
27th day of December, 1978, with  
subsequent publications being made on the following dates:

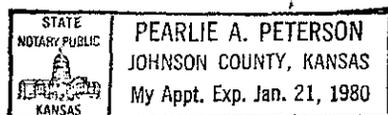
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this 27 day of  
December, 1978.

Pearlie A. Peterson  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 31.95  
Additional copies \$ \_\_\_\_\_



ORDINANCE NO. 620

AN ORDINANCE RELATING TO ACCEPTANCE OF TWO EASEMENTS FOR SEWER PURPOSES FROM KROH BROTHERS DEVELOPMENT COMPANY.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-635. ACCEPTANCE OF TWO EASEMENTS FOR SEWER PURPOSES. Section 1. The Governing Body of the City of Leawood, Kansas does hereby accept two easements from Kroh Brothers Development Company, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, easements or rights of way to enter upon, locate, construct and maintain or to authorize the location, construction and maintenance of sewer mains, over, under, across and along the following described land, located in the County of Johnson, State of Kansas, to serve the Leawood Office Park, located at 89th and State Line Road - West side:

EXHIBIT A PERMANENT EASEMENT:

A ten (10') foot wide strip of land across a part of the North 1/2 of the Fractional Section 35, Township 12, Range 25, in the City of Leawood, Johnson County, Kansas; said strip of land located five (5') feet on each side of a centerline described as follows: Commencing at the Southeast Corner of a tract of land described as: All that part of the North 1/2 of fractional Section 35, Township 12, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at the intersection of the West line of the Missouri-Kansas State Line Road with the East-West center line of the North half of Fractional Section 35; thence South 00° 40'-27" East, along the West line of said road, 115.44 feet; thence South 89° -19'-33", West, 2.32 feet; thence Westerly and Northwesterly along a line following a curve bearing to the right having a radius of 245 feet, common to the last described course, 174.93 feet to a point of reverse curve; thence continuing Northwesterly along a line following a curve bearing to the left having a radius of 345 feet whose initial tangent bears North 49° - 45'-57" West, 74.97 feet; thence North 00° -01'-51" East, 165.14 feet; thence North 29° -33'-47" West, 175.50 feet; thence South 89° -55'-13" East, 306.10 feet to a point in the West line of said State Line Road; thence South 00° -51'-26" East along said right-of-way line, 301.74 feet to the point of beginning, containing 91,619 square feet of area.

The above described tract of land is subject to a utility easement granted to Water District No. 1 of Johnson County, Kansas, filed for record March 16, 1977, recorded in Book 215 at Page 329, being all of the most Easterly 10 feet of said Tract 6, lying adjacent to the West line of said State Line Road and now existing running in an East-West direction are overhead wires both telephone and power in that part of now vacated 89th Street; thence North along the East property line, North 00° -40'-27" West a distance of 115.44 feet; thence North 00° -51'-26" West a distance of 285.05 feet; thence South 89° -08'-34" West a distance of 154.33 feet to the TRUE POINT OF BEGINNING OF THE PERMANENT EASEMENT HEREIN DESCRIBED: thence South 4°26'47" East a distance of 224.19 feet; thence South 43°10'53" East to a point on the South property line of

the said tract of land, said point to be the end of this Permanent Easement herein described.

CONSTRUCTION (TEMPORARY) EASEMENT

A thirty (30') foot wide strip of land located fifteen (15') feet on each side of the centerline of the Permanent Easement herein

EXHIBIT A PERMANENT EASEMENT (2)

A ten (10') foot wide strip of land across a part of the South 1/2 of the North 1/2 of the Fractional Section 35, Township 12, Range 25, in the City of Leawood, Johnson County, Kansas; said strip of land located five (5') feet on each side of a centerline described as follows: Commencing at the Northeast corner of a tract of land conveyed to City Bond and Mortgage Company on October 7, 1976, recorded in Book 1156, page 638-41 in the Johnson County Recorders office; thence South along the East property line of the said tract of land a bearing South of 00° -40'-27" East a distance of 492.63 feet to the TRUE POINT OF BEGINNING OF THE CENTERLINE OF THE PERMANENT EASEMENT HEREIN DESCRIBED: thence North 12° -45'-27" West a distance of 76.42 feet; thence North 00° -40'-27" West a distance of 400 feet, said line being parallel and 16 feet West of the East property line of the said tract of land; thence North 43° -10'-53" West to a point on the North property line of the said tract of land, said point to be the end of the centerline of this Permanent Easement herein described.

CONSTRUCTION (TEMPORARY) EASEMENT:

A thirty (30') foot wide strip of land located fifteen (15') feet on each side of the centerline of the Permanent Easement herein described.

19-636 INCORPORATION BY REFERENCE. Section 2. Copies of the two (2) said easements are attached to the original of this ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading 12/4/78 Second Reading 12/18/78

Passed by the City Council this 18th day of December, 1978.

Approved by the Mayor this 19th day of December, 1978.

(s) Eugene E. Alt, Mayor

Attest: [Signature] City Clerk

[Signature] Content

Approved for Form

[Signature] Ordinance Committee

(s) Larry Winn III City Attorney

Repealed by Ord. #839

ORDINANCE NO. 619 CODE OF 1984  
Effective 12/21/84

AN ORDINANCE RELATING TO CITY OFFICERS ELECTED; TERM; QUALIFICATIONS;  
AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 6-101 of the Revised Ordinances, as established by Charter Ordinance No. 6, is hereby repealed and the following enacted in lieu thereof:

6-101. OFFICERS ELECTED; TERM; QUALIFICATIONS. Section 2. There shall be elected on the first Tuesday in April of each year one (1) councilman from each of the wards in the City as hereinafter provided. There shall be elected a mayor on the first Tuesday in April of every odd numbered year.

The mayor and councilmen shall hold their offices for a term of two (2) years and shall be qualified electors of the City under the Constitution of the State of Kansas.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after the effective date of Charter Ordinance No. 13.

First Reading: 11/6/78 Second Reading: 12/4/78

Passed by the Governing Body this 4th day of December, 1978.

Approved by the Mayor this 4th day of December, 1978.

(S E A L)

Eugene E. Alt  
Eugene E. Alt Mayor

Attest:

J. Oberlander  
J. Oberlander City Clerk

APPROVED FOR FORM: Larry Winn III, City Attorney

APPROVED FOR CONTENT: Kent E. Crippin, Chr., Ord. Comm.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly -  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
6th day of December, 1978, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 10.65  
Additional copies \$ \_\_\_\_\_



First Published in ~~the~~ ~~Journal~~  
County Sun, Wednesday,  
December 6, 1978.

**ORDINANCE NO. 619**

**AN ORDINANCE RELATING TO  
CITY OFFICERS, ELECTED;  
TERM; QUALIFICATIONS;  
AND REPEAL OF SECTION.**

**Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:**

**REPEAL OF SECTION.** Section  
1. Section 6-101 of the Revised Or-  
dinances, as established by  
Charter Ordinance No. 6, is here-  
by repealed and the following  
enacted in lieu thereof:

**6-101. OFFICERS ELECTED;  
TERM; QUALIFICATIONS.** Sec-  
tion 2. There shall be elected on  
the first Tuesday in April of each  
year one (1) councilman from  
each of the wards in the City as  
hereinafter provided. There shall  
be elected a mayor on the first  
Tuesday in April of every odd  
numbered year.

The mayor and councilmen  
shall hold their offices for a term  
of two (2) years and shall be  
qualified electors of the City un-  
der the Constitution of the State of  
Kansas.

**TAKE EFFECT.** Section 3. This  
ordinance shall take effect and be  
in force from and after the effec-  
tive date of Charter Ordinance  
No. 13.

First Reading: 11/6/78. Second  
Reading: 12/4/78.

Passed by the Governing Body  
this 4th day of December, 1978.

Approved by the Mayor this 4th  
day of December, 1978.

(s) Eugene E. Alt, Mayor

(SEAL)

Attest:

(s) J. Oberlander, City Clerk

**APPROVED FOR FORM:**

(s) Larry Winquist, City Attorney

**APPROVED FOR COMMENT:**

(s) Kent E. Crippin  
Chr., Ord. Comm.

(97W)

ORDINANCE NO. 618

AN ORDINANCE RELATING TO CITY OFFICERS APPOINTED; DATE OF APPOINTMENT; AND REPEAL OF SECTION.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTION. Section 1. Section 1-401 of the Revised Ordinances, as established by Ordinance No. 509, is hereby repealed and the following enacted in lieu thereof:

1-401. OFFICERS APPOINTED; DATE OF APPOINTMENT. Section 2. The Mayor shall, at the first regular meeting of the City Council in May of each year, by and with the consent of the Governing Body, appoint the following officers: Fire Chief, City Marshal who shall be Chief of Police, City Treasurer, City Attorney, Assistant City Attorney, City Administrator, Chief Building Official, City Engineer, Assistant City Engineer, City Architect, Assistant City Architect, City Clerk, and Municipal Judge.

With reference to the position of Municipal Judge however, the appointment of a judicial selection committee under Section 9-102.2 shall be required only if the incumbent Judge appointed under Section 9-102.1 et seq. is not to be reappointed or if there exists a vacancy in the office of Municipal Judge.

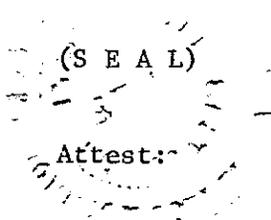
The City Clerk shall enter every appointment to office and the date thereof on the journal of proceedings.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after the effective date of Charter Ordinance No. 13.

First Reading: 11/6/78 Second Reading: 12/4/78

Passed by the Governing Body this 4th day of December, 1978.

Approved by the Mayor this 4th day of December, 1978.



Eugene E. Alt  
Eugene E. Alt Mayor

Attest:  
J. Oberlander  
J. Oberlander City Clerk

APPROVED FOR FORM: Larry Winn, City Attorney

APPROVED FOR CONTENT: Kent E. Crippin, Chr., Ordinance Comm.

*Handwritten notes:*  
12/4/78  
11/6/78  
11/6/78

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
6th day of December, 1978, with  
subsequent publications being made on the following dates:

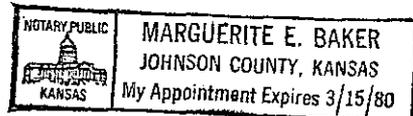
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 13.05  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson  
County Sun, Wednesday,  
December 6, 1978.

**ORDINANCE NO. 618**

**AN ORDINANCE RELATING TO  
CITY OFFICERS APPOINTED;  
DATE OF APPOINTMENT;  
AND REPEAL OF SECTION.**

Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:

**REPEAL OF SECTION.** Section  
1. Section 1-401 of the Revised Or-  
dinances, as established by Or-  
dinance No. 509, is hereby  
repealed and the following  
enacted in lieu thereof:

**1-401. OFFICERS APPOINTED;  
DATE OF APPOINTMENT.** Sec-  
tion 2. The Mayor shall, at the  
first regular meeting of the City  
Council in May of each year, by  
and with the consent of the  
Governing Body, appoint the  
following officers: Fire Chief,  
City Marshal who shall be Chief of  
Police, City Treasurer, City At-  
torney, Assistant City Attorney,  
City Administrator, Chief  
Building Official, City Engineer,  
Assistant City Engineer, City  
Architect, Assistant City  
Architect, City Clerk, and  
Municipal Judge.

With reference to the position of  
Municipal Judge however, the ap-  
pointment of a judicial selection  
committee under Section 9-102.2  
shall be required only if the in-  
cumbent Judge appointed under  
Section 9-102.1 et seq. is not to be  
reappointed or if there exists a  
vacancy in the office of Municipal  
Judge.

The City Clerk shall enter every  
appointment to office and the date  
thereof on the journal of  
proceedings.

**TAKE EFFECT.** Section 3. This  
ordinance shall take effect and be  
in force from and after the effec-  
tive date of Charter Ordinance  
No. 13.

First Reading: 11/6/78. Second  
Reading: 12/4/78.

Passed by the Governing Body  
this 4th day of December, 1978.

Approved by the Mayor this 4th  
day of December, 1978.

(s) Eugene E. Alt, Mayor

(SEAL)

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM:

(s) [Redacted] City Attorney

APPROVED FOR CONTENT:

(s) Kent E. Crippin,  
Chr., Ordinance Comm.

ORDINANCE NO. 617

Repealed by Ord. #839  
CODE OF 1984  
Effective 12/21/84

AN ORDINANCE RELATING TO THE MUNICIPAL JUDGE; QUALIFICATIONS; SELECTION;  
VACANCY IN OFFICE; AND REPEAL OF SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS. Section 1. Sections 9-102.1, 9-102.2, and 9-104 of the Revised Ordinances, as established by Ordinance No. 536, are hereby repealed and the following enacted in lieu thereof:

9-102.1. QUALIFICATIONS OF MUNICIPAL JUDGE. Section 2. The Municipal Judge shall be a resident of Johnson County, Kansas; he shall be a practicing attorney in and licensed by the State of Kansas and shall have so practiced for a period of three years.

9-102.2. SELECTION OF MUNICIPAL JUDGE. Section 3. Prior to the first regular meeting of the City Council in May of each year, the Mayor, with the consent of the Council, shall appoint a Judicial Selection Committee to screen candidates for the position of Municipal Judge. Said Committee shall consist of one resident from each ward in the City of Leawood, Kansas; the person selected to serve on said Committee shall be chosen by the two Councilmen representing that ward. In addition, the Mayor shall appoint, with the consent of the Council, three attorneys to serve as advisory members of the Committee. The Committee, consisting of seven persons, shall then interview and screen applicants for the position of Municipal Judge. The Committee shall then present to the Mayor a list of three qualified individuals, from which list he shall, at the first regular meeting of the City Council in May of each year, by and with the consent of the Governing Body, appoint an individual to serve as Municipal Judge.

No attorney serving as an advisor to the Committee shall be considered for the position of Municipal Judge. No person shall be appointed as Municipal Judge unless he shall be a practicing attorney in and licensed by the State of Kansas and shall have so practiced for a period of three years.

9-104. VACANCY IN OFFICE. Section 4. In case of a vacancy in the office of Municipal Judge, the Mayor shall appoint some suitable and proper person to fill said vacancy as set forth in Section 9-102.2 above, and the person so appointed shall hold his office for the unexpired term.

TAKE EFFECT. Section 5. This ordinance shall take effect and be in force from and after the effective date of Charter Ordinance No. 13.

First Reading: 11/6/78 Second Reading: 12/4/78

Passed by the Governing Body this 4th day of December, 1978.

Approved by the Mayor this 4th day of December, 1978.

Page 2  
ORDINANCE NO. 617  
re Municipal Judge

(S. E. A. L.)

Eugene E. Alt  
Eugene E. Alt Mayor

Attest:

J. Oberlander  
J. Oberlander City Clerk

APPROVED FOR FORM: Larry With, City Attorney

APPROVED FOR CONTENT: Kent E. Grippin, Chr., Ordinance Comm.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,  
Deposes and says: That he is  
Editor of THE JOHNSON COUNTY SUN,  
a semi-weekly Newspaper printed in the  
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State of Kansas, and published in and of general circulation  
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(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)  
published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
6th day of December, 1978, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 17.70  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson County Sun, Wednesday, December 6, 1978.

**ORDINANCE NO. 617**

**AN ORDINANCE RELATING TO THE MUNICIPAL JUDGE; QUALIFICATIONS; SELECTION; VACANCY IN OFFICE; AND REPEAL OF SECTIONS.**

**Be it ordained by the Governing Body of the City of Leawood, Kansas:**

**REPEAL OF SECTIONS.** Section 1. Sections 9-102.1, 9-102.2, and 9-104 of the Revised Ordinances, as established by Ordinance No. 536, are hereby repealed and the following enacted in lieu thereof:

**9-102.1. QUALIFICATIONS OF MUNICIPAL JUDGE.** Section 2. The Municipal Judge shall be a resident of Johnson County, Kansas; he shall be a practicing attorney in and licensed by the State of Kansas and shall have so practiced for a period of three years.

**9-102.2 SELECTION OF MUNICIPAL JUDGE.** Section 3. Prior to the first regular meeting of the City Council in May of each year, the Mayor, with the consent of the Council, shall appoint a Judicial Selection Committee to screen candidates for the position of Municipal Judge. Said Committee shall consist of one resident from each ward in the City of Leawood, Kansas; the person selected to serve on said Committee shall be chosen by the two Councilmen representing that ward. In addition, the Mayor shall appoint, with the consent of the Council, three attorneys to serve as advisory members of the Committee. The Committee, consisting of seven persons, shall then interview and screen applicants for the position of Municipal Judge. The Committee shall then present to the Mayor a list of three qualified individuals, from which list he shall, at the first regular meeting of the City Council in May of each year, by and with the consent of the Governing Body, appoint an individual to serve as Municipal Judge.

No attorney serving as an advisor to the Committee shall be considered for the position of Municipal Judge. No person shall be appointed as Municipal Judge unless he shall be a practicing attorney in and licensed by the State of Kansas and shall have so practiced for a period of three years.

**9-104. VACANCY IN OFFICE.** Section 4. In case of a vacancy in the office of Municipal Judge, the Mayor shall appoint some suitable and proper person to fill said vacancy as set forth in Section 9-102.2 above, and the person so appointed shall hold his office for the unexpired term.

**TAKE EFFECT.** Section 5. This ordinance shall take effect and be in force from and after the effective date of Charter Ordinance No. 13.

First Reading: 11/6/78. Second Reading: 12/4/78.

Passed by the Governing Body this 4th day of December, 1978.

Approved by the Mayor this 4th day of December, 1978.

(s) Eugene E. Alt, Mayor

(SEAL)

Attest:

(s) J. Oberlander, City Clerk

APPROVED FOR FORM:

(s) Larry Winn, City Attorney

APPROVED FOR CONTENT:

(s) Kent E. Crippin,

Chr., Ordinance Comm.

ORDINANCE NO. 616

Repealed by Ord. #839  
CODE OF 1984  
Effective 12/21/84

AN ORDINANCE RELATING TO PARKING.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

14-304.3. NO PARKING AT ANY TIME. Section 1. Parking of vehicles on the north side of 96th Street between Lee Boulevard and State Line Road within the City is hereby prohibited.

14-304.4. NO PARKING AT ANY TIME. Section 2. Parking of vehicles on 97th Street between Lee Boulevard and High Drive within the City is hereby prohibited.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 11/20/78 Second Reading: 12/4/78

Passed by the Governing Body this 4th day of December, 1978.

Approved by the Mayor this 4th day of December, 1978.

(S E A L)

Eugene E. Alt  
Eugene E. Alt Mayor

Attest:

J. Oberlander  
J. Oberlander City Clerk

APPROVED FOR FORM: Larry Winn, City Attorney

APPROVED FOR CONTENT: Kent B. Crippin Chr., Ordinance Comm.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said

newspaper for 1 consecutive day  
(weeks, days)

the first publication thereof being made as aforesaid on the

6th day of December, 1978, with

subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark Anson

Subscribe and sworn to before me this \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 8.55  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson  
County Sun, Wednesday,  
December 6, 1978.

**ORDINANCE NO. 616**

**AN ORDINANCE RELATING TO  
PARKING.**

**Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:**

**14-304.3. NO PARKING AT ANY  
TIME. Section 1. Parking of vehi-  
cles on the north side of 96th  
Street between Lee Boulevard  
and State Line Road within the  
City is hereby prohibited.**

**14-304.4. NO PARKING AT ANY  
TIME. Section 2. Parking of vehi-  
cles on 97th Street between Lee  
Boulevard and High Drive within  
the City is hereby prohibited.**

**TAKE EFFECT. Section 3. This  
ordinance shall take effect and be  
in force from and after its  
publication in the official City  
newspaper.**

**First Reading: 11/20/78. Second  
Reading: 12/4/78.**

**Passed by the Governing Body  
this 4th day of December, 1978.**

**Approved by the Mayor this 4th  
day of December, 1978.**

**(s) Eugene E. Alt, Mayor**

**(SEAL)**

**Attest:**

**(s) J. Oberlander, City Clerk**

**APPROVED FOR FORM:**

**(s) Larry Winn II, City Attorney**

**APPROVED FOR CONTENT:**

**(s) Kent E. Crippin,  
Chr., Ordinance Comm.**

**(97W)**

140<sup>th</sup> Rd., 141<sup>st</sup> Rd.,  
142<sup>nd</sup> Rd.

ORDINANCE NO. 615

AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET PURPOSES FROM MERRY LEA HOMES ASSOCIATION, INC., JOHNSON COUNTY, KANSAS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-531 Section 1. The Governing Body of the City of Leawood, Kansas does hereby accept from Merry Lea Homes Association, Inc. a deed for land to be used for street purposes, the legal description of which is as follows:

All of that area described as: "Private driveways" as shown on the Plat of MERRY LEA FARMS, a subdivision in the City of Leawood, Johnson County, Kansas as recorded in Plat Book 32, at Page 41, in the Office of the Register of Deeds of Johnson County, Kansas (enumerated as 140th Drive, 141st Drive and 142nd Drive)

subject to easements and rights-of-way of record, if any.

19-532 Section 2. INCORPORATION BY REFERENCE. A copy of said deed is attached to the original of the ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force, from and after its publication in the official city newspaper.

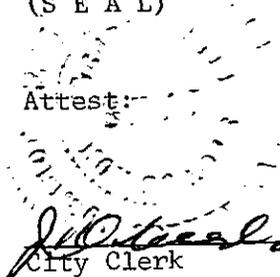
First Reading 11/6/78 Second Reading 11/20/78

Passed by the City Council this 20th day of November 1978

Approved by the Mayor this 20th day of November 1978

(S E A L)

Attest:



*[Signature]*  
City Clerk

*[Signature]*  
Mayor

Approved for Content:

*[Signature]*  
Ordinance Committee

Approved for Form:

*[Signature]*  
City Attorney



AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that

said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive Day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
29 day of November, 1928, with  
subsequent publications being made on the following dates:

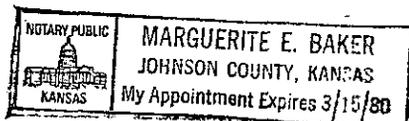
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribed and sworn to before me this 29 day of  
November, 1928.

Mark Anson

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 12.00  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson  
County Sun, Wednesday,  
November 29, 1978.

**ORDINANCE NO. 615**

**AN ORDINANCE RELATING TO  
ACCEPTANCE OF A DEED FOR  
STREET PURPOSES FROM  
MERRY LEA HOMES ASSO-  
CIATION, INC., JOHNSON  
COUNTY, KANSAS.**

**Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:**

**19-531 Section 1. The Governing  
Body of the City of Leawood,  
Kansas does hereby accept from  
Merry Lea Homes Association,  
Inc. a deed for land to be used for  
street purposes, the legal descrip-  
tion of which is as follows:**

**All of that area described as:  
"Private driveways" as shown on  
the Plat of MERRY LEA  
FARMS, a subdivision in the City  
of Leawood, Johnson County,  
Kansas as recorded in Plat Book  
32, at Page 41, in the Office of the  
Register of Deeds, Johnson**

**County, Kansas (enumerated as  
140th Drive, 141st Drive and 142nd  
Drive)**

**subject to easements and rights-  
of-way of record, if any.**

**19-532 Section 2. INCORPORA-  
TION BY REFERENCE. A copy  
of said deed is attached to the  
original of the ordinance and  
thereby incorporated by  
reference.**

**TAKE EFFECT. Section 3. This  
ordinance shall take effect and be  
in force, from and after its  
publication in the official city  
newspaper.**

**First Reading 11/6/78. Second  
Reading 11/20/78.**

**Passed by the City Council this  
20th day of November, 1978.**

**Approved by the Mayor this 20th  
day of November, 1978.**

**(SEAL)**

**(s) Eugene E. Alf  
Mayor**

**Attest:**

**(s) J. Oberlander  
City Clerk**

**Approved for Form:**

**(s) Larry Winn III  
City Attorney**

**Approved for Content:**

**(s) Ken [unclear]  
Ordinance Committee**

ORDINANCE NO. 614

AN ORDINANCE RELATING TO ACCEPTANCE OF EASEMENT FOR STORM SEWER PURPOSES FROM DONALD J. AND ADELE M. HALL, ELIZABETH HALL SCHAFFER, BARBARA HALL MARSHALL AND ROBERT A. MARSHALL.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

19-633. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept a Drainage Easement from Donald J. and Adele M. Hall, Elizabeth Hall Schaffer, Barbara Hall Marshall and Robert A. Marshall, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors or assigns, an easement or right-of-way to enter upon, locate, construct and maintain or to authorize the location, construction and maintenance of sewer mains, over, under, across and along the following described land, located in the County of Johnson, State of Kansas, to-wit:

All of the East 70 feet of the West 225 feet of the North 70 feet of the South 110 feet of the SE<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of Section 15, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas. (North side of 119th St.; approximately 70'x70'\*)

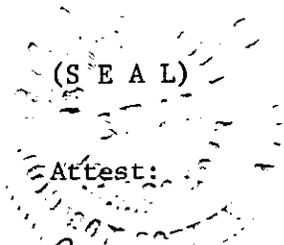
19-634. INCORPORATION BY REFERENCE. Section 2. A copy of said easement is attached to the original of the ordinance and thereby incorporated by reference.

TAKE EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 11/6/78 Second Reading: 11/20/78

Passed by the Governing Body this 20th day of November, 1978.

Approved by the Mayor this 20th day of November, 1978.



Attest:

J. Oberlander  
J. Oberlander City Clerk

Eugene E. Alt  
Eugene E. Alt Mayor

APPROVED FOR FORM: Larry Winn III, City Attorney  
Larry Winn III

APPROVED FOR CONTENT: Kent E. Crippin, Chr., Ordinance Comm.  
Kent E. Crippin

\* per City Attorney

DRAINAGE EASEMENT

THIS AGREEMENT made and entered into this 10<sup>th</sup> day of October, 1978, by and between Donald J. Hall, also known as Donald Joyce Hall and Adele M. Hall his wife, Elizabeth Ann Reid, also known as Elizabeth Hall Schaffer, a single person, and Barbara Hall Marshall and Robert A. Marshall, her husband, party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

WITNESSETH: That for and in consideration of the construction and maintenance of a storm drainage facility and the covenants herein contained, said parties of the first part, do hereby remise, let and release to the party of the second part, the following described real estate to-wit:

All of the East 70 feet of the West 225 feet of the North 70 feet of the South 110 feet of the SE 1/4 of the SW 1/4 of Section 15, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas.

for the sole use of said party of the second part as and for drainage purposes within said City; when same shall cease to be used for said purposes to revert to the grantors, their successors, assigns, or grantees.

The party of the second part agrees to restore the abutting and surface property to its condition prior to construction and/or maintenance of said storm drainage facility, to maintain said storm drainage facility in good condition and repair, and to indemnify and hold harmless parties of the first part from and against any and all claims, damages, losses, liability, costs and expenses, including reasonable attorney's fees, arising out of or in connection with (a) the breach by party of the second part of its obligations hereunder or (b) the construction, maintenance or functioning of said storm drainage facility.

IN WITNESS WHEREOF, said parties of the first part have hereunto set their hands and seal the day and year first above written.

Elizabeth Ann Reid  
By Donald J. Hall  
Donald J. Hall, Attorney in Fact

Donald J. Hall  
Donald J. Hall

Adele M. Hall  
Adele M. Hall

Barbara Hall Marshall  
Barbara Hall Marshall

CITY OF LEAWOOD, KANSAS

X By Eugene E. Alt  
Eugene E. Alt, Mayor

Robert A. Marshall }  
STATE OF KANSAS }  
NOTARY PUBLIC }  
ROBERT A. MARSHALL }  
FOR RECORD }

ACKNOWLEDGMENT

1978 DEC 1 AM 11 22.5

STATE OF Missouri )  
COUNTY OF Jackson ) SS

600  
PUBLIC SCOTT  
REGISTER OF DEEDS  
BY \_\_\_\_\_ DEP.

BE IT REMEMBERED, that on this 10<sup>th</sup> day of October, A.D., 1978 before me, the undersigned, a Notary Public in and for said County and State, came Donald J. Hall and Adele M. Hall, husband and wife, who are personally known to me to be the same persons who executed the within instrument of writing, and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

J. E. Hartnett  
Notary Public  
J.E. Hartnett



600

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,

Deposes and says: That he is

Editor of THE JOHNSON COUNTY SUN,

a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)

State of Kansas, and published in and of general circulation

in JOHNSON County, Kansas, with a general

paid circulation on a yearly basis  
(daily, weekly, monthly, yearly)

basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)

published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SHAWNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive Day  
(weeks, days)

the first publication thereof being made as aforesaid on the  
29 day of November, 19 78, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Mark R. Anson

Subscribe and sworn to before me this 29 day of  
November, 19 78.

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 13.50  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson  
County Sun, Wednesday,  
November 29, 1978.

**ORDINANCE NO. 614**

**AN ORDINANCE RELATING TO  
ACCEPTANCE OF EASEMENT  
FOR STORM SEWER PURPOS-  
ES FROM DONALD J. AND AD-  
ELE M. HALL, ELIZABETH  
HALL SCHAFFER, BARBARA  
HALL MARSHALL AND ROB-  
ERT A. MARSHALL.**

**Be it ordained by the Governing  
Body of the City of Leawood,  
Kansas:**

19-633. Section 1. The Governing  
Body of the City of Leawood,  
Kansas, does hereby accept a  
Drainage Easement from Donald  
J. And Adele M. Hall, Elizabeth  
Hall Schaffer, Barbara Hall  
Marshall and Robert A. Marshall,  
along with the restrictions and  
reservations as set forth therein,  
granting the City of Leawood,  
Kansas, its successors or assigns,  
an easement or right-of-way to  
enter upon, locate, construct and  
maintain or to authorize the loca-  
tion, construction and  
maintenance of sewer mains,  
over, under, across and along the  
following described land, located  
in the County of Johnson, State of  
Kansas, to-wit:

All of the East 70 feet of the West  
225 feet of the North 70 feet of the  
South 110 feet of the SE $\frac{1}{4}$  of the  
SW $\frac{1}{4}$  of Section 15, Township 13,  
Range 25, now in the City of  
Leawood, Johnson County,  
Kansas. (North side of 119th St.;  
approximately 70'x70')

19-634. INCORPORATION BY  
REFERENCE. Section 2. A copy  
of said easement is attached to  
the original of the ordinance and  
thereby incorporated by  
reference.

**TAKE EFFECT.** Section 3. This  
ordinance shall take effect and be  
in force from and after its  
publication in the official City  
newspaper.

First Reading: 11/6/78. Second  
Reading: 11/20/78.

Passed by the Governing Body  
this 14th day of November, 1978.

Approved by the Mayor this 20th  
day of November, 1978.

(SEAL)

(s) Eugene E. Alf  
Mayor

Attest:

(s) Oberlander  
City Clerk

**APPROVED FOR FORM:**

(s) Larry Winn  
City Clerk

**APPROVED FOR CONTENT:**

(s) Kent E. Crippin,  
Chr., Ordinance Comm.

ORDINANCE NO. 613

AN ORDINANCE RELATING TO THE ADOPTION OF THE "JOHNSON COUNTY SANITARY CODE".

Be it ordained by the Governing Body of the City of Leawood, Kansas:

25-201. JOHNSON COUNTY SANITARY CODE; INCORPORATION BY REFERENCE. Section 1. There is hereby incorporated by reference, for the purpose of prescribing rules and regulations for controlling practices to minimize health and safety hazards, that certain sanitary code known as the "Johnson County Sanitary Code of August 1, 1978", prepared and published by the Johnson County Health Department.

Not less than three (3) copies of such "Johnson County Sanitary Code", marked or stamped "Official Copy as Adopted by Ordinance No. 613", shall be filed with the City Clerk to be opened for inspection and available to the public during regular office hours.

The Johnson County Board of Health is hereby requested to appoint the Johnson County Health Officer as City Health Officer for the City of Leawood, Kansas, to represent the City in health matters.

25-202. Section 2. The effective date of this ordinance will apply to zoning or plat applications received after October 1, 1978.

25-203. VALIDITY OF ORDINANCE. Section 3. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/2/78 Second Reading: 10/16/78

Passed by the Governing Body this 16th day of October, 1978.

Approved by the Mayor this 16th day of October, 1978.

(S. E. A. L.)

Eugene E. Alt  
Eugene E. Alt Mayor

Attest:

J. Oberlander  
J. Oberlander City Clerk

APPROVED FOR FORM: Larry Winn, III, City Attorney

APPROVED FOR CONTENT: Kent E. Crippin, Chr., Ord. Comm.

*Repealed by Ord. 755, 8/2/82*

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss:

Mark Anson, being first Duly sworn,  
Deposes and says: That he is  
Editor of THE JOHNSON COUNTY SUN,  
a semi-weekly Newspaper printed in the  
(daily, semi-weekly, weekly)  
State of Kansas, and published in and of general circulation  
in JOHNSON County, Kansas, with a general  
paid circulation on a yearly  
(daily, weekly, monthly, yearly)  
basis in JOHNSON County, Kansas, and that  
said newspaper is not a trade, religious or fraternal  
publication.

Said newspaper is a semi-weekly  
(daily, semi-weekly, weekly)  
published at least weekly 50 times a year; has been so  
published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to  
the first publication of said notice; and has been  
admitted at the post office of SH'WNEE MISSION, KANSAS  
in said County as a second class matter.

That the attached notice is a true copy thereof and  
was published in the regular and entire issue of said  
newspaper for 1 consecutive Day  
(weeks, days)  
the first publication thereof being made as aforesaid on the  
30 day of October, 1948, with  
subsequent publications being made on the following dates:

\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, \_\_\_\_\_, 19\_\_\_\_

Subscribe and sworn to before me this 30 day of  
October, 1948.

Ord. # 6013

Marguerite E. Baker  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
Printer's fee \$ 13.50  
Additional copies \$ \_\_\_\_\_



First Published in The Johnson County Sun on Friday, October 20, 1978.

ORDINANCE NO. 613

THE ADOPTION OF THE "JOHNSON COUNTY SANITARY CODE"

Be it ordained by the Governing Body of the City of Leawood, Kansas:

25-201. JOHNSON COUNTY SANITARY CODE: INCORPORATION BY REFERENCE. Section 1. There is hereby incorporated by reference, for the purpose of prescribing rules and regulations for controlling practices to minimize health and safety hazards, that certain sanitary code known as the "Johnson County Sanitary Code of August 1, 1978" prepared and published by the Johnson County Health Department.

Not less than three (3) copies of such "Johnson County Sanitary Code", marked or stamped "Official Copy as Adopted by Ordinance No. 613" shall be filed with the City Clerk who is open for inspection and available to the public during regular office hours.

The Johnson County Board of Health is hereby requested to appoint the Johnson County Health Officer as City Health Officer for the City of Leawood, Kansas, to represent the City in health matters.

25-202. Section 2. The effective date of this ordinance will apply to zoning or plat applications received after October 1, 1978.

25-203. VALIDITY OF ORDINANCE. Section 3. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

First Reading: 10/2/78 Second Reading: 10/16/78.

Passed by the Governing Body this 16th day of October, 1978.

Approved by the Mayor this 16th day of October, 1978.

(SEAL)

(s) Eugene E. Al

Attest:

(s) J. O. Under, City Clerk

APPROVED FOR FORM: (s) Larry Winn, City Attorney

APPROVED FOR CONT: (s) Kent E. Crippin, Comm.

(845)