

ORD. NO.	DATE PASSED	DATE PUBLISHED	"CODE OF '84" PAGES DISTR'D	SUBJECT OF ORD.
1142	12/4/89	12/5/89	N/A	AN ORD. AUTHORIZING T.N.'S, SERIES 89T, PROJECT 118; POLICE/COURT BLDG. AND FIRE STA. NO. 1 REMODELING; IN AN AMOUNT OF \$110,000.00
1143 C	12/18/89	12/19/89	X	AN ORD. ADOPTING THE 1985 EDITION OF THE "UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS"
1144 C	12/18/89	12/19/89	X	AN ORD. ADOPTING THE 1990 EDITION OF THE "NATIONAL ELECTRICAL CODE"
1145	1/15/90	1/16/90	N/A	AN ORD. ACCEPTING A DEED FOR STREET PURPOSES IN CONJUNCTION WITH THE 143RD & NALL CULVERT PROJECT
1146	1/15/90	1/16/90	N/A	AN ORD. AUTHORIZING T.N.'S; SERIES L.I.D. 86-1-90A, PROJECT 107; ROE AVE., 112TH/121ST; IN THE AMOUNT OF \$270,000.00
1147	2/5/90	2/13/90	N/A	AN ORD. RELATING TO ZONING OF PROPERTY - A to R-1, The Church of the Nativity, 119th & Mission Rd.
1148 C	2/5/90	2/13/90	X	AN ORD. RELATING TO HUNTING & FISHING IN THE CITY OF LEAWOOD
1149 C	2/20/90	2/27/90	X	AN ORD. AMENDING SECTION 14-308 OF THE CODE WHICH PROHIBITS PARKING ON CERTAIN STREETS
1150 C	2/20/90	2/27/90	X	AN ORD. ESTABLISHING A RECORDS MANAGEMENT PROGRAM
1151	3/12/90	3/20/90	N/A	AN ORD. AMENDING ANNEXATION ORDINANCE NO. 1129
1152	3/12/90	3/20/90	N/A	AN ORD. ACCEPTING DEEDS FOR STREET PURPOSES (95th St. improvements)
1153	3/12/90	3/20/90	N/A	AN ORD. ACCEPTING A PERMANENT EASEMENT FOR STREET PURPOSES (95th St. improvements)
1154	3/19/90	3/21/90	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 90C, PROJECT 116 (95TH STREET, STATE LINE/WENONGA) FOR \$500,000
1155	3/19/90	3/21/90	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES L.I.D. 88-1-90B, PROJECT 113 (TOMAHAWK CREEK PARKWAY) FOR \$350,000
1156	3/19/90	3/21/90	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 90D, PROJECT 117 (LEE BLVD.) FOR \$1,000,000.00

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1129	10/2/89	10/6/89	N/A		AN ORD. ANNEXING 3 TRACTS OF LAND TO THE CITY - O'Donnell tract, Bell property, Guilford Downs
1130C	10/2/89	10/6/89	X		AN ORD. AMENDING THE CODE OF THE CITY OF LEAWOOD; DESIGNATING MAIN TRAFFICWAYS - to add Tomahawk Creek Parkway, Somerset Dr., 127th St., Kenneth Parkway/Kenneth Road
1131	10/2/89	10/6/89	N/A		AN ORD. AUTHORIZING THE IMPROVEMENT OF SOMERSET DR., BELINDER TO SAGAMORE
1132	10/2/89	10/6/89	N/A		AN ORD. AUTHORIZING THE IMPROVEMENT OF SOMERSET DR., WENONGA TO BELINDER
1133	10/2/89	10/6/89	N/A		AN ORD. AUTHORIZING AND PROVIDING FOR ACQUISITION OF ROAD RIGHT-OF-WAY FOR THE 143RD STREET CULVERT PROJECT, 143RD & WALL
1134	10/16/89	10/17/89	N/A		AN ORD. ACCEPTING 4 PERMANENT DRAINAGE EASEMENTS REQUIRED FOR THE 98TH ST. CULVERT PROJECT, 98TH & LEE BLVD.
1135	11/6/89	11/7/89	N/A		AN ORD. GRANTING AN EASEMENT TO SOUTHWESTERN BELL - to install buried cable on Fire Station North property
1136	11/20/89	11/28/89	N/A		AN ORD. AMENDING THE BOUNDARIES OF THE LEAWOOD SEWER SYSTEM; RELATING TO SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS
1137C	11/20/89	11/28/89	X		AN ORD. AMENDING SECTION 15-101 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE LEAWOOD SANITARY SEWER SYSTEM.
1138	11/20/89	11/21/89	N/A		AN ORD. AUTHORIZING THE ISSUANCE OF TEMPORARY NOTES; SERIES L.I.D. 86-1-89R, PROJECT 107; ROE AVE., 112TH TO 121ST; \$350,000.00
1139	12/4/89	12/8 & 13/89	X		AN ORD. GRANTING A FRANCHISE TO KCP&E - overall operation; for 1 yr.
1140	12/4/89	12/5/89	N/A		AN ORD. AUTHORIZING T.N.'S, SERIES 89S, PROJECT 116; 95TH ST., STATE LINE/WENONGA; IN THE AMOUNT OF \$110,000.00
1141	12/4/89	12/5/89	N/A		AN ORD. AUTHORIZING T.N.'S, SERIES L.I.D. 88-1-89U, PROJECT 113; TOMAHAWK CREEK PARKWAY; IN THE AMOUNT OF \$535,000.00

ORD. NO.	DATE PASSED	DATE PUBLISHED	"CODE OF '84" PAGES DISTR'D	SUBJECT OF ORD.
1114	8/7/89	8/8/89	N/A	AN ORD. RELATING TO ZONING - RP-4 to RP-1, Hallbrook, 3rd Plat
1115	8/7/89	8/8/89	N/A	AN ORD. LEVYING ASSESSMENTS ON BRISTOL PLACE SUBDIVISION LOTS TO PAY COST OF IMPROVEMENT TO 127TH ST., MISSION TO ROE (I.D. 83-1)
1116	8/21/89	8/22/89	N/A	AN ORD. RELATING TO ZONING - RP-4 to CP-1 - Leewood Plaza
1117	8/21/89	8/22/89 & 8/29/89	N/A	AN ORD. ESTABLISHING THE 1990 ANNUAL ASSESSMENT FOR THE LEWOOD SEWER SYSTEM
1118	8/21/89	8/22/89	N/A	AN ORD. AMENDING SECTION 17-302 OF THE "SUBDIVISION REGULATIONS" RELATING TO SUBDIVISION DESIGN STANDARDS, PRIVATE STREETS
1119	8/21/89	8/22/89	N/A	AN ORD. GRANTING AN EASEMENT TO KCP&L FOR UTILITY PURPOSES - "Leewood Greenway & Parks"
1120 C	9/5/89	9/12/89	X	AN ORD. ADOPTING THE 1989 EDITION OF THE "STANDARD TRAFFIC ORD."
1121	9/18/89	9/19/89	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89P; PROJECT 113; TOMAHAWK CREEK PARKWAY; \$1,000,000
1122	9/18/89	9/19/89	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 89K; PROJECT 116; 95TH STREET, STATE LINE TO WENONGA; \$500,000
1123	9/18/89	9/19/89	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 89M; PROJECT 118; POLICE/COURT BUILDING AND FIRE STATION NO. 1 REMODELING; \$500,000
1124	9/18/89	9/19/89	N/A	AN ORD. AUTHORIZING TEMPORARY NOTES, SERIES 89N; PROJECT 119; 119TH STREET, STATE LINE TO MISSION ROAD; \$500,000
1125	9/18/89	9/19/89	N/A	AN ORD. AUTHORIZING TEMPORARY NOTES, SERIES 89L; PROJECT 117; LEE BOULEVARD; \$300,000
1126 C	9/18/89	9/19/89	X	AN ORD. ADOPTING THE 1989 EDITION OF THE "UNIFORM PUBLIC OFFENSE CODE"
1127 C	9/18/89	9/19/89	X	AN ORD. AMENDING SECTION 11-201 OF THE CODE RELATING TO PENALTIES FOR PUBLIC OFFENSE LOCAL PROVISIONS
1128 C	9/18/89	9/19/89	X	AN ORD. RELATING TO DRUGS AND DRUG PARAPHERNALIA

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1103	7/3/89	7/11/89	N/A	AN ORD. RELATING TO ZONING - A to RP-2, 137th & Mission; Pine Lakes Apartments
1104	7/3/89	7/11/89	N/A	AN ORD. RELATING TO ZONING - A to RP-3; 137th & Mission; Pine Lakes Apartments
1105 C	7/3/89	7/7/89	X	AN ORD. ADOPTING THE 1988 EDITION OF THE "UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE"
1106	7/3/89	7/11/89	N/A	AN ORD. ACCEPTING DEEDS FOR STREET PURPOSES (KENNETH RD. IMPROVEMENTS); PROVIDING FOR THE CORRECTION OF A LEGAL DESCRIPTION; AND REPEAL OF ORD. NO. 915
1107	7/17/89	7/25/89	N/A	AN ORD. RELATING TO ZONING - A to R-1; Willow Lake Estates; 143rd St. west of Kenneth Rd.
1108	7/17/89	7/25/89	N/A	AN ORD. ENLARGING THE LEAWOOD SEWER SYSTEM TO PROVIDE SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS SUBDIVISION
1109 C	7/17/89	7/25/89	X	AN ORD. AMENDING SECTION 15-101 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE LEAWOOD SEWER SYSTEM - to add portion of Hallbrook Farms
1110	7/17/89	7/18/89	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89H, PROJECT 113, TOMAHAWK CREEK PARKWAY, \$500,000.00
1111	7/17/89	7/18/89	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 89I, PROJECT 116; 95TH STREET, STATE LINE TO WENONGA; \$300,000
1112	7/17/89	7/18/89	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 89J, PROJECT 118, POLICE/COURT BUILDING & FIRE STATION NO. 1 REMODEL, \$400,000
1113	7/17/89	7/18/89	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES L.I.D. 86-1-89G, PROJECT 107; ROE AVENUE, 112TH TO 121ST STREET; RENEWAL \$260,000

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1093	3/20/89	3/22/89	N/A	AN ORD. AUTHORIZING AND PROVIDING FOR ACQUISITION OF RIGHT-OF-WAY FOR CONSTRUCTION OF 95TH STREET BETWEEN STATE LINE ROAD AND WENONGA.
1094	3/20/89	3/22/89	N/A	AN ORD. GRANTING AN EASEMENT TO KCP&L FOR UTILITY PURPOSES - across Tract C, "Leewood Greenway and Parks"; adjoining the north r-o-w line of 119th St.
1095	4/17/89	4/19/89	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 89F, PROJECT 117, LEE BOULEVARD IMPROVEMENTS, IN THE AMOUNT OF \$100,000
1096	4/17/89	4/19/89	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES 89D, PROJECT 116, 95TH STREET IMPROVEMENTS, STATE LINE RD./WENONGA, IN AN AMOUNT OF \$500,000
1097	4/17/89	4/19/89	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89E, PROJECT 113, TOMAHAWK CREEK PARKWAY, IN AN AMOUNT OF \$300,000
1098 C	4/17/89	4/19/89	X	AN ORD. AMENDING SECTIONS OF THE CODE RELATING TO THE APPOINTMENT OF MUNICIPAL JUDGE(S); JUDICIAL SELECTION COMMITTEE PROCESS
1099 C	5/1/89	5/5/89	X	AN ORD. AMENDING THE "STANDARD TRAFFIC ORDINANCE", 1987 ED. - re pedestrians on highways
1100	5/1/89	5/5/89	N/A	AN ORD. GRANTING AN EASEMENT TO JOHNSON COUNTY WASTEWATER DISTRICT FOR CONSTRUCTION OF SANITARY SEWERS; HALLBROOK SUB-DIVISION, PHASE 2; AND REPEAL OF ORDINANCE NO. 1089.
1101	6/5/89	6/9/89	N/A	AN ORD. RELATING TO ZONING OF PROPERTY ÷ A to CP-0, 11 acres, Lord of Life Lutheran Church, approx. 135th & proposed Aberdeen (might be named Chadwick)
1102 C	6/19/89	6/20/89	X	AN ORD. PROVIDING FOR RECOVERY OF EXPENSES INCURRED IN EMERGENCY ACTIONS IN RESPONSE TO RELEASES OR THREATENED RELEASES OF MATERIAL INTO OR UPON THE ENVIRONMENT.

ORDINANCE NO. 1156

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90D, PROJECT 117 (LEE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$1,000,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF LEE BOULEVARD, INCLUDING GRADING, REGRADING, CURBING, RECURBING, GUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, REMACADAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNDING CORNERS, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECONSTRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES THERETO, VIADUCTS, OVERPASSES, UNDERPASSES, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS OR OTHER IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Lee Boulevard, which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1077 on November 21, 1988; and

WHEREAS, total cost of improvements to Lee Boulevard is estimated to be \$1,800,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,557. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 90D, Project 117 (Lee Boulevard), in the aggregate principal amount of One Million Dollars (\$1,000,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1,558. Section Two: Said issue of Temporary Notes, Series 90D, Project 117 (Lee Boulevard), shall consist of ten bearer notes numbered from 1 through 10 inclusive, each in the denomination of \$100,000. Said notes shall be dated April 2, 1990 and shall have the stated maturity date of December 20, 1990. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.32% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of said notes shall be payable at maturity from date of notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,559. Section Three: The date of delivery of said notes shall be and for all purposes constitute the date of issuance notwithstanding the dated date. Said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,560. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and Notes 1-5 delivered to United Missouri Bank, the original purchaser thereof, and Notes 6-10 delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,561. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1990, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series L.I.D., 86-1-90A Roe Avenue, 112th-121st Street	January 23, 1990	\$270,000.00

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,562. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

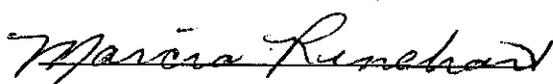
Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 19th day of March, 1990.

SIGNED by the Mayor this 19th day of March, 1990.

(S E A L)

ATTEST:

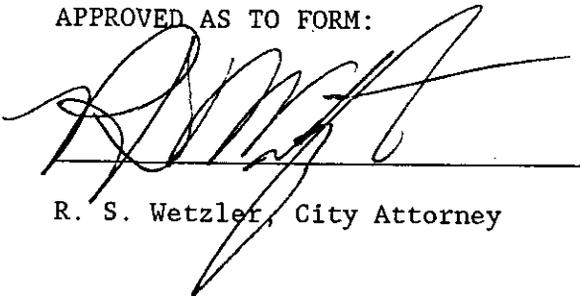


Marcia Rinehart, Mayor



Martha Heizer, City Clerk

APPROVED AS TO FORM:



R. S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker being first Duty sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, and that said newspaper in not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 21st day of March 1990, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Georgiann Thacker

Subscribe and sworn to before me this 21st day of March 1990

Marguerite E. Baker
NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 3-15-92

My Commission expires: 3-15-92
Printer's Fee\$ 72.00
Additional copies \$ -----

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90D, PROJECT 117 (LEE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$1,000,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF LEE BOULEVARD, INCLUDING GRADING, REGRADING, CURBING, RECURBING, GUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, REMACADAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNDING CORNERS, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECONSTRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES THERETO, VIADUCTS, OVERPASSES, UNDERPASSES, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS OR OTHER IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Lee Boulevard, which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1077 on November 21, 1988; and

WHEREAS, total cost of improvements to Lee Boulevard is estimated to be \$1,800,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 90D, Project 117 (Lee Boulevard), in the aggregate principal amount of One Million Dollars (\$1,000,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 90D, Project 117 (Lee Boulevard), shall consist of ten bearer notes numbered 1 through 10 inclusive, each in the denomination of \$100,000. Said notes shall be dated April 2, 1990, and shall have the stated maturity date of December 20, 1990. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.32% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of said notes shall be payable at maturity from date of note.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute the date of issuance notwithstanding the dated date. Said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and Notes 1-5 delivered to United Missouri Bank, the original purchaser thereof, and Notes 6-10 delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.
2. Since January 1, 1990, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series L.I.D., 86-1-90A Roe Avenue, 112th-121st Street	January 23, 1990	\$270,000.00

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, THIS 19TH DAY OF MARCH, 1990.

SIGNED BY THE MAYOR THIS 19TH DAY OF MARCH, 1990.

(S E A L)
(s) Marcia Rinehart, Mayor
ATTEST:
(s) Martha Heizer, City Clerk
APPROVED AS TO FORM:
(s) R. S. Wetzler, City Attorney

ORDINANCE NO. 1155

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-90B, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$350,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be \$3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,551. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 88-1-90B, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Three Hundred and Fifty Thousand Dollars (\$350,000), which amount does not exceed the total estimated costs of said improvements.

20-1,552. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-90B, Project 113, shall consist of bearer notes numbered from 1 through 4 inclusive, with numbers 1 through 3 each in the denomination of \$100,000 and number 4 in the denomination of \$50,000. Each of said notes shall be dated April 2, 1990, and shall have the stated maturity date of December 20, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior

thereto, at a rate of interest of 6.23% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity from date of notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,553. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,554. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,555. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1990, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series L.I.D., 86-1-90A, Roe Avenue, 112-121st Street	January 23, 1990	\$270,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,556. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

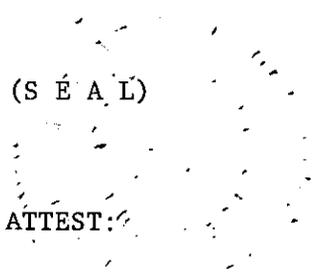
Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 19th day of March, 1990.

SIGNED by the Mayor this 19th day of March, 1990.

(S E A L)

ATTEST:


Marcia Rinehart
Marcia Rinehart, Mayor

Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler
R. S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker being first Duty sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, and that said newspaper in not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 21st day of March 19-90, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Georgiann Thacker

Subscribe and sworn to before me this 21st day of March 19-90

Marguerite E. Baker
NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 3-15-92

My Commission expires: 3-15-92
Printer's Fee\$ 66.00
Additional copies \$ -----

ORDINANCE NO. 1155

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-90B, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$350,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be \$3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 88-1-90B, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Three Hundred and Fifty Thousand Dollars (\$350,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-90B, Project 113, shall consist of bearer notes numbered 1 through 4 inclusive, with numbers 1 through 3 each in the denomination of \$100,000 and number 4 in the denomination of \$50,000. Each of said notes shall be dated April 2, 1990, and shall have the stated maturity date of December 20, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.23% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity from date of note.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.
2. Since January 1, 1990, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series L.I.D., 86-1-90A Roe Avenue, 112-121st Street	January 23, 1990	\$270,000.00

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 19th day of March, 1990.

SIGNED by the Mayor this 19th day of March, 1990.

(SEAL)

(s) Marcia Rinehart, Mayor

ATTEST:

(s) Martha Heizer, City Clerk

APPROVED AS TO FORM:

(s) R. S. Wetzler, City Attorney

ORDINANCE NO. 1154

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90C, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be \$1,750,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,545. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 90C, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000) which amount does not exceed the total estimated costs of said improvements.

20-1,546. Section Two: Said issue of Temporary Notes, Series 90C, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of \$100,000. Said notes shall

be dated April 2, 1990, and shall have the stated maturity date of December 20, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.20% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of said notes shall be payable at maturity from date of notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,547. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,548. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,549. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1990, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series L.I.D., 86-1-90A Roe Avenue, 112-121st Street	January 23, 1990	\$270,000.00

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

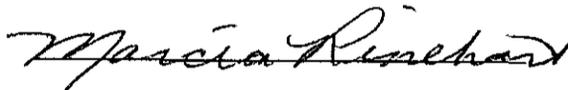
20-1,550. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 19th day of March, 1990.

SIGNED by the Mayor this 19th day of March, 1990.

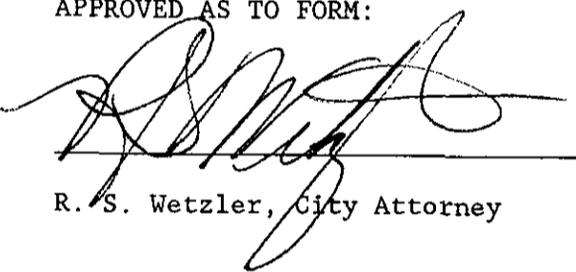
(S.E.A.L.)


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk

APPROVED AS TO FORM:


R. S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker being first Duty sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-weekly newspaper printed in the State of Kansas, and published in and of general circulation in JOHNSON County, Kansas, and that said newspaper in not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 21st day of March 1990, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Georgiann Thacker

Subscribe and sworn to before me this 21st day of March 1990

Marguerite E. Baker
NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 3-15-92

My Commission expires: 3-15-92
Printer's Fee \$ 68.40
Additional copies \$ -----

ORDINANCE NO. 1154

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 90C, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be \$1,750,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 90C, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 90C, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of \$100,000. Said notes shall be dated April 2, 1990, and shall have the stated maturity date of December 20, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.20% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of said notes shall be payable at maturity from date of note.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.
2. Since January 1, 1990, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series L.I.D., 86-1-90A Roe Avenue, 112-121st Street	January 23, 1990	\$270,000.00

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 19th day of March, 1990.

SIGNED by the Mayor this 19th day of March, 1990.

(SEAL)

(s) Marcia Rinehart, Mayor

ATTEST:

(s) Martha Heizer, City Clerk

APPROVED AS TO FORM:

(s) R. S. Wetzler, City Attorney

ORDINANCE NO. 1153

AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR STREET PURPOSES (95TH STREET IMPROVEMENTS, STATE LINE ROAD TO WENONGA).

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

19-6,215. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept a permanent easement to be used for street purposes, the legal description of which is as follows:

From Walter P. and Marquerite R. Bacher -

All that part of Lot 23, "Amended Plat of Lots 19 to 30, inclusive, Leawood Estates", a subdivision in Leawood, Johnson County, Kansas, described as follows: Beginning at a point on the South line of said Lot 23 that is north 89° -54'-36" West, a distance of 47.00 feet from the Southeast corner thereof; thence North 89° -54'-36" West, along said South line, a distance of 77.82 feet; thence in a Westerly, Northwesterly and Northerly direction along said lot line and along a curve to the right, tangent to the last described course, having a radius of 25.00 feet, an arc distance of 34.24 feet; thence South 89° -54'-36" East, a distance of 24.40 feet; thence South 0° -05'-24" West, a distance of 16.00 feet to a point that is 4.00 feet North of the South line of said Lot 23; thence South 86° -58'-16" East, a distance of 78.02 feet to the point of beginning.

19-6,216. Section 2. That a copy of said easement is attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 12th day of March, 1990.

Approved by the Mayor the 13th day of March, 1990.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler

City Attorney

This agreement made and entered in this 23 day of June, 1989,
1989, by and between WALTER P. BACHER AND MARGUERITE R. BACHER, H/Wpart of
the first part, does hereby remise, let and release to the party of the second
part, the following described real estate to-wit:

DESCRIPTION: ALL THAT PART OF LOT 23, "AMENDED PLAT OF LOTS 19 TO 30,
INCLUSIVE, LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY,
KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE
OF SAID LOT 23 THAT IS NORTH 89°-54'-36" WEST, A DISTANCE OF 47.00 FEET FROM
THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89°-54'-36" WEST, ALONG
SAID SOUTH LINE, A DISTANCE OF 77.82 FEET; THENCE IN A WESTERLY,
NORTHWESTERLY AND NORTHERLY DIRECTION ALONG SAID LOT LINE AND ALONG
A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED COURSE, HAVING
A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 34.24 FEET; THENCE SOUTH
89°-54'-36" EAST, A DISTANCE OF 24.40 FEET; THENCE SOUTH 0°-05'-24" WEST, A
DISTANCE OF 16.00 FEET TO A POINT THAT IS 4.00 FEET NORTH OF THE SOUTH
LINE OF SAID LOT 23; THENCE SOUTH 86°-58'-16" EAST, A DISTANCE OF 78.02 FEET
TO THE POINT OF BEGINNING.

- 1) Placement of Subdivision Monument
- 2) Provide a clear site area for the Intersection/Traffic Control

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

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

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

1990 FEB 22 P 1: 58.9

800 SARA FULLMANN
REGISTER OF DEEDS

BY _____ DEP.

By:

Walter P. Bacher
Walter P. Bacher
Marguerite R. Bacher
Marguerite R. Bacher

ATTEST:

800
ck

INDIVIDUAL ACKNOWLEDGMENT

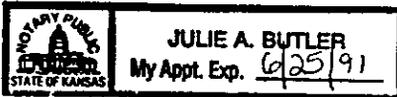
STATE OF Kansas :
COUNTY OF Johnson : SS.

BE IT REMEMBERED, That on the 23 day June, 1989, before me, the undersigned, a Notary Public in and for said County and State,

came Walter P. and Marguerite Bacher

who are personally known to me to be the same person S who executed the within instrument of writing, and duly acknowledged the execution of same.

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



Julie A. Butler
Notary Public

My Commission Expires:

06-25-91

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the County and State afore-said, came _____, President of _____

_____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____;

and _____, 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.

Notary Public

My Commission Expires

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

3/20/90 . .

[Signature]
Business Manager

Subscribed and sworn to before me on this date: 3/20/90

[Signature]
Notary Public

DANA LEWIS
Notary Public - State of Kansas
My Appt. Expires _____

My appointment expires: February 12, 1994

Publication Fees: \$14.82

Ord. 1153

First published in The Legal Record and News, Tuesday, March 20, 1990.
ORDINANCE NO. 1153

AN ORDINANCE RELATING TO ACCEPTANCE OF AN EASEMENT FOR STREET PURPOSES (95TH STREET IMPROVEMENTS, STATE LINE ROAD TO WENONGA).

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

19-6,215. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept a permanent easement to be used for street purposes, the legal description of which is as follows:

From Walter P. and Marguerite R. Bacher -

All that part of Lot 23, "Amended plat of Lots 19 to 30, inclusive, Leawood Estates", a subdivision in Leawood, Johnson County, Kansas, described as follows: Beginning at a point on the South line of said Lot 23 that is north 89°-54'-36" West, a distance of 47.00 feet from the Southeast corner thereof; thence North 89°-54'-36" West, along said South line, a distance of 77.82 feet; thence in a Westerly, Northwesterly and Northerly direction along said lot line and along a curve to the right, tangent to the last described course, having a radius of 25.00 feet, an arc distance of 34.24 feet; thence South 89°-54'-36" East, a distance of 24.40 feet; thence South 0°-05'-24" West, a distance of 16.00 feet to a point that is 4.00 feet North of the South line of said Lot 23; thence South 86°-58'-16" East, a distance of 78.02 feet to the point of beginning.

19-6,216. Section 2. That a copy of said easement is attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 12th day of March, 1990.

Approved by the Mayor the 13th day of March, 1990.

(S E A L)

[Signature]
Marcia Rinehart Mayor

Attest:

[Signature]
Martha Heizer City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler
R.S. Wetzler

City Attorney

ORDINANCE NO. 1152

AN ORDINANCE RELATING TO ACCEPTANCE OF DEEDS FOR STREET PURPOSES (95TH STREET IMPROVEMENTS, STATE LINE ROAD TO WENONGA).

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

19-5,105. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept the following deeds, the land described therein to be used for street purposes:

<u>Property Owner</u>	<u>Deed Number</u>
David A. & Margaret E. Young	1927865
Gary O. & Ruth A. Seabaugh	1927866
Margaret A. Jakobe	1927867
William M. & Marilyn F. Gerrard	1927869
William E. Shugart	1927870
Edna Thomas Wood	1927871
Richard F. & Betty J. Smith	1927872
Raymond C. & Nathalie O. Roberson	1927873
Robert L. & Louise N. Holtzinger	1927874
George & Goldie Sakoulas	1927875
Carl E. & Gloria P. Spitzkeit	1927876

19-5,106. Section 2. That copies of said deeds are attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 12th day of March, 1990.

Approved by the Mayor the 13th day of March, 1990.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Wetzler City Attorney

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this 12 day of FEBRUARY, 1990, by and between

DAVID A. YOUNG AND MARGARET E. YOUNG, JOINT TENANTS

of JOHNSON County, State of KANSAS, Parties of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Parties of the First Part, In consideration of the sum of One Dollar (\$1.00) Dollars

to have in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all their right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

DESCRIPTION: ALL THAT PART OF LOT 269, "LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 269; THENCE SOUTH 89°-56'-06" EAST ALONG THE NORTH LINE OF SAID LOT 269, A DISTANCE OF 103.00 FEET; THENCE SOUTH 87°-00'-30" WEST, A DISTANCE OF 103.15 FEET TO A POINT ON THE WEST LINE OF SAID LOT 269 THAT IS 5.50 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE NORTH 0°-03'-54" EAST ALONG SAID WEST LINE, A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING.

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1990 FEB 22 P 1:58.1

SARA F. ULLMANN
REGISTER OF DEEDS

Entered in Transfer Record

22 Feb 1990
Beverly L. Baker

Johnson County Clerk

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convenent, promise, and agree to and with said Party of the Second Part that at the delivery of these presents they are lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except NONE

and that First Parties will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Parties of the First part, for their heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First parties hereby agree that First Parties shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Parties further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Parties of the First Part have hereunto set their hands and seals the day and year first above written.

800/ck

David A. Young
David A. Young
Margaret E. Young
Margaret E. Young

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas :

SS.

COUNTY OF Johnson :

BE IT REMEMBERED, That on the 12 day February, 1990, before me, the undersigned, a Notary Public in and for said County and State,

came David A. Young and Margaret E. Young

who are personally known to me to be the same persons who executed the within instrument of writing, and duly acknowledged the execution of same.

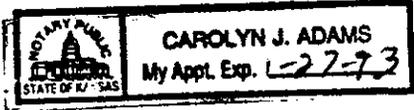
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

Carolyn J. Adams
Notary Public

My Commission Expires:

1-27-93

Margaret E. Young
David A. Young



CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :

SS.

COUNTY OF _____ :

BE IT REMEMBERED that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the County and State afore-said, came _____, President of _____

_____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____;

and _____, 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.

Notary Public

My Commission Expires

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

27 day of June, 19 89, by and between

GARY O. SEABAUGH, ~~A SINGLE PERSON~~ and Ruth Anne Seabaugh

of Johnson County, State of Kansas, Parties of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part of the First Part, In consideration of the sum of One Dollar (\$1.00) Dollars

to have in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

DESCRIPTION: ALL THAT PART OF LOT 24, "AMENDED PLAT OF LOTS 19 TO 30, INCLUSIVE, LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 24 THAT IS SOUTH 89°-56'-06" EAST, A DISTANCE OF 47.95 FEET FROM THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 89°-56'-06" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 78.18 FEET; THENCE IN AN EASTERLY, NORTHEASTERLY AND NORTHERLY DIRECTION ALONG SAID LOT LINE AND ALONG A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 34.24 FEET; THENCE NORTH 89°-56'-06" WEST, A DISTANCE OF 26.61 FEET; THENCE SOUTH 0°-03'-54" WEST, A DISTANCE OF 16.00 FEET, TO A POINT THAT IS 4.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 24; THENCE SOUTH 87°-03'-17" WEST, A DISTANCE OF 76.17 FEET TO THE POINT OF BEGINNING.

C. 87: 9 SS 127 111

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convenient, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Parties will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Parties of the First part, for their heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First parties hereby agrees that First Parties shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Parties further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Parties of the First Part have hereunto set their hands and sealed the day and year first above written.

Entered in Transfer Record

22 July 19 90

Beverly L. Baker

Johnson County Clerk

Gary O. Seabaugh
Ruth Anne Seabaugh

11/24/81

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Missouri :
COUNTY OF Jackson : SS.

BE IT REMEMBERED, That on the 27th day June, 19 89, before me, the undersigned, a Notary Public in and for said County and State,

came Gary O. Seabaugh and Ruth Anne Seabaugh

who _____ personally known to me to be the same person _____ who executed the within instrument of writing, and duly acknowledged the execution of same.

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

Priscilla Diaz
Notary Public

My Commission Expires:
PRISCILLA DIAZ
Notary Public - State of Missouri
Commissioned in Jackson County
My Commission Expires December 21, 1990

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1990 FEB 22 P 1:58:3

800 SARA FULLMANN
REGISTER OF DEEDS

BY _____ DEP.

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19 _____, before me, the undersigned, a Notary Public in and for the County and State afore-said, came _____, President of _____

_____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____

and _____, 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.

Notary Public

My Commission Expires

City of Leawood
9617 Lee Blvd
Leawood, Ks. 66206

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

29 day of June, 19 89, by and between

MARGARET ALLIN JAKOBE

of JOHNSON County, Sate of KANSAS, Party of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Party of the First Part, In consideration of the sum of One Dollar (\$1.00) Dollars

to have in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents does GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all her right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

DESCRIPTION: ALL THAT PART OF LOT 592, "LEAWOOD", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 592 THAT IS NORTH 89°-56'-06" WEST, A DISTANCE OF 44.50 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89°-56'-06" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 52.08 FEET; THENCE IN A WESTERLY DIRECTION, CONTINUING ALONG SAID SOUTH LINE AND ALONG A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 18.82 FEET; THENCE SOUTH 87°-05'-28" EAST, A DISTANCE OF 70.55 FEET TO THE POINT OF BEGINNING.

The City of Leawood agrees to plant two (2) yew bushes at the front side of the newly constructed sub-division monument.

The City of Leawood agrees to remove any mature trees that die as a result of construction associated with the 95th Street Widening. Any tree that dies will be replaced with a younger tree of similar type.

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Parties of the First Part, her heirs, executors, administrators, successors, or assigns.

And the Party of the First Part for their heirs, executors, administrators, successors and assigns, does hereby convenent, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Party will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Party of the First part, for her heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First party hereby agrees that First Party shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Party further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Party of the First Part has hereunto set their hand and seal of the day and year first above written.

502
ck

Entered in Transfer Record

22 Day of Feb 1990

Beverly L. Baker

Johnson County Clerk

Margaret Allin Jakobe
MARGARET ALLIN JAKOBE

VOL 3127 PAGE 502

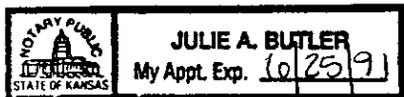
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas :
COUNTY OF Johnson : SS.

BE IT REMEMBERED, That on the 29 day June, 1989,
before me, the undersigned, a Notary Public in and for said County and State,
came Margaret Allin Jakobe

who is personally known to me to be the same person who executed the within
instrument of writing, and duly acknowledged the execution of same.

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



Julie A. Butler
Notary Public

Commission Expires:

06/25/91

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

1990 FEB 22 P 1:58:6

SARA F. ULLMANN
REGISTER OF DEEDS

BY _____ DEP.

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, 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.

Notary Public

My Commission Expires

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

12th day of May, 1989, by and between _____

WILLIAM M. GERRARD AND MARILYNN F. GERRARD, HUSBAND AND WIFE

of Johnson County, State of Kansas, Part ies of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Parties of the First Part, In consideration of the sum of _____

One Dollar (\$1.00) Dollars

to have in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do _____ GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all _____ right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

DESCRIPTION: ALL THAT PART OF LOT 270, "LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 270; THENCE NORTH 89°-56'-06" WEST ALONG THE NORTH LINE OF SAID LOT 270, A DISTANCE OF 103.00 FEET; THENCE SOUTH 86°-53'-25" EAST, A DISTANCE OF 94.13 FEET TO A POINT THAT IS 5.00 FEET SOUTH AND 9.00 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 270; THENCE SOUTH 0°-03'-54" WEST, PARALLEL WITH THE EAST LINE OF SAID LOT 270, A DISTANCE OF 30.00 FEET; THENCE SOUTH 89°-56'-06" EAST, A DISTANCE OF 9.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 270; THENCE NORTH 0°-03'-54" ALONG SAID EAST LINE, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do _____ hereby convenent, promise, and agree to and with said Party of the Second Part that at the delivery of these presents _____ lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except _____

and that First Parties will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Parties of the First part, for their heirs, executors, administrators, successors, or assigns, hereby waive _____ and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First parties hereby agrees that First Parties shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Parties further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Parties of the First Part have hereunto set their hands and sealed _____ the day and year first above written.

800
ck

Entered in Transfer Record

22 Da. of July 1990

Beverly L. Baker

Johnson County Clerk

William M. Gerrard
William M. Gerrard
Marilynn F. Gerrard
Marilynn F. Gerrard

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas :

SS.

COUNTY OF Johnson :

BE IT REMEMBERED, That on the 12th day May, 1989, before me, the undersigned, a Notary Public in and for said County and State,

came Marilynn F. Gerrard

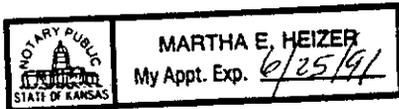
who is personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of same.

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

Martha E. Heizer
Notary Public

Martha E. Heizer

My Commission Expires:



CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :

SS.

COUNTY OF _____ :

BE IT REMEMBERED that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the County and State afore-said, came _____, President of _____

_____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____;

and _____, 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.

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

Notary Public

My Commission Expires

80 1990 FEB 22 P 1:59.1

SARA F. ULLMANN
REGISTER OF DEEDS

BY _____ DEP.

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

13 day of March, 19 89, by and between

WILLIAM E. SHUGART

of JOHNSON County, Sate of KANSAS, Party of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Party of the First Part, In consideration of the sum of

One Dollar (\$1.00) Dollars

to have in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do es GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all his right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

DESCRIPTION: ALL THAT PART OF LOT 381, "LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 381; THENCE SOUTH 89°-56'-06" EAST, ALONG THE NORTH LINE OF SAID LOT 381, A DISTANCE OF 103.00 FEET; THENCE SOUTH 87°-00'-28" WEST, A DISTANCE OF 103.12 FEET TO A POINT ON THE WEST LINE OF SAID LOT 381, THAT IS 5.50 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE NORTH 0°-12'-22" WEST ALONG SAID WEST LINE, A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING.

STATE OF KANSAS
COUNTY OF JOHNSON } SS
FILED FOR RECORD

8:00 1990 FEB 22 P 1:59:4

SARA FULLMANN
REGISTER OF DEEDS

TO HAVE AND TO HOLD THE same together with all and singular tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Party of the First Part, his heirs, executors, administrators, successors, or assigns.

And the Party of the First Part for his heirs, executors, administrators, successors and assigns, do hereby convenient, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Party will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Party of the First part, for his heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First party hereby agree that First Party shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Party further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Party of the First Part has hereunto set his hand and seal on the day and year first above written.

8:00
ck

Entered in Transfer Record

22 Day of Feb 19 90

Beverly L. Baker

Johnson County Clerk

William E. Shugart
WILLIAM E. SHUGART

VOL 3127 PAGE 508

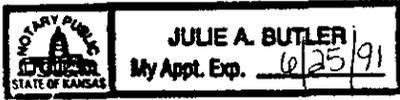
INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS :
COUNTY OF JOHNSON : SS.

BE IT REMEMBERED, That on the 13 day MARCH, 19 89,
before me, the undersigned, a Notary Public in and for said County and State,
came WILLIAM E. SHUGART OF 9501 MANOR, LEAWOOD, KANSAS

who is personally known to me to be the same person who executed the within
Instrument of writing, and duly acknowledged the execution of same.

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



Julie A. Butler
Notary Public

My Commission Expires:
06-25-91

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19 _____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, 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.

Notary Public

My Commission Expires

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

17 day of FEBRUARY, 19 89, by and between

EDNA C. THOMAS WOOD.

of Johnson County, State of Kansas, Party of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Party of the First Part, In consideration of the sum of

One Dollar (\$1.00) Dollars

to have in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents does GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all her right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

DESCRIPTION: ALL THAT PART OF LOT 462, "LEAWOOD ESTATES", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 462; THENCE SOUTH 89°-56'-06" EAST ALONG THE NORTH LINE OF SAID LOT 462, A DISTANCE OF 103.00 FEET; THENCE SOUTH 87°-00'-30" WEST, A DISTANCE OF 103.15 FEET TO A POINT ON THE WEST LINE OF SAID LOT 462 THAT IS 5.50 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE NORTH 0°-03'-54" EAST ALONG SAID WEST LINE, A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING.



STATE OF KANSAS
COUNTY OF JOHNSON } SS
FILED FOR RECORD

8⁰⁰ 1990 FEB 22 P 1:59.6

SARA F. ULLMANN

REGISTER OF DEEDS

TO HAVE AND TO HOLD THE same together with all and singular the rights, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Party of the First Part, her heirs, executors, administrators, successors, or assigns.

And the Party of the First Part for her heirs, executors, administrators, successors and assigns, do hereby convenent, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Party will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Party of the First part, for her heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First party hereby agree that First Party shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Party further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Party of the First Part has hereunto set her hand and sealed the day and year first above written.

Edna Thomas Wood
Edna Thomas Wood

Entered in Transfer Record

22 day of Feb 19 90
Beverly L. Baker

Johnson County Clerk

8⁰⁰ ck

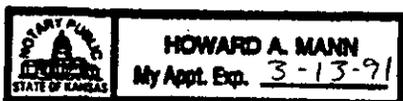
INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS :
COUNTY OF JOHNSON : SS.

BE IT REMEMBERED, That on the 17 day FEBRUARY, 19 89,
before me, the undersigned, a Notary Public in and for said County and State,
came EDNA THOMAS WOOD

who _____ personally known to me to be the same person _____ who executed the within
instrument of writing, and duly acknowledged the execution of same.

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



Howard A. Mann
Notary Public

My Commission Expires:
3-13-91

3 03 11 5 02 DEK 89

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19 _____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____

and _____, 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.

Notary Public

My Commission Expires

City of Leawood

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

10 day of February, 19 89, by and between
RICHARD F. SMITH AND BETTY JEAN SMITH, HUSBAND AND WIFE

of Johnson County, State of Kansas, Part ies of the First Part,
and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part ies of the First Part, In consideration of the sum of _____
One Dollar (\$1.00) _____ Dollars
to have in hand paid by Party of the Second Part, receipt whereof is hereby acknow-
ledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of
the Second Part forever all right, title and interest in and to the following
described real estate lying and situate in the County of Johnson, State of Kansas, to
wit:

DESCRIPTION: ALL THAT PART OF LOT 814, "LEAWOOD", A SUBDIVISION IN LEAWOOD,
JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST
CORNER OF SAID LOT 814; THENCE NORTH 89°-56'-06" WEST, ALONG THE SOUTH
LINE OF SAID LOT 814, A DISTANCE OF 103.00 FEET; THENCE NORTH 87°-00'-38" EAST,
A DISTANCE OF 103.21 FEET TO A POINT ON THE EAST LINE OF SAID LOT 814, THAT
IS 5.50 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 10°-45'-15"
WEST, ALONG SAID EAST LINE, A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING.

STATE OF KANSAS
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1990 FEB 22 P 1:59:18

800
SARA F. ULLMANN
REGISTER OF DEEDS

TO HAVE AND TO HOLD THE same together with all and singular the tenements, heredita-
ments, and appurtenances thereto belonging or in any wise appertaining, forever. it
is understood and agreed that the Party of the Second Part shall use said real estate
in the construction, improvement, reconstruction and maintenance of a public right-of-
way and should said right-of-way, any part thereof be vacated, the same shall revert
to Parties of the First Part, their heirs, executors, administrators, success-
ors, or assigns.

And the Parties of the First Part for their heirs, executors, administra-
tors, successors and assigns, do hereby convenent, promise, and agree to and with
said Party of the Second Part that at the delivery of these presents
lawfully seized of the interest hereby conveyed in all and singular the above granted
and described premises with the appurtenances thereto; that the same are free and clear
of and from all and every incumbrance whatsoever, except _____

and that First Part will forever warrant and defend the same unto the Party of the
Second Part or its assigns forever, against all and any lawful claim of all and any
persons whomsoever. Part of the First part, for heirs, executors, adminis-
trators, successors, or assigns, hereby waive and release to Second Party, any and
all claims for damages or compensation, either now or in the future arising by reason
of the use of said real estate for the purposes herein described. First part does
hereby agree that First Parties shall pay any special assessments or installments
thereof, matured or unmatured, on said premises hereby granted, and that Second Party
shall not be liable in any way for the payment thereof. First Parties further agrees
that the proper Governing Body may release the premises hereby granted from any special
assessment and spread and attach such special assessment to the remainder of the prop-
erty adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Parties of the First Part have hereunto set their hands
and sealed the day and year first above written.

502
ck

Entered in Transfer Record

22 Dec 1990

Beverly L. Baker

Johnson County Clerk

Richard F Smith
RICHARD F. SMITH

Betty Jean Smith
BETTY JEAN SMITH

11/24/81

VOL 3127 PAGE 512

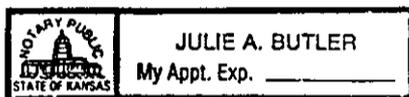
INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS :
COUNTY OF JOHNSON : SS.

BE IT REMEMBERED, That on the 10 day of February, 19 89,
before me, the undersigned, a Notary Public in and for said County and State,
came RICHARD F. SMITH AND BETTY JEAN SMITH

who ARE personally known to me to be the same persons who executed the within
instrument of writing, and duly acknowledged the execution of same.

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



Julie A. Butler
Notary Public

My Commission Expires:

06-25-91

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, 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.

Notary Public

My Commission Expires

City of Leawood

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this
10 day of February, 19 89, by and between _____

RAYMOND C. ROBERSON AND NATHALIE O. ROBERSON, HUSBAND AND WIFE

of Johnson County, State of Kansas, Parties _____ of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Parties _____ of the First Part, In consideration of the sum of _____
One Dollar (\$1.00) Dollars
to _____ in hand paid by Party of the Second Part, receipt whereof is hereby acknow-
ledged, by these presents does GRANT, BARGAIN, SELL AND CONVEY unto the Party of
the Second Part forever all _____ right, title and interest in and to the following
described real estate lying and situate in the County of Johnson, State of Kansas, to
wit:

DESCRIPTION: ALL THAT PART OF LOT 608, "LEAWOOD", A SUBDIVISION IN LEAWOOD,
JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE
SOUTH LINE OF SAID LOT 608 THAT IS NORTH 89°-56'-06" WEST, A DISTANCE OF 46.50
FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89°-56'-06" WEST, ALONG
SAID SOUTH LINE, A DISTANCE OF 52.08 FEET; THENCE IN A WESTERLY DIRECTION ALONG
SAID SOUTHERLY LINE AND ALONG A CURVE TO THE RIGHT, TANGENT TO THE LAST
DESCRIBED COURSE AND HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 18.82
FEET; THENCE SOUTH 87°-05'-28" EAST, A DISTANCE OF 70.55 FEET TO THE POINT OF
BEGINNING.

1.00 8 9 82 039 000

TO HAVE AND TO HOLD THE same together with all and singular the tenements, heredita-
ments, and appurtenances thereto belonging or in any wise appertaining, forever. It
is understood and agreed that the Party of the Second Part shall use said real estate
in the construction, improvement, reconstruction and maintenance of a public right-of-
way and should said right-of-way, any part thereof be vacated, the same shall revert
to Parties _____ of the First Part, their heirs, executors, administrators, success-
ors, or assigns.

And the Parties _____ of the First Part for their heirs, executors, administra-
tors, successors and assigns, do es hereby convenent, promise, and agree to and with
said Party of the Second Part that at the delivery of these presents _____
lawfully seized of the interest hereby conveyed in all and singular the above granted
and described premises with the appurtenances thereto; that the same are free and clear
of and from all and every incumbrance whatsoever, except _____

and that First Parties _____ will forever warrant and defend the same unto the Party of the
Second Part or its assigns forever, against all and any lawful claim of all and any
persons whomsoever. Part _____ of the First part, for their heirs, executors, adminis-
trators, successors, or assigns, hereby waive and release to Second Party, any and
all claims for damages or compensation, either now or in the future arising by reason
of the use of said real estate for the purposes herein described. First parties _____
hereby agree that First Parties _____ shall pay any special assessments or installments
thereof, matured or unmatured, on said premises hereby granted, and that Second Party
shall not be liable in any way for the payment thereof. First Parties _____ further agrees
that the proper Governing Body may release the premises hereby granted from any special
assessment and spread and attach such special assessment to the remainder of the prop-
erty adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Parties _____ of the First Part have hereunto set their hands
and sealed _____ the day and year first above written.

800
ck

Witnessed by _____
22 Feb 89
Kf
Johnson County Clerk

Raymond C. Roberson
Raymond C. Roberson

Nathalie O. Roberson
Nathalie O. Roberson

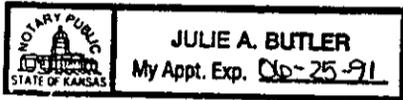
INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS :
COUNTY OF JOHNSON :
SS.

BE IT REMEMBERED, That on the 10 day FEBRUARY, 19 89,
before me, the undersigned, a Notary Public in and for said County and State,
came RAYMOND C. ROBERSON AND NATHALIE O. ROBERSON, 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 same.

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



Julie A. Butler
Notary Public

My Commission Expires:

06-25-91

STATE OF KANSAS]
COUNTY OF JOHNSON] SS.
FILED FOR RECORD

1990 FEB 22 P 2:00.1

800

SARA F. ULLMANN
REGISTER OF DEEDS

BY _____ DEP.

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ :
SS.

BE IT REMEMBERED that on this _____ day of _____, 19 _____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____

and _____, 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.

Notary Public

My Commission Expires

City of Leawood

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

9 day of February, 19 89, by and between

ROBERT L. HOLTZINGER AND LOUISE N. HOLTZINGER HUSBAND AND WIFE

of Johnson County, State of Kansas, Parties of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part of the First Part, In consideration of the sum of

One Dollar (\$1.00) Dollars

to in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

DESCRIPTION: ALL THAT PART OF LOT 623, "LEAWOOD", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 623, THAT IS SOUTH 89°-56'-06" EAST, A DISTANCE OF 46.50 FEET FROM THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 89°-56'-06" EAST ALONG THE SOUTH LINE OF SAID LOT 623, A DISTANCE OF 53.91 FEET; THENCE IN AN EASTERLY DIRECTION ALONG SAID SOUTH LINE AND ALONG A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED COURSE, AND HAVING A RADIUS OF 50.00 FEET, AN ARC DISTANCE OF 18.82 FEET; THENCE SOUTH 87°-17'-35" WEST, A DISTANCE OF 72.37 FEET TO THE POINT OF BEGINNING.

RECORDED IN BOOK 20029 PAGE 13

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convenent, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Parties will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Parties of the First part, for their heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First parties hereby agrees that First Parties shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Parties further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Parties of the First Part have hereunto set their hands and sealed the day and year first above written.

500
ck

Entered in Transfer Record

22 Day of Feb 19 90

Beverly L. Baker

Johnson County Clerk

Robert L. Holtzinger

Robert L. Holtzinger

Louise N. Holtzinger

Louise N. Holtzinger

11/24/81

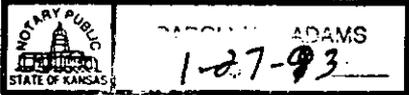
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas :
COUNTY OF Johnson : SS.

BE IT REMEMBERED, That on the 9th day February, 1989, before me, the undersigned, a Notary Public in and for said County and State, came Robert L. Holtzinger and Louise N. Holtzinger

who are personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of same.

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



Carolyn J. Adams
Notary Public

My Commission Expires:
1-27-93

STATE OF KANSAS
COUNTY OF JOHNSON] SS
FILED FOR RECORD
8⁰⁰ 1990 FEB 22 P 2:00:5
SARA F. ULLMANN
REGISTER OF DEEDS

BY _____ DEP.
CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
COUNTY OF _____ : SS.

BE IT REMEMBERED that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the County and State afore-said, came _____, President of _____

_____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____

and _____, 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.

Notary Public

My Commission Expires
City of Leawood

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

1 day of March, 1989, by and between

GEORGE SAKOULAS AND GOLDIE SAKOULAS, HUSBAND AND WIFE

of Johnson County, State of Kansas, Parties of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Parties of the First Part, In consideration of the sum of

One Dollar (\$1.00) Dollars

to in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

DESCRIPTION: ALL THAT PART OF LOT 815, "LEAWOOD", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 815; THENCE SOUTH 89°-56'-06" EAST, ALONG THE SOUTH LINE OF SAID LOT 815, A DISTANCE OF 55.04 FEET; THENCE NORTH 84°-13'-19" WEST, A DISTANCE OF 55.25 FEET TO A POINT ON THE WEST LINE OF SAID LOT 815, THAT IS 5.50 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 0°-45'-15" WEST, ALONG SAID WEST LINE, A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING.

22 FEB 1990
5.00 5.50 55.04

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby covenant, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Parties will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Parties of the First part, for their heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First parties hereby agrees that First Parties shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Parties further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Parties of the First Part have hereunto set their hands and seal this the day and year first above written.

802
ek

Entered in Transfer Record
22 Feb 1990
Beverly L. Baker

X George Sakoulas
Goldie Sakoulas

Johnson County Clerk

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

1 day of March, 1980, by and between

CARL E. SPITKEIT AND GLORIA P. SPITKEIT, HUSBAND AND WIFE

of JOHNSON County, State of KANSAS, Parties of the First Part,

and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Part ies of the First Part, In consideration of the sum of

One Dollar (\$1.00) Dollars

to in hand paid by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents do GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to wit:

DESCRIPTION: ALL THAT PART OF LOT 1, "LEAWOOD HILLS WEST", A SUBDIVISION IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOW: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 1 THAT IS 87.00 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 90°-00'-00" WEST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 77.76 FEET; THENCE IN A WESTERLY, NORTHWESTERLY AND NORTHERLY DIRECTION ALONG THE SOUTHERLY, AND WESTERLY LINE OF SAID LOT 1 AND ALONG A CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED COURSE, AND HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 34.24 FEET; THENCE NORTH 90°-00'-00" EAST, A DISTANCE OF 20.50 FEET; THENCE SOUTH 0°-00'-00" EAST, A DISTANCE OF 16.00 FEET; THENCE SOUTH 87°-11'-57" EAST, A DISTANCE OF 81.86 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way and should said right-of-way, any part thereof be vacated, the same shall revert to Parties of the First Part, their heirs, executors, administrators, successors, or assigns.

And the Parties of the First Part for their heirs, executors, administrators, successors and assigns, do hereby convenient, promise, and agree to and with said Party of the Second Part that at the delivery of these presents lawfully seized of the interest hereby conveyed in all and singular the above granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every incumbrance whatsoever, except

and that First Parties will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Parties of the First part, for their heirs, executors, administrators, successors, or assigns, hereby waive and release to Second Party, any and all claims for damages or compensation, either now or in the future arising by reason of the use of said real estate for the purposes herein described. First parties hereby agrees that First Parties shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Parties further agrees that the proper Governing Body may release the premises hereby granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Parties of the First Part have hereunto set their hands and seal this the day and year first above written.

Witness: J. Francis Wood
22 Feb 80
Carl E. Spitkeit
Gloria P. Spitkeit
JOHNSON COUNTY CLERK

11/24/81

INDIVIDUAL ACKNOWLEDGMENT

STATE OF KANSAS :

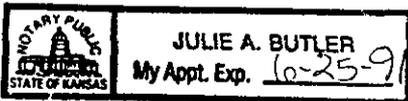
SS.

COUNTY OF Johnson :

BE IT REMEMBERED, That on the 1st day of March, 19 89, before me, the undersigned, a Notary Public in and for said County and State, came Carl E. Spitzkeit and Gloria P. Spitzkeit

who are personally known to me to be the same person S who executed the within instrument of writing, and duly acknowledged the execution of same.

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



Julie A. Butler
Notary Public

My Commission Expires:

10-25-91

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :

SS.

COUNTY OF _____ :

BE IT REMEMBERED that on this _____ day of _____, 19 _____, before me, the undersigned, a Notary Public in and for the County and State afore-said, came _____, President of _____

_____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____;

and _____, Secretary of said corporation, who 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.

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

Notary Public

My Commission Expires

801990 FEB 22 P 2:00:19

SARA F. ULLMANN
REGISTER OF DEEDS

City of Leawood

BY _____ DEP.

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

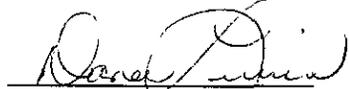
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

3/20/90 . .


Business Manager

Subscribed and sworn to before me on this date:
3/20/90


Notary Public

DANA LEWIS
Notary Public - State of Kansas
My Appt. Expires _____

My appointment expires:
February 12, 1994

Publication Fees: \$14.82

Ord. 1152

First published in The Legal Record and News, Tuesday, March 20, 1990.

ORDINANCE NO. 1152

AN ORDINANCE RELATING TO ACCEPTANCE OF DEEDS FOR STREET PURPOSES (95TH STREET IMPROVEMENTS, STATE LINE ROAD TO WENONGA).

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

19-5,105. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept the following deeds, the land described therein to be used for street purposes:

Property Owner	Deed Number
David A. & Margaret E. Young	1927865
Gary O. & Ruth A. Seabaugh	1927866
Margaret A. Jakobe	1927867
William M. & Marilyn F. Gerrard	1927869
William E. Shugart	1927870
Edna Thomas Wood	1927871
Richard F. & Betty J. Smith	1927872
Raymond C. & Nathalie O. Roberson	1927873
Robert L. & Louise N. Holtzinger	1927874
George & Goldie Sakoulas	1927875
Carl E. & Gloria P. Spitzkeit	1927876

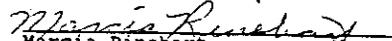
19-5,106. Section 2. That copies of said deeds are attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Council the 12th day of March, 1990.

Approved by the Mayor the 13th day of March, 1990.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler

R.S. Wetzler City Attorney

ORDINANCE NO. 1151

AN ORDINANCE AMENDING ORDINANCE NO. 1129 TO STATE CORRECT LEGAL DESCRIPTION OF LANDS ANNEXED TO THE CITY OF LEAWOOD, KANSAS, UPON ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, KANSAS, ISSUED ON SEPTEMBER 28, 1989, PURSUANT TO THE PROVISIONS OF K.S.A. 12-521 (1988 SUPP.).

WHEREAS, the Board of County Commissioners of Johnson County, Kansas, did, by its Resolution No. 117-89, approve, pursuant to K.S.A. 12-521, of a portion of the request of the City of Leawood to annex land and did specifically authorize the City of Leawood to annex by ordinance certain land as described in said Resolution No. 117-89; and

WHEREAS, the City of Leawood, on October 2, 1989, following the adoption of Resolution No. 117-89, did adopt Ordinance No. 1129 which annexed lands to the City of Leawood as authorized by said Resolution; and

WHEREAS, the legal descriptions of property annexed to the City of Leawood include reference to a subdivision identified in Section 1 of said Ordinance No. 1129 as "Guilford Downs"; and

WHEREAS, the proper name of the subdivision referred to in said Ordinance as "Guilford Downs" is "Guildford Downs"; and

WHEREAS, Ordinance No. 1129 should be amended to reflect the correct name and legal description of the subdivision annexed by the City;

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

Section 1. Ordinance Amended. Section 1 of Ordinance No. 1129 as adopted by the Governing Body on October 2, 1989, and which became effective on October 6, 1989, is hereby amended to read as follows:

Section 1. Land Annexed to the City of Leawood. The City of Leawood, Kansas, does hereby, pursuant to the provisions of K.S.A. 12-521 and as authorized by the Order of the Board of County Commissioners of Johnson County, annex to said City the following described land:

Parcel 1: Section 9, Township 14, Range 25.

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as

Guildford Downs and Leawood Mission Valley First Plat, a replat of a part of Guildford Downs. Containing 34.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25.

Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guildford Downs and Leawood Mission Valley First Plat, a replat of a part of Guildford Downs.

Section 2. Clerk Directed to File Copies of Ordinance. The City Clerk is hereby directed upon passage and publication of this annexation ordinance to file a certified copy of this ordinance with the County Clerk, the Register of Deeds, and the County Election Commissioner of Johnson County, Kansas.

Section 3. Repeal. Existing Section 1 of Ordinance No. 1129 is hereby repealed.

Section 4. Take Effect. This ordinance shall take effect upon publication and filing as provided by law.

Passed by the Council the 12th day of March, 1990.

Approved by the Mayor the 13th day of March, 1990.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Wetzler City Attorney

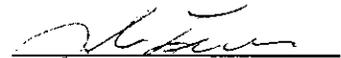
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

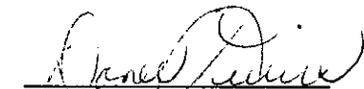
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

3/20/90 ..


Business Manager

Subscribed and sworn to before me on this date:
3/20/90


Notary Public

DANA LEWIS
Notary Public - State of Kansas
My Appt. Expires _____

My appointment expires:
February 12, 1994

Publication Fees: \$29.64

Ord. 1151

Ord. 1151

First published in The Legal Record and News, Tuesday, March 20, 1990.

ORDINANCE NO. 1151

AN ORDINANCE AMENDING ORDINANCE NO. 1129 TO STATE CORRECT LEGAL DESCRIPTION OF LANDS ANNEXED TO THE CITY OF LEAWOOD, KANSAS, UPON ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, KANSAS, ISSUED ON SEPTEMBER 28, 1989, PURSUANT TO THE PROVISIONS OF K.S.A. 12-521 (1988 SUPP.).

WHEREAS, the Board of County Commissioners of Johnson County, Kansas, did, by its Resolution No. 117-89, approve, pursuant to K.S.A. 12-521, of a portion of the request of the City of Leawood to annex land and did specifically authorize the City of Leawood to annex by ordinance certain land as described in said Resolution No. 117-89; and

WHEREAS, the City of Leawood, on October 2, 1989, following the adoption of Resolution No. 117-89, did adopt Ordinance No. 1129 which annexed lands to the City of Leawood as authorized by said Resolution; and

WHEREAS, the legal descriptions of property annexed to the City of Leawood include reference to a subdivision identified in Section 1 of said Ordinance No. 1129 as "Guilford Downs"; and

WHEREAS, the proper name of the subdivision referred to in said Ordinance as "Guilford Downs" is "Guildford Downs"; and

WHEREAS, Ordinance No. 1129 should be amended to reflect the correct name and legal description of the subdivision annexed by the City;

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

Section 1. Ordinance Amended. Section 1 of Ordinance No. 1129 as adopted by the Governing Body on October 2, 1989, and which became effective on October 6, 1989, is hereby amended to read as follows:

Section 1. Land Annexed to the City of Leawood: The City of Leawood, Kansas, does hereby, pursuant to the provisions of K.S.A. 12-521 and as authorized by the Order of the Board of County Commissioners of Johnson County, annex to said city the following described land:

Parcel 1: Section 9, Township 14, Range 25.

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guildford Downs and Leawood Mission Valley First Plat, a replat of a part of Guildford Downs. Containing 34.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25.

Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guildford Downs and Leawood Mission Valley First Plat, a replat of a part of Guildford Downs.

Section 2. Clerk Directed to File Copies of Ordinance. The City Clerk is hereby directed upon passage and publication of this annexation ordinance to file a certified copy of this ordinance with the County Clerk, the Register of Deeds, and the County Election Commissioner of Johnson County, Kansas.

Section 3. Repeal. Existing Section 1 of Ordinance No. 1129 is hereby repealed.

Section 4. Take Effect. This ordinance shall take effect upon publication and filing as provided by law.

Passed by the Council the 12th day of March, 1990.

Approved by the Mayor the 13th day of March, 1990.

ORDINANCE NO. 1150C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD, KANSAS, BY ADDING THERETO ARTICLE 10 OF CHAPTER I PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF A RECORDS MANAGEMENT PROGRAM FOR THE CITY OF LEAWOOD; PROVIDING THAT THE CITY CLERK SHALL BE RESPONSIBLE FOR ADMINISTERING SUCH PROGRAM; PROVIDING FOR OWNERSHIP OF GOVERNMENT RECORDS AND THE RESPONSIBILITIES OF OFFICERS AND EMPLOYEES WITH RESPECT THERETO; PROVIDING FOR DUTIES OF THE CITY CLERK, RECORDS REVIEW BOARD, AND CITY DEPARTMENTS WITH RESPECT TO SUCH PROGRAM.

WHEREAS, the care, management, and preservation of the records of the government of the City of Leawood is essential for legal, historical and administrative purposes; and

WHEREAS, various provisions of the Kansas Statutes impose duties upon city officials, as custodians of government records, to maintain, preserve and provide records for legal, historical and public access purposes; and

WHEREAS, the Governing Body of the City of Leawood recognizes the need for planning and procedures to manage records access, records storage, and records preservation in the City; and

WHEREAS, the Governing Body finds and determines that it is advisable and of public necessity to establish a comprehensive records management program for the City of Leawood;

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

Section 1. That the Code of the City of Leawood is amended by adding thereto Article 10 of Chapter I which reads as follows:

ARTICLE 10. RECORDS MANAGEMENT PROGRAM

1-1001. SHORT TITLE; PURPOSE; GOALS. This ordinance shall be known and may be cited as the "Records Management Program of the City of Leawood", intended to provide for the proper and efficient management of the government records of the City of Leawood, Kansas.

The Records Management Program shall seek:

1. To assure that the records of the City are professionally managed, properly and effectively organized, maintained, filed and preserved;

2. To assure the lawful and efficient public access to

records of the City;

3. To assure and establish an efficient retrieval procedure for records of the City;

4. To maintain and assure the security and safe keeping of records of the City;

5. To provide for the routine inventory, evaluation and proper disposition of documents and other paperwork;

6. To provide for adequate and effective storage of records to maximize efficient use of space and equipment;

7. To identify and provide for the preservation of appropriate records of enduring value;

8. To identify and study records management procedures, changes and technological developments; and

9. To communicate and promote effective management techniques for records production, handling, maintenance, preservation and disposition.

1-1002. DEFINITIONS. For guidance in administering the provisions of the Records Management Program, the following definitions shall apply to the following words and terms:

1. Active Records: Those records which are in current use and which must be retained in city offices because frequent reference is necessary in the conduct of day-to-day operations.

2. Appraisal: The process of determining the value and thus the disposition of records based upon their current administrative, legal, and fiscal use; their relationship to other records; their arrangement; their evidential and information or research value; and their historical value.

3. Archives: Those records worthy of permanent preservation because of the importance of their information for continuing administrative, legal, or fiscal purposes, or for historical or other research.

4. City: The City of Leawood, Kansas.

5. City Clerk: The City Clerk of the City of Leawood, Kansas, or his/her duly designated representative.

6. Government Records (also referred to herein as "records"): All volumes, documents, reports, maps, drawings, charts, indexes, plans, memoranda, sound recordings, microfilms, photographic records and other data, information or documentary material, regardless of physical form or characteristics, storage media or condition of use, generated or received by any officer or employee of the City pursuant to law or ordinance or in connection with the transaction of official City business or bearing upon the official activities and functions of the City government, and

preserved for any period of time by the City as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the City, or because of the informational value of data in them.

7. Inactive Records: Those records which are seldom referred to, but which must be retained temporarily or permanently because of legal, fiscal, administrative, or archival value.

8. Maintenance of Records: The creation, maintenance, protection, use and disposition of all records, including the establishment and maintenance of a system of filing and indexing records.

9. Nonrecords: All material not usually included within the definition of government records, such as published material acquired and preserved solely for reference purposes; extra copies of documents preserved only for convenience of reference; stocks of publications and processed documents, blank forms and duplicated documents; library or museum material made or acquired and preserved solely for reference or exhibition purposes; and all data or word processing applications systems, including software programming and system support procedures and informational services derived from those systems.

10. Public Records: Those government records which contain information open to public access pursuant to K.S.A. 45-201 et seq.

11. Records Center: An establishment maintained primarily for the storage, servicing, security and processing of records which must be preserved for varying periods of time and need not be retained in office equipment or space.

12. Records Disposition: Action taken with regard to records and nonrecords following their appraisal. These actions include the transfer of inactive records to the Records Center or Archives or the destruction of records or nonrecords no longer required in the course of the City's business.

13. Records Management: The use of efficient, cost-effective techniques in the creation, storage, retrieval, and disposition of the various means of recording information including, but not limited to, inventorying records, preparing retention and disposition schedules, managing files and forms, operating records centers, reproducing records through micrographics, protecting vital records, and granting adequate public access to the information in records.

14. Records Management Program: A formulated plan to establish a City-wide system that achieves integrated control of all departmental subsystems so that an orderly and efficient flow of paperwork is provided from creation to ultimate disposition of records.

15. Records Retention and Disposition Schedules: Lists of series of government records specifying which series of records have enduring value, authorizing disposition of certain other series of records, and indicating how long certain series of records should be retained before their disposition. The Schedules constitute authority for the destruction of records listed thereon, after required retention periods have lapsed.

16. Records Review Board: The City Administrator, City Clerk, Department Heads and City Attorney of the City of Leawood, Kansas.

17. Records Series: File units created, arranged, and maintained as a unit because they relate to a particular subject or function, result from the same activity, have the same form, or are related to each other in some other apparent way.

18. Vital Records: Those records essential to the continuing operation of the government that would be needed to resume and continue operation of the government after a major disaster, to protect the legal and financial interests of the government, and to preserve the rights of the people.

1-1003. OWNERSHIP OF GOVERNMENT RECORDS AND RESPONSIBILITIES OF OFFICERS AND EMPLOYEES.

A. All government records shall be the property of the City, and in this regard shall be delivered by outgoing officials and employees to their successors. Each City department shall be the legal custodian of its records; except that the departments shall relinquish legal custody of those records given to the Archives. The City Clerk shall be the physical custodian of all records transferred to the Records Center, Archives, or microfilming service center.

B. It shall be the duty of each officer and employee of the City to protect, preserve, store, transfer, destroy or otherwise dispose of, use and manage records only in accordance with applicable federal, state or local law, or such rules as may be promulgated or approved by the City Clerk.

1-1004. DUTIES OF THE CITY CLERK. It shall be the responsibility of the City Clerk, in cooperation with the

Records Review Board, to administer the Records Management Program of the City. In this regard, the City Clerk shall, among all other things that may be required for the proper and efficient management of the records of the City:

1. Prepare a records inventory, and prepare, by appraisal and with the assistance of City departments, Retention and Disposition Schedules for all records pursuant to State Statute requirements and recommendations enumerated in the "Kansas Local Government Records Manual", 1985 edition, and as from time to time amended, as prepared by the Kansas State Historical Society, Department of Archives.

2. Develop and circulate such rules and regulations as may be necessary and proper to implement and maintain the City's Records Management Program.

3. Administer a Records Center and Archives to store and preserve inactive records prior to disposition and to provide for permanent preservation of government records with archival value.

4. Provide microfilming services for records pursuant to rules to be promulgated for the centralization of such services.

5. Advise and assist City departments in all areas of records management, including records maintenance, transfer, and disposition.

6. Conduct, as he or she deems necessary, such surveys, studies and investigations as will assist in promoting a proper and efficient Records Management Program for the City, including information retrieval systems.

1-1005. DUTIES OF THE RECORDS REVIEW BOARD. It shall be the responsibility of the members of the Records Review Board to guide and promote the overall development of the Records Management Program, to review and adopt Retention and Disposition Schedules and amendments thereto recommended by the City Clerk, and to review and make recommendations for Program proposals and procedures.

1-1006. DUTIES OF CITY DEPARTMENT HEADS OR THEIR DULY DESIGNATED REPRESENTATIVES.

A. Departments shall create and maintain all records with adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the department.

B. Departments, with the advice of the City Clerk,

shall establish and maintain an active, continuing program for the economical and efficient management of the records of the department. Such program shall, among other things, provide for:

1. Effective controls over the creation, maintenance, and use of records in the conduct of current business.
2. Cooperation with the City Clerk in applying standards, procedures, and techniques designed to improve the management of records.
3. Promotion of the maintenance and security of records deemed appropriate for preservation.
4. The proper application of the Retention and Disposition Schedules to department records.

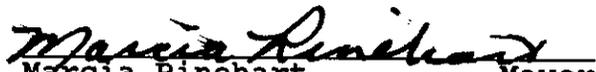
C. Those records which are not required in the current operation of the office where they are made or kept, and all records which can properly be abolished or discontinued, shall be transferred to the Records Center or Archives so that they may be centralized, preserved and be made more widely available, insured permanent preservation, or approved for destruction.

Section 2. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 20th day of February, 1990.

Approved by the Mayor the 21st day of February, 1990.

(S. E. A. L.)



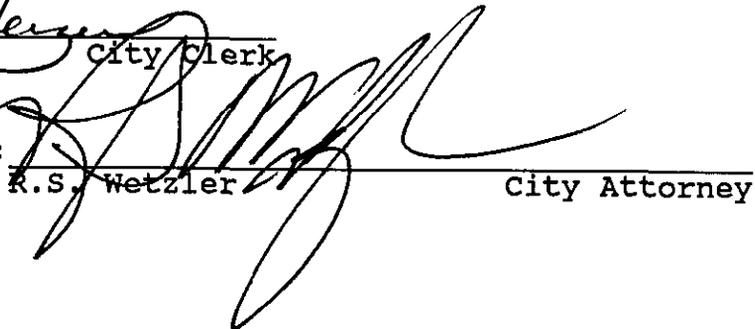
Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

APPROVED FOR FORM:



R.S. Wetzler City Attorney

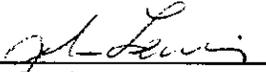
Proof of Publication

STATE OF KANSAS, JOHNSON
COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

2/27/90, - , -



Business Manager

Subscribed and sworn to
before me on this date:

2/27/90



Notary Public

DANA LEWIS

Notary Public - State of Kansas

My Appt. Expires _____

My appointment expires:
February 12, 1994

Publication Fees: \$85.96

ORDINANCE NO. 1150C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD, KANSAS, BY ADDING THERETO ARTICLE 10 OF CHAPTER I PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF A RECORDS MANAGEMENT PROGRAM FOR THE CITY OF LEAWOOD; PROVIDING THAT THE CITY CLERK SHALL BE RESPONSIBLE FOR ADMINISTERING SUCH PROGRAM; PROVIDING FOR OWNERSHIP OF GOVERNMENT RECORDS AND THE RESPONSIBILITIES OF OFFICERS AND EMPLOYEES WITH RESPECT THERETO; PROVIDING FOR DUTIES OF THE CITY CLERK, RECORDS REVIEW BOARD, AND CITY DEPARTMENTS WITH RESPECT TO SUCH PROGRAM.

WHEREAS, the care, management, and preservation of the records of the government of the City of Leawood is essential for legal, historical and administrative purposes; and

WHEREAS, various provisions of the Kansas Statutes impose duties upon city officials, as custodians of government records, to maintain, preserve and provide records for legal, historical and public access purposes; and

WHEREAS, the Governing Body of the City of Leawood recognizes the need for planning and procedures to manage records access, records storage, and records preservation in the City; and

WHEREAS, the Governing Body finds and determines that it is advisable and of public necessity to establish a comprehensive records management program for the City of Leawood;

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

Section 1. That the Code of the City of Leawood is amended by adding thereto Article 10 of Chapter I which reads as follows:

ARTICLE 10. RECORDS MANAGEMENT PROGRAM

1-1001. SHORT TITLE; PURPOSE; GOALS. This ordinance shall be known and may be cited as the "Records Management Program of the City of Leawood", intended to provide for the proper and efficient management of the government records of the City of Leawood, Kansas.

The Records Management Program shall seek:

1. To assure that the records of the City are professionally managed, properly and effectively organized, maintained, filed and preserved;
2. To assure the lawful and efficient public access to records of the City;
3. To assure and establish an efficient retrieval procedure for records of the City;
4. To maintain and assure the security and safe keeping of records of the City;
5. To provide for the routine inventory, evaluation and proper disposition of documents and other paperwork;
6. To provide for adequate and effective storage of records to maximize efficient use of space and equipment;
7. To identify and provide for the preservation of appropriate records of enduring value;
8. To identify and study records management procedures, changes and technological developments; and
9. To communicate and promote effective management techniques for records production, handling, maintenance, preservation and disposition.

1-1002. DEFINITIONS. For guidance in administering the provisions of the Records Management Program, the following definitions shall apply to the following words and terms:

1. Active Records: Those records which are in current use and which must be retained in city offices because frequent reference is necessary in the conduct of day-to-day operations.
2. Appraisal: The process of determining the value and thus the disposition of records based upon their current administrative, legal, and fiscal use; their relationship to other records; their arrangement; their evidential and information or research value; and their historical value.
3. Archives: Those records worthy of permanent preservation because of the importance of their information for continuing administrative, legal, or fiscal purposes, or for historical or other research.
4. City: The City of Leawood, Kansas.
5. City Clerk: The City Clerk of the City of Leawood, Kansas, or his/her duly designated representative.
6. Government Records (also referred to herein as "records"): All volumes, documents, reports, maps, drawings, charts, indexes, plans, memoranda, sound recordings, microfilms, photographic records and other data, information or documentary material, regardless of physical form or characteristics, storage media or condition of use, generated or received by any officer or employee of the City pursuant to law or ordinance or in connection with the transaction of official City business or bearing upon the official activities and functions of the City government, and preserved for any period of time by the City as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the City, or because of the informational value of data in them.
7. Inactive Records: Those records which are seldom referred to, but which must be retained temporarily or permanently because of legal, fiscal, administrative, or archival value.

8. Maintenance of Records: The creation, maintenance, protection, use and disposition of all records, including the establishment and maintenance of a system of filing and indexing records.

9. Nonrecords: All material not usually included within the definition of government records, such as published material acquired and preserved solely for reference purposes; extra copies of documents preserved only for convenience of reference; stocks of publications and processed documents, blank forms and duplicated documents; library or museum material made or acquired and preserved solely for reference or exhibition purposes; and all data or word processing applications systems, including software programming and system support procedures and informational services derived from those systems.

10. Public Records: Those government records which contain information open to public access pursuant to K.S.A. 45-201 et seq.

11. Records Center: An establishment maintained primarily for the storage, servicing, security and processing of records which must be preserved for varying periods of time and need not be retained in office equipment or space.

12. Records Disposition: Action taken with regard to records and nonrecords following their appraisal. These actions include the transfer of inactive records to the Records Center or Archives or the destruction of records or nonrecords no longer required in the course of the City's business.

13. Records Management: The use of efficient, cost-effective techniques in the creation, storage, retrieval, and disposition of the various means of recording information including, but not limited to, inventorying records, preparing retention and disposition schedules, managing files and forms, operating records centers, reproducing records through micrographics, protecting vital records, and granting adequate public access to the information in records.

14. Records Management Program: A formulated plan to establish a City-wide system that achieves integrated control of all departmental subsystems so that an orderly and efficient flow of paperwork is provided from creation to ultimate disposition of records.

15. Records Retention and Disposition Schedules: Lists of series of government records specifying which series of records have enduring value, authorizing disposition of certain other series of records, and indicating how long certain series of records should be retained before their disposition. The Schedules constitute authority for the destruction of records listed thereon, after required retention periods have lapsed.

16. Records Review Board: The City Administrator, City Clerk, Department Heads and City Attorney of the City of Leawood, Kansas.

17. Records Series: File units created, arranged, and maintained as a unit because they relate to a particular subject or function, result from the same activity, have the same form, or are related to each other in some other apparent way.

18. Vital Records: Those records essential to the continuing operation of the government that would be needed to resume and continue operation of the government after a major disaster, to protect the legal and financial interests of the government, and to preserve the rights of the people.

1-1003. OWNERSHIP OF GOVERNMENT RECORDS AND RESPONSIBILITIES OF OFFICERS AND EMPLOYEES.

A. All government records shall be the property of the City, and in this regard shall be delivered by outgoing officials and employees to their successors. Each City department shall be the legal custodian of its records; except that the departments shall relinquish legal custody of those records given to the Archives. The City Clerk shall be the physical custodian of all records transferred to the Records Center, Archives, or microfilming service center.

B. It shall be the duty of each officer and employee of the City to protect, preserve, store, transfer, destroy or otherwise dispose of, use and manage records only in accordance with applicable federal, state or local law, or such rules as may be promulgated or approved by the City Clerk.

1-1004. DUTIES OF THE CITY CLERK. It shall be the responsibility of the City Clerk, in cooperation with the Records Review Board, to administer the Records Management Program of the City. In this regard, the City Clerk shall, among all other things that may be required for the proper and efficient management of the records of the City:

1. Prepare a records inventory, and prepare, by appraisal and with the assistance of City departments, Retention and Disposition Schedules for all records pursuant to State Statute requirements and recommendations enumerated in the "Kansas Local Government Records Manual", 1985 edition, and as from time to time amended, as prepared by the Kansas State Historical Society, Department of Archives.

2. Develop and circulate such rules and regulations as may be necessary and proper to implement and maintain the City's Records Management Program.

3. Administer a Records Center and Archives to store and preserve inactive records prior to disposition and to provide for permanent preservation of government records with archival value.

4. Provide microfilming services for records pursuant to rules to be promulgated for the centralization of such services.

5. Advise and assist City departments in all areas of records management, including records maintenance, transfer, and disposition.

6. Conduct, as he or she deems necessary, such surveys, studies and investigations as will assist in promoting a proper and efficient Records Management Program for the City, including information retrieval systems.

1-1005. DUTIES OF THE RECORDS REVIEW BOARD. It shall be the responsibility of the members of the Records Review Board to guide and promote the overall development of the Records Management Program, to review and adopt Retention and Disposition Schedules and amendments thereto recommended by the City Clerk, and to review and make recommendations for Program proposals and procedures.

1-1006. DUTIES OF CITY DEPARTMENT HEADS OR THEIR DULY DESIGNATED REPRESENTATIVES.

A. Departments shall create and maintain all records with adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the department.

B. Departments, with the advice of the City Clerk, shall establish and maintain an active, continuing program for the economical and efficient management of the records of the department. Such program shall, among other things, provide for:

1. Effective controls over the creation, maintenance, and use of records in the conduct of current business.

2. Cooperation with the City Clerk in applying standards, procedures, and techniques designed to improve the management of records.

3. Promotion of the maintenance and security of records deemed appropriate for preservation.

4. The proper application of the Retention and Disposition Schedules to department records.

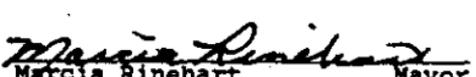
C. Those records which are not required in the current operation of the office where they are made or kept, and all records which can properly be abolished or discontinued, shall be transferred to the Records Center or Archives so that they may be centralized, preserved and be made more widely available, insured permanent preservation, or approved for destruction.

Section 2. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

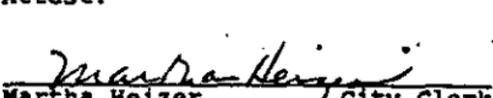
Passed by the Council the 20th day of February, 1990.

Approved by the Mayor the 21st day of February, 1990.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler

R.S. Wetzler City Attorney

ORDINANCE NO. 1149C,

AN ORDINANCE AMENDING SECTION 14-308 OF THE CODE OF THE CITY OF LEAWOOD WHICH PROHIBITS PARKING ON CERTAIN STREETS.

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

Section 1. Code Amended. That Section 14-308 of the Code of the City of Leawood is hereby amended to read as follows:

14-308. PARKING PROHIBITED. It shall be unlawful to park, where signs are erected and maintained giving notice of prohibited parking, in the following streets or portions thereof within the City:

- (a) Somerset Drive;
- (b) 83rd Street, except for that portion on the south side from Wenonga to the west City limits;
- (c) That part of 89th Street between State Line and Dykes Branch of Indian Creek;
- (d) 95th Street;
- (e) The north side of 96th Street between Lee Boulevard and State Line;
- (f) The north side of 97th Street between Lee Boulevard and High Drive;
- (g) 103rd Street;
- (h) College Boulevard;
- (i) 119th Street;
- (j) 123rd Street;
- (k) 127th Street between Mission Road and Nall Avenue;
- (l) 143rd Street;
- (m) 151st Street;
- (n) State Line Road;
- (o) Kenneth Parkway;
- (p) Kenneth Road;
- (q) Mission Road north of I-435;
- (r) East side of Mission Road between 119th Street and K-150;
- (s) Mission Road south of K-150;
- (t) El Monte, north of College Boulevard;
- (u) Tomahawk Creek Parkway;
- (v) Roe Avenue, College Boulevard to K-150;
- (w) Nall Avenue.

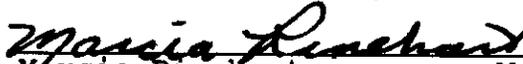
Section 2. Repeal of Existing Section. That existing Section 14-308 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1087C)

Section 3. Take Effect. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 20th day of February, 1990.

Approved by the Mayor the 21st day of February, 1990.

(S E A L)

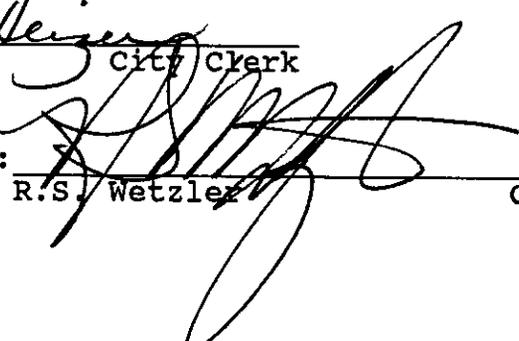


Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

APPROVED FOR FORM: 

R.S. Wetzler City Attorney

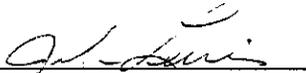
Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue for 1 consecutive week(s) as follows:

2/27/90, - , -


Business Manager

Subscribed and sworn to before me on this date:
2/27/90


Notary Public

DANA LEWIS
Notary Public - State of Kansas
My Appt. Expires _____

My appointment expires:
February 12, 1994

Publication Fees: \$22.23

ORD. #1149C

First published in The Legal Record and News, Tuesday, February 27, 1990.

ORDINANCE NO. 1149C

AN ORDINANCE AMENDING SECTION 14-308 OF THE CODE OF THE CITY OF LEAWOOD WHICH PROHIBITS PARKING ON CERTAIN STREETS.

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

Section 1. Code Amended. That Section 14-308 of the Code of the City of Leawood is hereby amended to read as follows:

14-308. **PARKING PROHIBITED.** It shall be unlawful to park, where signs are erected and maintained giving notice of prohibited parking, in the following streets or portions thereof within the City:

- (a) Somerset Drive;
- (b) 83rd Street, except for that portion on the south side from Wanonga to the west City limits;
- (c) That part of 89th Street between State Line and Dykes Branch of Indian Creek;
- (d) 95th Street;
- (e) The north side of 96th Street between Lee Boulevard and State Line;
- (f) The north side of 97th Street between Lee Boulevard and High Drive;
- (g) 103rd Street;
- (h) College Boulevard;
- (i) 119th Street;
- (j) 123rd Street;
- (k) 127th Street between Mission Road and Nall Avenue;
- (l) 143rd Street;
- (m) 151st Street;
- (n) State Line Road;
- (o) Kenneth Parkway;
- (p) Kenneth Road;
- (q) Mission Road north of I-435;
- (r) East side of Mission Road between 119th Street and K-150;
- (s) Mission Road south of K-150;
- (t) El Monte, north of College Boulevard;
- (u) Tomahawk Creek Parkway;
- (v) Roe Avenue, College Boulevard to K-150;
- (w) Nall Avenue.

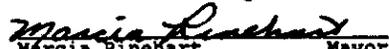
Section 2. Repeal of Existing Section. That existing Section 14-308 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1087C)

Section 3. Take Effect. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 20th day of February, 1990.

Approved by the Mayor the 21st day of February, 1990.

(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler
R.S. Wetzler City Attorney

ORDINANCE NO. 1148 C

AN ORDINANCE RELATING TO HUNTING AND FISHING IN THE CITY OF LEAWOOD, KANSAS, AND REPEALING EXISTING SECTION OF THE CODE OF THE CITY OF LEAWOOD.

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

Section 1. Code Amended. That Section 12-206 of the Code of the City of Leawood is hereby amended to read as follows:

12-206. HUNTING AND FISHING PROHIBITED; EXCEPTION FOR FISHING IN PUBLIC WATERS. No person shall pursue, catch, trap, maim, kill, shoot or take any wildlife, either bird or animal, in any manner at any time except that fishing is permitted in public water within public parks in the City of Leawood during the hours that said parks are open to the public. Fishermen shall use fishing rods and/or reels only, shall possess a valid Kansas State fishing license, and shall obey all Kansas State fishing regulations and all City ordinances relating to the use of City parks.

Section 2. Repeal of Existing Section. That existing Section 12-206 of the Code of the City of Leawood is hereby repealed.

Section 3. Take Effect. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 5th day of February, 1990.

Approved by the Mayor the 6th day of February, 1990.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Wetzler
City Attorney

*repealed
by Ord. 1213C
4/1/91*

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue

for 1 consecutive week(s) as follows:

1st 2/13/90
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis

Business Manager

Subscribed and sworn to before me this 13 day of February, 1990.

Susan G. Hetherington
Notary Public

My commission expires:

March 30, 1991

Publication Fees: \$1178

LEAWOOD ORD. 1148 C

First published in The Legal Record and News, Tuesday, February 13, 1990.

ORDINANCE NO. 1148 C

AN ORDINANCE RELATING TO HUNTING AND FISHING IN THE CITY OF LEAWOOD, KANSAS, AND REPEALING EXISTING SECTION OF THE CODE OF THE CITY OF LEAWOOD.

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

Section 1. Code Amended. That Section 12-206 of the Code of the City of Leawood is hereby amended to read as follows:

12-206. HUNTING AND FISHING PROHIBITED; EXCEPTION FOR FISHING IN PUBLIC WATERS. No person shall pursue, catch, trap, maim, kill, shoot or take any wildlife, either bird or animal, in any manner at any time except that fishing is permitted in public water within public parks in the City of Leawood during the hours that said parks are open to the public. Fishermen shall use fishing rods and/or reels only, shall possess a valid Kansas State fishing license, and shall obey all Kansas State fishing regulations and all City ordinances relating to the use of City parks.

Section 2. Repeal of Existing Section. That existing Section 12-206 of the Code of the City of Leawood is hereby repealed.

Section 3. Take Effect. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 5th day of February, 1990.

Approved by the Mayor the 6th day of February, 1990.

/s/ Marcia Rinehart, Mayor (SEAL)

Attest:

/s/ Martha Helzer, City Clerk

APPROVED FOR FORM:

/s/ R.S. Wetzler

R.S. Wetzler, City Attorney

2/13

SUSAN G. HETHERINGTON

Notary Public - State of Kansas

My Appt. Exp. 3-30-91

ORDINANCE NO. 1147

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

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

18-131. Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural:

A part of the Southwest Quarter of the Southwest Quarter of Section 15, Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 15; thence South 89 degrees 03 minutes 38 seconds West on the South line of said Quarter Quarter, 657.98 feet to the True Point of Beginning; thence continuing South 89 degrees 03 minutes 38 seconds West on said South line, 670.00 feet to the Southwest corner of said Quarter Quarter; thence North 00 degrees 00 minutes 00 seconds East on the West line of said Quarter a distance of 682.70 feet; thence South 82 degrees 13 minutes 45 seconds East a distance of 363.01 feet; thence North 86 degrees 40 minutes 10 seconds East a distance of 172.27 feet to a point of curvature; thence Southeasterly on a curve to the left having a radius of 600.00 feet, a central angle of 02 degrees 23 minutes 15 seconds, and an initial tangent bearing of South 32 degrees 57 minutes 36 seconds East a distance of 25.00 feet; thence South 35 degrees 20 minutes 51 seconds East a distance of 149.71 feet to a point of curvature; thence Southeasterly on a curve to the right having a radius of 169.00 feet and a central angle of 34 degrees 24 minutes 29 seconds a distance of 101.49 feet; thence South 0 degrees 56 minutes 22 seconds East a distance of 394.89 feet to the True Point of Beginning.

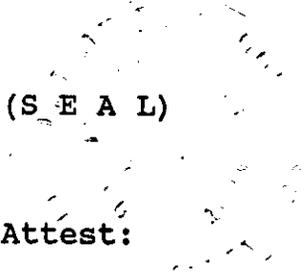
The above described tract containing 9.56 acres (416,390.04 square feet) more or less, except that part previously described for public right-of-way. Church of the Nativity, 119th & Mission Rd.

Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 5th day of February, 1990.

Approved by the Mayor the 6th day of February, 1990.

(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Wetzler
R.S. Wetzler City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue

for 1 consecutive week(s) as follows:

- 1st 2/13/90
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

John Lewis

Business Manager

Subscribed and sworn to before me this 13 day of February, 1990.

Susan G. Hetherington
Notary Public

My commission expires:

March 30, 1991

Publication Fees: \$17⁸⁶

LEAWOOD ORD. 1147

First published in The Legal Record and News, Tuesday, February 13, 1990.
ORDINANCE NO. 1147

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

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

18-131. Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural:

A part of the Southwest Quarter of the Southwest Quarter of Section 15, Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 15; thence South 89 degrees 03 minutes 38 seconds West on the South line of said Quarter Quarter, 657.98 feet to the True Point of Beginning; thence continuing South 89 degrees 03 minutes 38 seconds West on said South line, 670.00 feet to the Southwest corner of said Quarter Quarter; thence North 00 degrees 00 minutes 00 seconds East on the West line of said Quarter a distance of 682.70 feet; thence South 82 degrees 13 minutes 45 seconds East a distance of 363.01 feet; thence North 86 degrees 40 minutes 10 seconds East a distance of 172.27 feet to a point of curvature; thence Southeasterly on a curve to the left having a radius of 600.00 feet, a central angle of 02 degrees 23 minutes 15 seconds, and an initial tangent bearing of South 32 degrees 57 minutes 38 seconds East a distance of 25.00 feet; thence South 35 degrees 20 minutes 51 seconds East a distance of 149.71 feet to a point of curvature; thence Southeasterly on a curve to the right having a radius of 169.00 feet and a central angle of 34 degrees 24 minutes 29 seconds a distance of 101.49 feet; thence South 0 degrees 56 minutes 22 seconds East a distance of 394.89 feet to the True Point of Beginning.

The above described tract containing 9.56 acres (416,390.04 square feet) more or less, except that part previously described for public right-of-way, Church of the Nativity, 119th & Mission Rd.

Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 5th day of February, 1990.

Approved by the Mayor the 6th day of February, 1990.

/s/ Marcia Rinehart, Mayor (SEAL)

Attest:

/s/ Martha Heizer, City Clerk

APPROVED FOR FORM:

/s/ R.S. Wetzler

R.S. Wetzler, City Attorney

2/13

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORDINANCE NO. 1146

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 86-1-90A, PROJECT 107, (ROE AVENUE, 112TH TO 121ST STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$270,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF ROE AVENUE (112TH TO 121ST STREET) INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER APPURTENANCES THERETO.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the Governing Body of the City of Leawood entered into a joint agreement, dated February 4, 1985, with the City of Overland Park and Johnson County, Kansas, to make improvements to Roe Avenue from 112th to 121st Street in the total estimated cost of \$1,500,000.00 with each entity to pay a portion of said costs; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,539. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 86-1-90A, Project 107 (Roe Avenue, 112th to 121st Street), in the aggregate principal amount of Two Hundred and Seventy Thousand Dollars (\$270,000), which amount does not exceed the total estimated costs of said improvements.

20-1,540. Section Two: Said issue of Temporary Notes, Series L.I.D. 86-1-90A, Project 107, shall consist of bearer notes numbered from 1 through 3 inclusive, with numbers 1 and 2 each in the denomination of \$100,000.00 and number 3 in the denomination of \$70,000.00. Each of said notes shall be dated January 23, 1990, and shall have the stated maturity date of January 22, 1991. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.25% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,541. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,542. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as

provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,543. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1990, the City has not issued any bonds or obligations.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,544. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 15th day of January, 1990.

SIGNED by the Mayor this 15th day of January, 1990.



Marcia Rinehart
Marcia Rinehart, Mayor

ATTEST:

Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler
R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue

for 1 consecutive week(s) as follows:

1st 1/16/90
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager

Subscribed and sworn to before me this 16 day of Jan, 1990.

Susan D. Hetherington
Notary Public

My commission expires:

3-30-91

Publication

Fees: \$78⁵⁷

SUSAN G. HETHERINGTON

Notary Public - State of Kansas
My Appt. Exp. 3-30-91

LEAWOOD ORD. 1146

ORDINANCE NO. 1146

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 86-1-90A, PROJECT 107, (ROE AVENUE, 112TH TO 121ST STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$270,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF ROE AVENUE (112TH TO 121ST STREET) INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER APPURTENANCES THERETO.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the Governing Body of the City of Leawood entered into a joint agreement, dated February 4, 1985, with the City of Overland Park and Johnson County, Kansas, to make improvements to Roe Avenue from 112th to 121st Street in the total estimated cost of \$1,500,000.00 with each entity to pay a portion of said costs; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 86-1-90A, Project 107 (Roe Avenue, 112th to 121st Street), in the aggregate principal amount of Two Hundred and Seventy Thousand Dollars (\$270,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series L.I.D. 86-1-90A, Project 107, shall consist of bearer notes numbered from 1 through 3 inclusive, with numbers 1 and 2 each in the denomination of \$100,000.00 and number 3 in the denomination of \$70,000.00. Each of said notes shall be dated January 23, 1990, and shall have the stated maturity date of January 22, 1991. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.25% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as

provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; ~~provided, however,~~ the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;
2. Since January 1, 1990, the City has not issued any bonds or obligations.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1990 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 15th day of January, 1990.

SIGNED by the Mayor this 15th day of January, 1990.

(S E A L)

Marcia Rinehart
Marcia Rinehart, Mayor

ATTEST:

Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

/s/ R.S. Wetzler

R. S. Wetzler, City Attorney

ORDINANCE NO. 1145

AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET PURPOSES (143RD STREET CULVERT PROJECT, NEAR NALL).

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

19-5,103. Section 1. That the City of Leawood hereby accepts a deed for land to be used for street purposes, the legal description of which is as follows:

From Helen C. and John M. Millett: All that part of the NW 1/4 of Section 4, Township 14, Range 25, in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the NW corner of said 1/4 section, thence east along north line of said 1/4 section, a distance of 1645.66 feet, thence south 20 feet on a line parallel to the west line of said 1/4 section to the true point of beginning; thence 30 feet south on a line parallel to the west line of said 1/4 section, thence east 600 feet on a line parallel to the north line of said 1/4 section, thence north 30 feet on a line parallel to the west line of said 1/4 section, thence west a distance of 600 feet on a line parallel to the north line of said 1/4 section to the point of beginning; total area equals 0.41 acres plus or minus.

19-5,104. Section 2. That a copy of said deed is attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 15th day of January, 1990.

Approved by the Mayor the 15th day of January, 1990.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

B.S. Wetzler City Attorney

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this 21 day of December, 1989, by and between John M. Millett and Helen C. Millett of Johnson County, State of Kansas,

Party of the First Part, and the CITY OF LEAWOOD, Johnson County, State of Kansas,

Party of the Second Part,

WITNESSETH:

Entered in Transfer Record

19th Dec of Jan 1990

Beverly L. Baker

Johnson County Clerk

That Party of the First Part, in consideration of the sum of One Dollars (\$1.00) paid in hand to Party of the First Part by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents does GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all its right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to-wit:

All that part of the NW 1/4 of Section 4, Township 14, Range 25, in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the NW corner of said 1/4 section, thence east along north line of said 1/4 section, a distance of 1645.66 feet, thence south 20 feet on a line parallel to the West line of said 1/4 section to the true point of beginning; thence 30 feet south on a line parallel to the west line of said 1/4 section, thence east 600 feet on a line parallel to the north line of said 1/4 section, thence north 30 feet on a line parallel to the west line of said 1/4 section, thence west a distance of 600 feet on a line parallel to the north line of said 1/4 section to the point of beginning; total area equals 0.41 acres plus or minus.

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way, and should said right-of-way or any part thereof be vacated, the same shall revert to Party of the First Part, its heirs, executors, administrators, successors or assigns.

And the Party of the First Part for its heirs, executors, administrators, successors and assigns, does hereby covenant, promise and agree to and with said Party of the Second Part that, at the delivery of these presents, it is lawfully seized of the interest hereby conveyed in all and singular the above-granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every encumbrance whatsoever, except those of record, and that First Party will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Party of the First Part, for its heirs, executors, administrators, successors or assigns, hereby waives and releases to Second Party any and all claims for damages or compensation, either now or in the future, arising by reason of the use of said real estate for the purposeate for the purposes herein described. First Party hereby agrees that First Party shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Party further agrees that the proper Governing Body may release the premise granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted by First Party.

IN WITNESS WHEREOF, said Party of the First Part has hereunto set hand and seal the day and year first above written.

300 ck John M. Millett

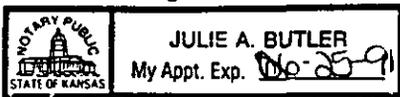
Helen C. Millett Helen C. Millett

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Kansas)
COUNTY OF Johnson) SS

BE IT REMEMBERED, That on the 21 day of December, 1989, before me, the undersigned, a Notary Public in and for said county and state, came John M. and Helen C. Millett who are personally known to me to be the same persons who executed the within instrument of writing, and duly acknowledged the execution of same.

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



Julie A. Butler
Notary Public Julie A. Butler
STATE OF KANSAS } SS
COUNTY OF JOHNSON }
FILED FOR RECORD

My Term Expires:

No-25-91

1990 JAN 19 P 1:50.6

SARA FULLMANN
REGISTER OF DEEDS

CORPORATE ACKNOWLEDGEMENT

STATE OF _____)
COUNTY OF _____) SS

BY _____ DEP.

BE IT REMEMBERED that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the county and state aforesaid, came _____, President of _____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____; and _____, 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.

Notary Public

My Term Expires:

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News, and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in all editions of the regular and entire issue

for 1 consecutive week(s) as follows:

1st 1/16/90
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager
Subscribed and sworn to
before me this 16 day of
Jan., 1990.

Susan G. Hetherington
Notary Public
My commission expires:

3-30-91

Publication Fees: \$14.82

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

LEAWOOD ORD. 1145

ORDINANCE NO. 1145

AN ORDINANCE RELATING TO ACCEPTANCE OF A DEED FOR STREET PURPOSES (143RD STREET CULVERT PROJECT, NEAR NALL).

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

19-5,103. Section 1. That the City of Leawood hereby accepts a deed for land to be used for street purposes, the legal description of which is as follows:

From Helen C. and John M. Millett: All that part of the NW 1/4 of Section 4, Township 14, Range 25, in the City of Leawood, Johnson County, Kansas; more particularly described as follows: Beginning at the NW corner of said 1/4 section, thence east along north line of said 1/4 section, a distance of 1645.66 feet, thence south 20 feet on a line parallel to the west line of said 1/4 section to the true point of beginning; thence 30 feet south on a line parallel to the west line of said 1/4 section, thence east 600 feet on a line parallel to the north line of said 1/4 section; thence north 30 feet on a line parallel to the west line of said 1/4 section, thence west a distance of 600 feet on a line parallel to the north line of said 1/4 section to the point of beginning; total area equals 0.41 acres plus or minus.

19-5,104. Section 2. That a copy of said deed is attached hereto and thereby incorporated by reference.

Section 3. That this ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Council the 15th day of January, 1990.

Approved by the Mayor the 15th day of January, 1990.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler
R.S. Wetzler City Attorney

Repealed by:
ORDINANCE NO. 1278C
Adopted: 3/2/92
Effective: _____

ORDINANCE NO. 1144C

AN ORDINANCE ADOPTING THE 1990 EDITION OF THE NATIONAL ELECTRICAL CODE AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION "NFPA NO. 70-1990" REGULATING CONDITIONS, TERMS, SPECIFICATIONS AND CONTROL OF ELECTRICAL WIRING SYSTEMS WITHIN THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING EXISTING ARTICLE OF THE CODE OF THE CITY OF LEAWOOD.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. Code Amended. Article 3 of Chapter 4 of the Code of the City of Leawood titled "Electrical Code" is hereby amended to read as follows:

4-301. NATIONAL ELECTRICAL CODE INCORPORATED. The National Electrical Code, 1990 edition, as published by the National Fire Protection Association (NFPA No. 70-1990) is hereby adopted and incorporated in this chapter as fully as if set forth herein excepting only such parts or portions thereof as are specifically added or changed in sections 4-302 through 4-312 of this article. Three copies of this document shall be on file in the office of the city clerk.

4-302. AMENDMENT; ARTICLE 110-2. Article 110-2 is changed to read as follows: No wiring system or equipment shall be installed within or on any building or structure or premises, nor shall any alteration or addition be made in any such existing installations without first securing approval and permit from the building official. It shall be unlawful to use or permit the use of, or to supply, current for electric wiring for heat, light or power in a building or structure, unless the required certificate of inspection and permit has been issued by the building official. No permit shall be issued until the fees prescribed in this chapter have been paid, nor shall an amendment to a permit necessitating an additional fee because of additional work involved be approved until the additional fees have been paid. The conductors and equipment required or permitted by this code shall be acceptable only if approved.

Repealer by
ORDINANCE NO. H. 278C
Adopted: 3/2/92
Effective: _____

4-303. SAME; ARTICLE 110-5. Article 110-5 is changed to read as follows: Conductors. Conductors normally used to carry current shall be of copper unless otherwise provided in this code. Conductors for residential application shall be copper only from the meter to the disconnect or panel board and branch circuit wiring from the panel board. Conductors for branch circuits #6 AWG and below shall be copper iron commercial and industrial applications.

4-304. SAME; ARTICLE 110-8. Article 110-8 is changed to read as follows: Wiring Method. All construction other than one and two family dwellings shall be wired with insulated conductors in conduit as defined by this code except that multi-family dwellings and 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. Only wiring methods recognized as suitable are included in this code. The recognized methods of wiring shall be permitted for installation. Exception: Temporary construction of commercial and industrial buildings may be wired with nonmetallic sheathed cable subject to approval of the building official.

4-305. SAME; ARTICLE 230.23. Article 230.23 is changed to read as follows: Service Entrance Conductors and Equipment. Services shall be sized in accordance with the following provisions:

(1) Service conductors shall have adequate ampacity to conduct safely the current for the loads supplied without a temperature rise detrimental to the insulation or covering of the conductors, and shall have adequate mechanical strength.

(2) Service conductors and equipment shall be sized in accordance with the provisions of the 1990 National Electrical Code.

(3) 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.

4-306. SAME; ARTICLE 324. Article 324 of the National Electrical Code is hereby deleted.

4-307. SAME; ARTICLE 334-23. Article 334.23 is changed to read as follows: Type MC cable shall provide an adequate path for equipment grounding as required by Article 250. Solid sheath MC cable shall not be used without an isolated green ground.

Repealed by:
ORDINANCE NO. 1278C
Adopted: 3/2/92
Effective: _____

4-308. SAME; SUBSECTION 370.17(a). Subsection 370.17(a) Outlet Boxes shall read as follows: Boxes used at lighting fixture outlets shall be designed for the purpose intended. At every outlet used exclusively for lighting, the box shall be so designed or installed that lighting fixture may be attached. Where the fixture is required to be grounded to comply with Article 410-E, the fixture outlet box shall be metallic.

4-309. SAME; CHAPTER 210-71, RECEPTACLE OUTLETS. Chapter 210-71, Receptacle Outlets added to read as follows: Receptacle outlets installed in commercial and office buildings shall be adequate to serve the needs of the occupant using the space. Adequacy shall be determined by the building official at the time that plans are submitted for permits. Additional receptacle outlets shall be noted on the plans and installed by the owner or occupant.

4-310. VIOLATION; PENALTIES. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs an electrical system in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this chapter, or other references incorporated, is guilty of a public offense, punishable as provided in section 4-204 of this chapter.

4-311. CIVIL ACTIONS. Notwithstanding any other provisions of this chapter, decisions of the building official, or such assistant or assistants as he or she may appoint, or decisions by the board of appeals reviewing decisions of the building official or his or her assistants shall be enforceable in the District Court of Johnson County, Kansas or any other court of competent territorial jurisdiction upon action brought by the city attorney, assistant city attorney, special attorney, or other legal counsel authorized to maintain such action for the enforcement of the provisions of this chapter.

4-312. LIABILITY. Requirements stated in this chapter and all existing codes and ordinances in force shall not be construed as imposing on the city, its officials, agents, or employees, any liability or responsibility for damages to any property or injury to any person due to defective installations. The city or any official, employee or agent thereof, shall not assume any liability or responsibility whatsoever by reason of inspection or approval of any installation.

Repealed by:
ORDINANCE NO. 1278c
Adopted: 3/2/92
Effective: _____

Section 2. Repeal of Existing Article. Existing Article 3 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Sec. 4-302 - Ord. No. 1022C; Secs. 4-301 and 4-303 through 4-312 - Code of 1984.)

Section 3. Validity of Ordinance. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder shall not be thereby affected.

Section 4. Take Effect. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 18th day of December, 1989.

Approved by the Mayor the 18th day of December, 1989.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Wetzler City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 12/19/84
2nd _____
3rd _____
4th _____
5th _____
6th _____

Carl Lewis

Business Manager

Subscribed and sworn to before me this 17 day of Dec, 19 87

Sharon Anderson

Notary Public

My commission expires:
December 4, 1993

Publication

Fees: 51.87

SHARON ANDERSON
Notary Public - State of Kansas
My Appt. Expires 12/4/93

AN ORDINANCE ADOPTING THE 1990 EDITION OF THE NATIONAL ELECTRICAL CODE AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION "NFPA NO. 70-1990" REGULATING CONDITIONS, TERMS, SPECIFICATIONS AND CONTROL OF ELECTRICAL WIRING SYSTEMS WITHIN THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING EXISTING ARTICLE OF THE CODE OF THE CITY OF LEAWOOD.

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4-303. SAME; ARTICLE 110-5. Article 110-5 is changed to read as follows: Conductors. Conductors normally used to carry current shall be of copper unless otherwise provided in this code. Conductors for residential application shall be copper only from the meter to the disconnect or panel board and branch circuit wiring from the panel board. Conductors for branch circuits #6 AWG and below shall be copper iron commercial and industrial applications.

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(2) Service conductors and equipment shall be sized in accordance with the provisions of the 1990 National Electrical Code.

(3) 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.

4-306. SAME; ARTICLE 324. Article 324 of the National Electrical Code is hereby deleted.

4-307. SAME; ARTICLE 334-23. Article 334.23 is changed to read as follows: Type MC cable shall provide an adequate path for equipment grounding as required by Article 250. Solid sheath MC cable shall not be used without an isolated green ground.

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4-309. SAME; CHAPTER 210-71, RECEPTACLE OUTLETS. Chapter 210-71, Receptacle Outlets added to read as follows: Receptacle outlets installed in commercial and office buildings shall be adequate to serve the needs of the occupant using the space. Adequacy shall be determined by the building official at the time that plans are submitted for permits. Additional receptacle outlets shall be noted on the plans and installed by the owner or occupant.

4-310. VIOLATION; PENALTIES. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs an electrical system in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this chapter, or other references incorporated, is guilty of a public offense, punishable as provided in section 4-204 of this chapter.

4-311. CIVIL ACTIONS. Notwithstanding any other provisions of this chapter, decisions of the building official, or such assistant or assistants as he or she may appoint, or decisions by the board of appeals reviewing decisions of the building official or his or her assistants shall be enforceable in the District Court of Johnson County, Kansas or any other court of competent territorial jurisdiction upon action brought by the city attorney, assistant city attorney, special attorney, or other legal counsel authorized to maintain such action for the enforcement of the provisions of this chapter.

4-312. LIABILITY. Requirements stated in this chapter and all existing codes and ordinances in force shall not be construed as imposing on the city, its officials, agents, or employees, any liability or responsibility for damages to any property or injury to any person due to defective installations. The city or any official, employee or agent thereof, shall not assume any liability or responsibility whatsoever by reason of inspection or approval of any installation.

Section 2. Repeal of Existing Article. Existing Article 3 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Sec. 4-302 - Ord. No. 1022C; Secs. 4-301 and 4-303 through 4-312 - Code of 1984.)

Section 3. Validity of Ordinance. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder shall not be thereby affected.

Section 4. Take Effect. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 18th day of December, 1989.

Approved by the Mayor the 18th day of December, 1989.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler
R.S. Wetzler City Attorney

Reported by
ORDINANCE NO. 1281C
Adopted: 3/2/92
Effective: _____

ORDINANCE NO. 1143C

AN ORDINANCE ADOPTING THE 1985 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS REGULATING THE ABATEMENT OF DANGEROUS BUILDINGS OR STRUCTURES WITHIN THE CITY OF LEAWOOD, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. Code Amended. The Code of the City of Leawood is hereby amended by adding thereto Article 10 of Chapter 4 which reads as follows:

Article 10. Uniform Code for the Abatement of Dangerous Buildings

4-1001. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS INCORPORATED. The "Uniform Code for the Abatement of Dangerous Buildings", 1985 Edition, as published by the International Conference of Building Officials, is hereby adopted and incorporated in this chapter as fully as if set forth herein, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified, or changed. No fewer than three copies of said Code shall be marked or stamped "Official Copy", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

4-1002. AMENDMENT; SEC. 704. VIOLATION AND PENALTIES. Sec. 704 Violation and Penalties is hereby added to read as follows: Any person, firm or corporation violating any provision of this Code shall be deemed guilty of a public offense, punishable by a fine of not more than \$500 or by imprisonment not exceeding 30 days or both such fine and imprisonment. Each day that violation continues shall be deemed a separate offense.

Section 2. Validity of Ordinance. 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.

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

Passed by the Council the 18th day of December, 1989.

Approved by the Mayor the 18th day of December, 1989.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler
R.S. Wetzler City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record, which is the metropolitan edition of The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

- 1st 12/19/89
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 19 day of Dec, 1989.

Sharon Anderson
Notary Public
My commission expires: December 4, 1993

Publication Fees: 22.23

SHARON ANDERSON
Notary Public - State of Kansas
My Appt. Expires 12/4/93

LEAWOOD ORD. 1143C

First published in The Legal Record, Tuesday, December 19, 1989

ORDINANCE NO. 1143 C

AN ORDINANCE ADOPTING THE 1985 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS REGULATING THE ABATEMENT OF DANGEROUS BUILDINGS OR STRUCTURES WITHIN THE CITY OF LEAWOOD, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. Code Amended. The Code of the City of Leawood is hereby amended by adding thereto Article 10 of Chapter 4 which reads as follows:

Article 10. Uniform Code for the Abatement of Dangerous Buildings

4-1001. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS INCORPORATED. The "Uniform Code for the Abatement of Dangerous Buildings", 1985 Edition, as published by the International Conference of Building Officials, is hereby adopted and incorporated in this chapter, as fully as if set forth herein, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified, or changed. No fewer than three copies of said Code shall be marked or stamped "Official Copy", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

4-1002. AMENDMENT; SEC. 704. VIOLATION AND PENALTIES. Sec. 704 Violation and Penalties is hereby added to read as follows: Any person, firm or corporation violating any provision of this Code shall be deemed guilty of a public offense, punishable by a fine of not more than \$500 or by imprisonment not exceeding 30 days or both such fine and imprisonment. Each day that violation continues shall be deemed a separate offense.

Section 2. Validity of Ordinance. 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.

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

Passed by the Council the 18th day of December, 1989.

Approved by the Mayor the 18th day of December, 1989.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: /s/ R. S. Wetzler
R.S. Wetzler City Attorney

ORDINANCE NO. 1142

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89T, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 REMODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$110,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF REMODELING, ADDITION AND EQUIPPING OF THE POLICE/COURTS BUILDING AND FIRE STATION #1.

WHEREAS, the Governing Body authorized the improvement or remodel of the Police/Courts Building and Fire Station #1 by the approval of Resolution No. 937 on December 5, 1988; and

WHEREAS, total cost of improvement and remodeling is estimated to be \$1,200,000.00; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-1737 and all acts amendatory thereto and by Resolution No. 937.

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

24-319. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary design, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89T, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of One Hundred Ten Thousand Dollars (\$110,000) which amount does not exceed the total estimated costs of said improvements.

24-320. Section Two: Said issue of Temporary Notes, Series 89T, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 and 2, number 1 in the denomination of \$100,000 and number 2 in the denomination of \$10,000. Said notes shall be dated December 20, 1989, and shall have the stated maturity date of December 19, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 5.96% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-1737 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

24-321. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

24-322. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

24-323. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be

required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000
(h) Temporary Notes Series 89K, Project 116 95th Street	Sept. 27, 1989	\$500,000
(i) Temporary Notes Series 89L, Project 117 Lee Boulevard	Sept. 27, 1989	\$300,000
(j) Temporary Notes Series 89M, Project 118 Police/Court/Fire Remodel	Sept. 27, 1989	\$500,000
(k) Temporary Notes Series 89N, Project 119 119th Street, State Line-Mission	Sept. 27, 1989	\$500,000
(l) Temporary Notes Series L.I.D. 88-1-89P Project 113 Tomahawk Creek Parkway	Sept. 27, 1989	\$1,000,000
(m) Temporary Notes Series L.I.D. 86-1-89R Project 107 Roe Avenue, 112th-121st Street	Nov. 28, 1989	\$350,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

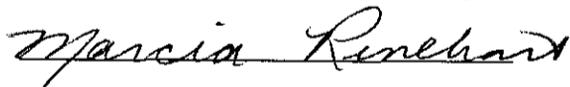
The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

24-324. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 4th day of December, 1989.

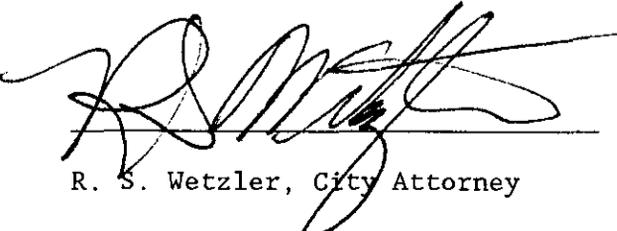
SIGNED by the Mayor this 4th day of December, 1989.


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk

APPROVED AS TO FORM:


R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 12/5/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager
Subscribed and sworn to
before me this 28 day of
Nov, 1989.

Susan G. Hetherington
Notary Public
My commission expires:
3-30-91

Publication
Fees: 88.25

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

said costs and expenses of the improvement heretofore described. The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes. Notwithstanding the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.
2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes Series L.I.D. 88-1-89C Proj. 107 Roe Ave. 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes Series L.I.D. 88-1-89H, Proj. 115 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000
(h) Temporary Notes Series 89K, Project 116 95th Street	Sept. 27, 1989	\$500,000
(i) Temporary Notes Series 89L, Project 117 Lee Boulevard	Sept. 27, 1989	\$300,000
(j) Temporary Notes Series 89M, Project 118 Police/Court/Fire Remodel	Sept. 27, 1989	\$500,000
(k) Temporary Notes Series 89N, Project 119 119th Street, State Line-Mission	Sept. 27, 1989	\$500,000
(l) Temporary Notes Series L.I.D. 88-1-89F Project 113 Tomahawk Creek Parkway	Sept. 27, 1989	\$1,000,000
(m) Temporary Notes Series L.I.D. 88-1-89R Project 107 Roe Avenue, 112th-121st Street	Nov. 28, 1989	\$350,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year, 1989, in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations, the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 4th day of December, 1989.

SIGNED by the Mayor this 4th day of December, 1989.

Martha Heizer
Martha Heizer, Mayor

ATTEST:
Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM:
[Signature]
E. S. Metzler, City Attorney

ORD. 1142

First published in The Legal Record and The News, Tuesday, December 5, 1989.

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89T, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 REMODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$110,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF RENOVATING, ADDITION AND EQUIPPING OF THE POLICE/COURTS BUILDING AND FIRE STATION #1.

WHEREAS, the Governing Body authorized the improvement or remodel of the Police/Courts Building and Fire Station #1 by the approval of Resolution No. 937 on December 5, 1988; and

WHEREAS, total cost of improvement and remodeling is estimated to be \$1,200,000.00; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-1737 and all acts amendatory thereto and by Resolution No. 837;

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary design, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89T, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of One Hundred Ten Thousand Dollars (\$110,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 89T, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 and 2, number 1 in the denomination of \$100,000 and number 2 in the denomination of \$10,000. Said notes shall be dated December 20, 1989, and shall have the stated maturity date of December 19, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 5.964 per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-1737 and all acts thereof.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City/affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance heretofore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when executed and when registered, said notes shall be countersigned by the City Clerk and delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying

ORDINANCE NO. 1141

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89U, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$535,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be \$3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,533. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 88-1-89U, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Five Hundred Thirty Five Thousand Dollars (\$535,000), which amount does not exceed the total estimated costs of said improvements.

20-1,534. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89U, Project 113, shall consist of bearer notes numbered from 1 through 6 inclusive, with numbers 1 through 5 each in the denomination of \$100,000 and number 6 in the denomination of \$35,000. Each of said notes shall be dated December 20, 1989,

and shall have the stated maturity date of December 19, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 5.96% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,535. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,536. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,537. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;
2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

(h)	Temporary Notes Series 89K, Project 116 95th Street	Sept. 27, 1989	\$500,000
(i)	Temporary Notes Series 89L, Project 117 Lee Boulevard	Sept. 27, 1989	\$300,000
(j)	Temporary Notes Series 89M, Project 118 Police/Court/Fire Remodel	Sept. 27, 1989	\$500,000
(k)	Temporary Notes Series 89N, Project 119 119th Street, State Line-Mission	Sept. 27, 1989	\$500,000
(l)	Temporary Notes Series L.I.D. 88-1-89P Project 113 Tomahawk Creek Parkway	Sept. 27, 1989	\$1,000,000
(m)	Temporary Notes Series L.I.D. 86-1-89R Project 107 Roe Avenue, 112th-121st Street	Nov. 28, 1989	\$350,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,538. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 4th day
of December, 1989.

SIGNED by the Mayor this 4th day of December, 1989.



ATTEST:

Martha Heizer

Martha Heizer, City Clerk

Marcia Rinehart

Marcia Rinehart, Mayor

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler

R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 12/5/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager

Subscribed and sworn to before me this 28 day of Nov., 1989.

Susan G. Hetherington
Notary Public

My commission expires:
3-30-91

Publication 54
Fees: 86.

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

First published in The Legal Record and The News, Tuesday, December 5, 1989.

ORDINANCE NO. 1141

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89U, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$535,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be \$3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 88-1-89U, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Five Hundred Thirty Five Thousand Dollars (\$535,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89U, Project 113, shall consist of bearer notes numbered from 1 through 6 inclusive, with numbers 1 through 5 each in the denomination of \$100,000 and number 6 in the denomination of \$35,000. Each of said notes shall be dated December 20, 1989, and shall have the stated maturity date of December 19, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 5.96% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;
2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89C, Proj. 107 Roe Ave, 112-121st Street	July 25, 1988	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000
(h) Temporary Notes Series 89K, Project 116 95th Street	Sept. 27, 1989	\$500,000
(i) Temporary Notes Series 89L, Project 117 Lee Boulevard	Sept. 27, 1989	\$300,000
(j) Temporary Notes Series 89M, Project 118 Police/Court/Fire Remodel	Sept. 27, 1989	\$500,000
(k) Temporary Notes Series 89N, Project 119 119th Street, State-Mission	Sept. 27, 1989	\$500,000
(l) Temporary Notes Series L.I.D. 88-1-89F Project 113 Tomahawk Creek Parkway	Sept. 27, 1989	\$1,000,000
(m) Temporary Notes Series L.I.D. 86-1-89E Project 107 Roe Avenue, 112th-121st Street	Nov. 28, 1988	\$350,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 4th day of December, 1989.

SIGNED by the Mayor this 4th day of December, 1989.

Marcia Kinchard
Marcia Kinchard, Mayor

ATTEST:

ORDINANCE NO. 1140

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89S, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$110,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be \$1,750,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,527. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89S, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of One Hundred Ten Thousand Dollars (\$110,000) which amount does not exceed the total estimated costs of said improvements.

20-1,528. Section Two: Said issue of Temporary Notes, Series 89S, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 2 inclusive, number 1 in the denomination of \$100,000 and number 2 in

the denomination of \$10,000. Said notes shall be dated December 20, 1989, and shall have the stated maturity date of December 19, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 5.96% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,529. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,530. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,531. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000

(g)	Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000
(h)	Temporary Notes Series 89K, Project 116 95th Street	Sept. 27, 1989	\$500,000
(i)	Temporary Notes Series 89L, Project 117 Lee Boulevard	Sept. 27, 1989	\$300,000
(j)	Temporary Notes Series 89M, Project 118 Police/Court/Fire Remodel	Sept. 27, 1989	\$500,000
(k)	Temporary Notes Series 89N, Project 119 119th Street, State Line-Mission	Sept. 27, 1989	\$500,000
(l)	Temporary Notes Series L.I.D. 88-1-89P Project 113 Tomahawk Creek Parkway	Sept. 27, 1989	\$1,000,000
(m)	Temporary Notes Series L.I.D. 86-1-89R Project 107 Roe Avenue, 112th-121st Street	Nov. 28, 1989	\$350,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,532. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 4th day of December, 1989.

SIGNED by the Mayor this 4th day of December, 1989.



ATTEST:

Marcia Rinehart

Marcia Rinehart, Mayor

Martha Heizer

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler

R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 12/5/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

[Signature]
Business Manager

Subscribed and sworn to before me this 28 day of Nov, 1989.

[Signature]
Notary Public

My commission expires: 3-30-91

Publication

Fees: 85.92

SUSAN G. HETHERINGTON

Notary Public - State of Kansas
My Appt. Exp. 3-30-91

...including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 898, Project 116 (95th Street, State Line Road to Winanga), in the aggregate principal amount of One Hundred Ten Thousand Dollars (\$110,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 898, Project 116 (95th Street, State Line to Winanga), shall consist of bearer notes numbered 1 through 1 inclusive, number 1 in the denomination of \$100,000 and number 2 in the denomination of \$10,000. Said notes shall be dated December 30, 1969, and shall have the stated maturity date of December 19, 1970. The notes shall bear interest from their stated date, payable at maturity or upon redemption prior thereto at a rate of interest of 5.944 per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-469 and all acts amendatory thereof.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute the date of issuance notwithstanding the stated date. Said notes shall be in currency form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinafter described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvements hereinafter described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1966 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes. **NOTWITHSTANDING** the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1966 as provided in this section shall not be required to obtain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1946.
2. Since January 1, 1969, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 898, Project 116, 95th Street	April 28, 1969	\$300,000
(b) Temporary Notes Series L.I.B. 88-1-098 Project 113 Touchback Creek Parkway	April 21, 1969	\$300,000
(c) Temporary Notes Series 897, Project 117 Lee Boulevard	April 21, 1969	\$100,000
(d) Temporary Notes, Series L.I.B. 88-1-096, Proj. 107 Bee Ave., 112-121st Street	July 25, 1969	\$200,000
(e) Temporary Notes, Series L.I.B. 88-1-098, Proj. 115 Touchback Creek Parkway	July 25, 1969	\$300,000
(f) Temporary Notes Series 891, Project 116 95th Street	July 25, 1969	\$300,000
(g) Temporary Notes Series 893, Project 118 Police/Court/Fire Remodel	July 25, 1969	\$400,000
(h) Temporary Notes Series 896, Project 116 95th Street	Sept. 27, 1969	\$300,000
(i) Temporary Notes Series 894, Project 117 Lee Boulevard	Sept. 27, 1969	\$300,000
(j) Temporary Notes Series 898, Project 116 Police/Court/Fire Remodel	Sept. 27, 1969	\$300,000
(k) Temporary Notes Series 895, Project 119 119th Street, State Line-Glendon	Sept. 27, 1969	\$300,000
(l) Temporary Notes Series L.I.B. 88-1-099 Project 113 Touchback Creek Parkway	Sept. 27, 1969	\$1,000,000
(m) Temporary Notes Series L.I.B. 88-1-098 Project 107 Bee Avenue, 112th-121st Street	Nov. 26, 1969	\$350,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1969 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purpose of Section 265 of the Tax Reform Act of 1966.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, THIS 4TH DAY OF DECEMBER, 1969.

SIGNED BY THE MAYOR THIS 4TH DAY OF DECEMBER, 1969.

Maria Rieckert
Maria Rieckert, Mayor

ATTEST:
Maria Rieckert
Maria Rieckert, City Clerk

APPROVED AS TO FORM:
R. S. Metzler
R. S. Metzler, City Attorney

ORD. 1140

First published in The Legal Record and The News, Tuesday, December 5, 1969.

ORDINANCE NO. 1140

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 898, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WINANGA), BY THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$110,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WINANGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1964" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-463; and

WHEREAS, the Governing Body authorized the improvement or reinvestment of certain sections of said main trafficway by the approval of Ordinance No. 1045 on September 6, 1968; and

WHEREAS, total cost of improvements to 95th Street, State Line to Winanga, is estimated to be \$1,750,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereof.

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

SECTION ONE: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate

ORDINANCE NO. 1139

AN ORDINANCE GRANTING KANSAS CITY POWER & LIGHT COMPANY, ITS GRANTEEES, SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO CONSTRUCT AND MAINTAIN ALL WORKS AND PLANTS NECESSARY OR PROPER FOR SUPPLYING CONSUMERS WITH ELECTRIC ENERGY; GRANTING TO SAID COMPANY THE RIGHT TO USE THE STREETS, ALLEYS AND ALL OTHER PUBLIC PLACES; PROVIDING FOR COMPENSATION FROM SUCH COMPANY FOR SAID RIGHT AND FRANCHISE; PRESCRIBING THE TERMS OF AND RELATING TO SUCH FRANCHISE.

WHEREAS, Kansas City Power & Light Company (herein called the Company) is a corporation duly organized and existing under and by virtue of the laws of the State of Missouri, and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy; and

WHEREAS, the Company is operating a system for the transmission of electric current between two or more incorporated cities in the State of Kansas and has heretofore built under a twenty (20) year Franchise Ordinance with the City of Leawood, to wit, Ordinance No. 361 which was passed in February 1970, or proposes to build its transmission lines into or through the City of Leawood, Kansas (herein called the City); and

WHEREAS, the parties hereto desire that the Company continue furnishing electric energy to consumers in said City and expand said services as necessary to serve the needs of the Leawood community;

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

Section 1. In consideration of the benefits to be derived by the City and the inhabitants thereof from the construction, operation and maintenance of an electric light and power transmission and distribution system and the supplying of electric energy to the public and in consideration of the payments required hereunder, there is hereby granted to the Company and to its successors and assigns, for the term of one (1) year from the effective date hereof, a Franchise and authority to construct, operate and maintain in the existing and any future extended corporate limits of the City all appropriate facilities and plants for carrying on a power and light business and all other operations connected therewith or incident thereto for the purpose of supplying the City and outlying areas with electric power and energy in such forms as may be reasonably required for domestic, commercial, industrial, municipal and other purposes and to produce and

supply such energy by manufacture, generation, purchase or otherwise, and to transmit and distribute same by means of underground or overhead lines or otherwise, and for any and all said purposes it is authorized pursuant to the terms and conditions of this Ordinance, (i) construct, install, replace and remove conduits or other underground facilities for the installation and protection of its underground wire and cables, (ii) place power poles, guys, and anchors for its overhead wires on all streets, alleys, avenues, bridges, parking and other public places or thoroughfares, (iii) place underground facilities in City parks (iv) lamp posts, cables and street lights when requested or authorized by the City, (v) construct, erect and maintain all buildings, machinery and attachments of any and every kind for any and all of said purposes, and (vi) enter upon any and all of said public places within the corporate limits of the City as they now exist or may hereafter be opened, widened, extended, laid out and established, including any other territory hereafter added thereto or coming under the City's jurisdiction, and to trim trees upon and overhanging such places and make such excavations thereon as may be appropriate for the construction, repair and renewal of the Company's overhead and underground facilities and plants.

Section 2. Any pavements, sidewalks or curbing taken up, any and all excavations made and all other construction performed pursuant to this Ordinance shall be done under the supervision and direction of the Governing Body of said City under all necessary permits paid and issued for the work, and shall be made and done in such a manner as to give the least inconvenience to the inhabitants of the City and the public generally, and pavements, sidewalks, curbing and excavations shall be replaced and repaired in as good or better condition as before with all convenient speed, all by and at the expense of the Company. The City by written order of a legally authorized officer of the City may require the Company to relocate on said public rights-of-way any of its facilities in conjunction with and because of a public improvement project affecting said public rights-of-way. Such relocation shall be at the Company's sole expense.

Section 3. During the continuance of this Franchise, the Company shall construct, maintain and operate its transmission and distribution system within the City and shall furnish electric energy to the City and its inhabitants as they may require in accordance with the terms of this Franchise, the rates, charges, rules and regulations now on file with the State Corporation Commission of the State of Kansas, or such revision of rates, charges, rules and regulations as may be lawfully established from time to time in accordance with the laws of the State of Kansas. The Company's facilities shall be placed in such a manner as to

interfere with and obstruct as little as reasonably possible the ordinary use of the streets, alleys, lanes and highways of said City, and shall not unduly interfere with any gas main, water main, sewer laid out or constructed, or with any public improvement laid out, constructed or planned at the time of said placement. The Company shall, at all times in the construction, maintenance and operation of its electric transmission, distribution and street lighting system, use all reasonable and proper precautions to avoid damage or injury to persons or property, and shall hold and save harmless said City from any and all damage, injury and expense caused by the sole negligence or intentional acts or omissions of the Company, its successors and assigns. KCPL shall meet semiannually with the City and shall provide advance notice of all proposed new construction and all proposed relocation of KCPL facilities whether on public right-of-way or private easement within the City to such person(s) as the Governing Body may designate. If the Governing Body's designated person(s) informs KCPL that an item of proposed new construction or relocation on private easement may interfere with, be affected by or otherwise obstruct any planned public improvement of the City, and KCPL nevertheless proceeds to construct or relocate said item as proposed, KCPL shall be solely responsible for any subsequent costs of relocation and/or removal of said item required by said public improvement. Agreement between the parties will be solidified through the City's formal permitting process.

Section 4. Nothing contained herein shall be construed as a guarantee upon the part of the Company to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, Orders of Court and other causes reasonably beyond the control of the Company are specifically exempt from the terms of this Section.

Section 5. In consideration for the rights, privileges and franchise hereby granted, the Company agrees to pay to the City of Leawood, Kansas, and the City of Leawood agrees to accept as adequate compensation and consideration for the Franchise hereby granted and in lieu of occupation license, privilege and all other taxes and fees (excluding all fees associated with required permits under this ordinance), five percent (5%) of the total of the gross receipts for electric energy sold by the Company to all consumers located in the present or future corporate boundaries of the City of Leawood during the term of this Franchise. Any consideration hereunder shall be reported and paid to the City by the Company on a monthly basis, reflecting such electric energy sold and billed in the prior month. The term "gross receipts" as applied to the sales of electricity for domestic, commercial or industrial purposes and as used in this Section shall not include (1) the electric energy sold to the United

States or the State of Kansas or to any agency or political subdivision thereof, (2) the electrical energy sold to public utilities, educational institutions not operating for profit, churches and charitable institutions, and (3) the electrical energy sold for resale.

Section 6. All provisions of this Ordinance shall not take effect and be in force until after the expiration of sixty (60) days from the date of its final publication, and upon acceptance in writing by KCPL. If within the sixty (60) days no acceptance is filed with the City, then this Ordinance shall be ipso facto, absolutely, null and void.

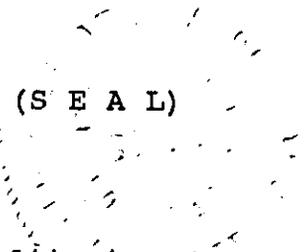
Section 7. This Franchise is granted pursuant to the provisions of K.S.A. 12-2001, and shall take effect and be in force as therein provided.

First Reading: 11/6/89; Second Reading: 11/20/89; Third Reading: 12/4/89.

Passed by the Council the 4th day of December, 1989.

Approved by the Mayor the 4th day of December, 1989.

(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Wetzler City Attorney

February 12, 1990

TO: Kansas City Power & Light Company
FROM: Office of the City Clerk, City of Leawood, Kansas
SUBJECT: Petition for Popular Vote on Franchise Ordinance No. 1139

The undersigned, City Clerk of the City of Leawood, Kansas, hereby certifies that as of this date, being at least sixty-one days after final publication on December 13, 1989 of Ordinance No. 1139, no petition has been presented to the Governing Body, pursuant to K.S.A. 12-2001(b)(6), asking that Franchise Ordinance No. 1139 be submitted for adoption by popular vote.

Given under my hand and the seal of the City of Leawood, Kansas, this 12th day of February, 1990.



Martha Heizer
City Clerk

KANSAS CITY POWER & LIGHT COMPANY

1330 BALTIMORE AVENUE

P.O. BOX 418679

KANSAS CITY, MISSOURI 64141-9679

December 28, 1989

City Clerk
Leawood, Kansas

Re: Acceptance of Franchise Ordinance

Dear Madam:

Under the provisions of Ordinance No. 1139 of the City of Leawood, Kansas, the City granted to Kansas City Power & Light Company a franchise to construct, operate and maintain an electric light and power transmission and distribution system within the City. Section 6 of the Ordinance requires Kansas City Power & Light Company to file its written acceptance of the provisions of the Ordinance within 60 days from and after the Ordinance's passage.

You are hereby notified that Kansas City Power & Light Company does now accept the provisions of said Ordinance and agrees to comply with the same.

Dated this 28th day of December, 1989.

Kansas City Power & Light Company

By C. R. Cole
C. R. Cole
Senior Director, Customer Services

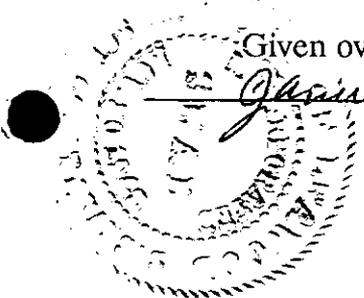


Attest:
Deann Hill Katz
Assistant Secretary

CERTIFICATE

I, City Clerk of the City of Leawood, Kansas, do hereby certify that the above and foregoing is a true and correct copy of the acceptance by Kansas City Power & Light Company of the above-mentioned Ordinance, said acceptance having been filed in my office on this 11th day of January, 1989/1990

Given over my hand and the seal of the City of Leawood, Kansas, this 11th day of January, 1989/1990



Martha Heizer
City Clerk

KANSAS CITY POWER & LIGHT COMPANY

1330 BALTIMORE AVENUE

P. O. BOX 418679

KANSAS CITY, MISSOURI 64141-9679

December 15, 1989

LAW DEPARTMENT
(816) 556-2785

RECEIVED

DEC 15 1989

CITY OF LEAWOOD

RECEIVED

DEC 18 1989

CITY OF LEAWOOD

Mr. Richard Price
State Corporation Commission
State Office Building, Fourth Floor
Topeka, Kansas 66612

RE: Franchise Ordinance
City of Leawood

Dear Mr. Price:

Enclosed for filing and review by the Commission, pursuant to its March 18, 1988, Order in Docket No. 134,095-U, are seven copies each of (1) Leawood, Kansas, Ordinance No. 1139, and (2) a copy of the Notice of Electors published in the Sun Newspaper on September 16, 1989, reflecting notice to residents of the City regarding commencement of negotiation on the Ordinance.

The franchise is for a term of one (1) year and provides for a gross receipts charge of 5%.

An extra copy of this letter is enclosed, and I request that you stamp it "FILED" and return it to me in the enclosed self-addressed envelope.

Very truly yours,

Colleen Conroy

Colleen Conroy
Legal Assistant

CC:cb

Enc.

cc w/o Enc.: Mr. Ted Hady
/ Ms. Martha Heizer

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: **Deanna Martalin** being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 two consecutive days (weeks, days) the first publication thereof being made as aforesaid on the 8th day of December 1989, with subsequent publications being made on the following dates:

December 13, 1989 -----, 19-----
-----, 19-----, 19-----

Deanna Martalin

Subscribe and sworn to before me this 13th day of December 1989

Marguerite E. Baker
NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 3-15-92

My Commission expires: 3-15-92
Printer's Fee \$ 427.24
Additional copies \$ -----

First Published in the Johnson County Sun, Friday, December 8, 1989.

ORDINANCE NO. 1139

AN ORDINANCE GRANTING KANSAS CITY POWER & LIGHT COMPANY, ITS GRANTEEES, SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO CONSTRUCT AND MAINTAIN ALL WORKS AND PLANTS NECESSARY OR PROPER FOR SUPPLYING CONSUMERS WITH ELECTRIC ENERGY; GRANTING TO SAID COMPANY THE RIGHT TO USE THE STREETS, ALLEYS AND ALL OTHER PUBLIC PLACES; PROVIDING FOR COMPENSATION FROM SUCH COMPANY FOR SAID RIGHT AND FRANCHISE; PRESCRIBING THE TERMS OF AND RELATING TO SUCH FRANCHISE.

WHEREAS, Kansas City Power & Light Company (herein called the Company) is a corporation duly organized and existing under and by virtue of the laws of the State of Missouri, and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy; and

WHEREAS, the Company is operating a system for the transmission of electric current between two or more incorporated cities in the State of Kansas and has heretofore built under a twenty (20) year Franchise Ordinance with the City of Leawood, to wit, Ordinance No. 361 which was passed in February 1970, or proposes to build its transmission lines into or through the City of Leawood, Kansas (herein called the City); and

WHEREAS, the parties hereto desire that the Company continue furnishing electric energy to consumers in said City and expand said services as necessary to serve the needs of the Leawood community;

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

Section 1. In consideration of the benefits to be derived by the City and the inhabitants thereof from the construction, operation and maintenance of an electric light and power transmission and distribution system and the supplying of electric energy to the public and in consideration of the payments required hereunder, there is hereby granted to the Company and to its successors and assigns, for the term of one (1) year from the effective date hereof, a Franchise and authority to construct, operate and maintain in the existing and any future extended corporate limits of the City all appropriate facilities and plants for carrying on a power and light business and all other operations connected therewith or incident thereto for the purpose of supplying the City and outlying areas with electric power and energy in such forms as may be reasonably required for domestic, commercial, industrial, municipal and other purposes and to produce and supply such energy by manufacture, generation, purchase or otherwise, and to transmit and distribute same by means of underground or overhead lines or otherwise, and for any and all said purposes it is authorized pursuant to the terms and conditions of this Ordinance, (i) construct, install, replace and remove conduits or other underground facilities for the installation and protection of its underground wire and cables, (ii) place power poles, guys, and anchors for its overhead wires on all streets, alleys, avenues, bridges, parking and other public places or thoroughfares, (iii) place underground facilities in City parks (iv) lamp posts, cables and street lights when requested or authorized by the City, (v) construct, erect and maintain all buildings, machinery and attachments of any and every kind for any and all said purposes, and (vi) enter upon any and all of said public places within the corporate limits of the City as they now exist or may hereafter be opened, widened, extended, laid out and established, including any other territory hereafter added thereto or coming under the City's jurisdiction, and to trim trees upon and overhanging such places and make such excavations thereon as may be appropriate for the construction, repair and renewal of the Company's overhead and underground facilities and plants.

Section 2: Any pavements, sidewalks or curbing taken up, any and all excavations made and all other construction performed pursuant to this Ordinance shall be done under the supervision and direction of the Governing Body of said City under all necessary permits paid and issued for the work, and shall be made and done in such a manner as to give the least inconvenience to the inhabitants of the City and the public generally, and pavements, sidewalks, curbing and excavations shall be replaced and repaired in as good or better condition as before with all convenient speed, all by and at the expense of the Company. The City by written order of a legally authorized officer of the City may require the Company to relocate on said public rights-of-way any of its facilities in conjunction with and because of a public improvement project affecting said public rights-of-way. Such relocation shall be at the Company's sole expense.

Section 3. During the continuance of this Franchise, the Company shall construct, maintain and operate its transmission and distribution system within the City and shall furnish electric energy to the City and its inhabitants as they may require in accordance with the terms of this Franchise, the rates, charges, rules and regulations now on file with the State Corporation Commission of the State of Kansas, or such revision of rates, charges, rules and regulations as may be lawfully established from time to time in accordance with the laws of the State of Kansas. The Company's facilities shall be placed in such a manner as to interfere with and obstruct as little as reasonably possible the ordinary use of the streets, alleys, lanes and highways of said City, and shall not unduly interfere with any gas main, water main, sewer laid out or constructed, or with any public improvement laid out, constructed or planned at the time of said placement. The Company shall, at all times in the construction, maintenance and operation of its electric transmission, distribution and street lighting system, use all reasonable and proper precautions to avoid damage or injury to persons or property, and shall hold and save harmless said City from any and all damage, injury and expense caused by the sole negligence or intentional acts or omissions of the Company, its successors and assigns. KCPL shall meet semi-annually with the City and shall provide advance notice of all proposed new construction and all proposed relocation of KCPL facilities whether on public right-of-way or private easement within the City to such person(s) as the Governing Body may designate. If the Governing Body's designated person(s) informs KCPL that an item of proposed new construction or relocation on private easement may interfere with, be affected by or otherwise obstruct any planned public improvement of the City, and KCPL nevertheless proceeds to construct or relocate said item as proposed, KCPL shall be solely responsible for any subsequent costs of relocation and/or removal of said item required by said public improvement. Agreement between the parties will be solidified through the City's formal permitting process.

Section 4. Nothing contained herein shall be construed as a guarantee upon the part of the Company to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, Orders of Court and other causes reasonably beyond the control of the Company are specifically exempt from the terms of this Section.

Section 5. In consideration for the rights, privileges and franchise hereby granted, the Company agrees to pay to the City of Leawood, Kansas, and the City of Leawood agrees to accept as adequate compensation and consideration for the Franchise hereby granted and in lieu of occupation license, privilege and all other taxes and fees (excluding all fees associated with required permits under this ordinance), five percent (5%) of the total of the gross receipts for electric energy sold by the Company to all consumers located in the present or future corporate boundaries of the City of Leawood during the term of this Franchise. Any consideration hereunder shall be reported and paid to the City by the Company on a monthly basis, reflecting such electric energy sold and billed in the prior month. The term "gross receipts" as applied to the sales of electricity for domestic, commercial or industrial purposes and as used in this Section shall not include (1) the electric energy sold to the United States or the State of Kansas or to any agency or political subdivision thereof, (2) the electrical energy sold to public utilities, educational institutions not operating for profit, churches and charitable institutions, and (3) the electrical energy sold for resale.

Section 6. All provisions of this Ordinance shall not take effect and be in force until after the expiration of sixty (60) days from the date of its final publication, and upon acceptance in writing by KCPL. If within the sixty (60) days no acceptance is filed with the City, then this Ordinance shall be ipso facto, absolutely, null and void.

Section 7. This Franchise is granted pursuant to the provisions of K.S.A. 12-2001, and shall take effect and be in force as therein provided.

First Reading: 11/6/89; Second Reading: 11/20/89; Third Reading: 12/4/89.

Passed by the Council the 4th day of December, 1989. Approved by the Mayor the 4th day of December, 1989.

(SEAL)

(s) Marcia Rinehart, Mayor

Attest:

(s) Martha Heizer,

City Clerk

APPROVED FOR FORM:

(s) R. S. Wetzler,

City Attorney

ORDINANCE NO. 1138

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 86-1-89R, PROJECT 107, (ROE AVENUE, 112TH TO 121ST STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$350,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF ROE AVENUE (112TH TO 121ST STREET) INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER APPURTENANCES THERETO.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the Governing Body of the City of Leawood entered into a joint agreement, dated February 4, 1985, with the City of Overland Park and Johnson County, Kansas, to make improvements to Roe Avenue from 112th to 121st Street in the total estimated cost of \$1,500,000.00 with each entity to pay a portion of said costs; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,521. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 86-1-89R, Project 107 (Roe Avenue, 112th to 121st Street), in the aggregate principal amount of Three Hundred and Fifty Thousand Dollars (\$350,000), which amount does not exceed the total estimated costs of said improvements.

20-1,522. Section Two: Said issue of Temporary Notes, Series L.I.D. 86-1-89R, Project 107, shall consist of bearer notes numbered from 1 through 4 inclusive, with numbers 1 through 3 each in the denomination of \$100,000.00 and number 4 in the denomination of \$50,000.00. Each of said notes shall be dated November 28, 1989, and shall have the stated maturity date of November 27, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.11% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,523. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,524. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as

provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,525. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000

(d)	Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e)	Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f)	Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g)	Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000
(h)	Temporary Notes Series 89K, Project 116 95th Street	Sept. 27, 1989	\$500,000
(i)	Temporary Notes Series 89L, Project 117 Lee Boulevard	Sept. 27, 1989	\$300,000
(j)	Temporary Notes Series 89M, Project 118 Police/Court/Fire Remodel	Sept. 27, 1989	\$500,000
(k)	Temporary Notes Series 89N, Project 119 119th Street, State Line-Mission	Sept. 27, 1989	\$500,000
(l)	Temporary Notes Series L.I.D. 88-1-89P Project 113 Tomahawk Creek Parkway	Sept. 27, 1989	\$1,000,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,526. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 20th day of November, 1989.

SIGNED by the Mayor this 20th day of November, 1989.



ATTEST

Marcia Rinehart

Marcia Rinehart, Mayor

Martha Heizer

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler

R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 11/21/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

J. L. Lewis
Business Manager

Subscribed and sworn to before me this 21 day of

Nov, 1989.

Susan G. Hetherington
Notary Public

My commission expires:
3/30/91

Publication

Fees: \$113²⁵

SUSAN G. HETHERINGTON

Notary Public - State of Kansas
My Appt. Exp. 3-30-91

LEAWOOD ORD. # 1138

ORDINANCE NO. 1138

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 86-1-89R, PROJECT 107, (ROE AVENUE, 112TH TO 121ST STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$350,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF ROE AVENUE (112TH TO 121ST STREET) INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER APPURTENANCES THERETO.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the Governing Body of the City of Leawood entered into a joint agreement, dated February 4, 1985, with the City of Overland Park and Johnson County, Kansas, to make improvements to Roe Avenue from 112th to 121st Street in the total estimated cost of \$1,500,000.00 with each entity to pay a portion of said costs; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 86-1-89R, Project 107 (Roe Avenue, 112th to 121st Street), in the aggregate principal amount of Three Hundred and Fifty Thousand Dollars (\$350,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series L.I.D. 86-1-89R, Project 107, shall consist of bearer notes numbered from 1 through 4 inclusive, with numbers 1 through 3 each in the denomination of \$100,000.00 and number 4 in the denomination of \$50,000.00. Each of said notes shall be dated November 28, 1989, and shall have the stated maturity date of November 27, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.11% per annum. The notes shall be ~~callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof.~~ Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to Country Club Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; Provided,

however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;
2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000
(h) Temporary Notes Series 89K, Project 116 95th Street	Sept. 27, 1989	\$500,000
(i) Temporary Notes Series 89L, Project 117 Lee Boulevard	Sept. 27, 1989	\$300,000
(j) Temporary Notes Series 89M, Project 118 Police/Court/Fire Remodel	Sept. 27, 1989	\$500,000
(k) Temporary Notes Series 89N, Project 119 119th Street, State Line-Mission	Sept. 27, 1989	\$500,000
(l) Temporary Notes Series L.I.D. 88-1-89P Project 113 Tomahawk Creek Parkway	Sept. 27, 1989	\$1,000,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 20th day of November, 1989.

SIGNED by the Mayor this 20th day of November, 1989.

Marcia Rinshart
Marcia Rinshart, Mayor

ATTEST:

Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

/s/ R.S. Wetzler
R. S. Wetzler, City Attorney

ORDINANCE NO. 11370

AN ORDINANCE AMENDING SECTION 15-101 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE LEAWOOD SANITARY SEWER SYSTEM, AND REPEAL OF EXISTING SECTION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. Code amended. Section 15-101 of the Code of the City of Leawood is hereby amended to read as follows:

15-101. APPLICATION. (a) The provisions of this article shall apply to all property within the City limits which lies north of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 226, passed by the Governing Body on January 20, 1964.

(b) The provisions of this article shall also apply to all property within the City limits which lies south of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 1136 passed by the Governing Body on November 20, 1989.

(c) For purposes of administering the Leawood Sewer System, the System shall be divided into sewer districts. Each district shall be comprised of the sanitary sewer network for a natural drainage area. The existing System is hereby divided into the Dykes Branch Sewer District and the James Branch Sewer District as shown on that certain map of the Leawood Sewer System adopted by the Governing Body, and the Hallbrook Farms Sewer District as described in Ordinance No. 1136, passed by the Governing Body on November 20, 1989.

Section 2. Existing section of Code repealed. Section 15-101 of the Code of the City of Leawood is hereby repealed.

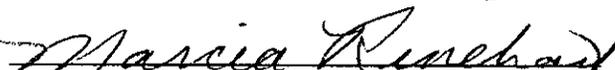
(Prior Law: Ord. No. 11090)

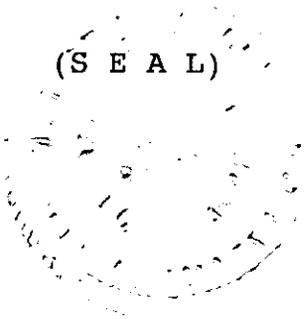
Section 3. Take effect. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 20th day of November, 1989.

Approved by the Mayor the 21st day of November, 1989.

(S E A L)


Marcia Rinehart Mayor

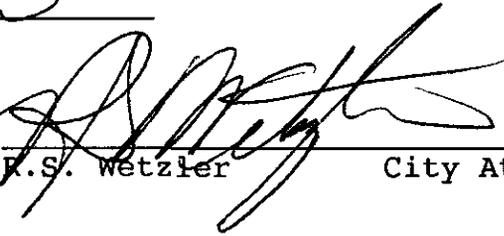


Page 2
ORDINANCE NO. 1137C

Attest:



Martha Heizer
City Clerk

APPROVED FOR FORM: 

R.S. Wetzler City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 11/28/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager
Subscribed and sworn to
before me this 28 day of
Nov., 1989.

Juanita G. Hetherington
Notary Public
My commission expires:

Publication
Fees: 16.53

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORD. #1137C

First published in The Legal Record and The News, Tuesday, November 28, 1989.
ORDINANCE NO. 1137C

AN ORDINANCE AMENDING SECTION 15-101 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE LEAWOOD SANITARY SEWER SYSTEM, AND REPEAL OF EXISTING SECTION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:

Section 1. Code amended. Section 15-101 of the Code of the City of Leawood is hereby amended to read as follows:

15-101. APPLICATION. (a) The provisions of this article shall apply to all property within the City limits which lies north of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 226, passed by the Governing Body on January 20, 1964.

(b) The provisions of this article shall also apply to all property within the City limits which lies south of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 1136 passed by the Governing Body on November 20, 1989.

(c) For purposes of administering the Leawood Sewer System, the System shall be divided into sewer districts. Each district shall be comprised of the sanitary sewer network for a natural drainage area. The existing System is hereby divided into the Dykes Branch Sewer District and the James Branch Sewer District as shown on that certain map of the Leawood Sewer System adopted by the Governing Body, and the Hallbrook Farms Sewer District as described in Ordinance No. 1136, passed by the Governing Body on November 20, 1989.

Section 2. Existing section of Code repealed. Section 15-101 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1109C)

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

Passed by the Council the 20th day of November, 1989.

Approved by the Mayor the 21st day of November, 1989.

(S E A L)

/s/ Marcia Rinehart, Mayor

Attest:

/s/ Martha Heizer

City Clerk

APPROVED FOR FORM:

/s/ R.S. Wetzler, City Attorney

11/28

ORDINANCE NO 1136

AN ORDINANCE AMENDING THE BOUNDARIES OF THE LEAWOOD SEWER SYSTEM AND RELATING TO SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS, A SUBDIVISION WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the City of Leawood has previously approved final plans and plats for certain portions of a mixed-use development within the City of Leawood known as Hallbrook Farms; and

WHEREAS, prior to filing of final plats, the owners and developers of said subdivision constructed a sewer system to serve said subdivision; and

WHEREAS, prior to construction of said sewer system, the owners and developers agreed to construct said system according to the standards of the Leawood Sewer System; and

WHEREAS, the City of Leawood has previously agreed that upon completion of said sewer system in accordance with the standards of the Leawood sewer System, the City would accept conveyance of said system from the owners and developers of Hallbrook Farms; and

WHEREAS, any expansion of the Leawood Sewer System requires the approval and acceptance of the City of Kansas City, Missouri; and

WHEREAS, the City of Kansas City, Missouri has agreed to permit expansion of the Leawood Sewer System to serve the area known as Hallbrook Farms, and has further agreed to accept such additional flows of sewerage as may be generated by said development; and

WHEREAS, the City of Leawood did by Ordinance No. 1108, passed by the Governing body on July 17, 1989, enlarge the Leawood Sewer System to include and provide service to said Hallbrook Farms; and

WHEREAS, following the adoption of Ordinance No. 1108, sewer district engineers determined that certain portions of the Hallbrook Farms subdivision not previously included within the boundaries of the Leawood Sewer System should be added to said sewer system; and

WHEREAS, following the adoption of Ordinance No. 1108, engineering studies further determined that certain portions of the Hallbrook Farms subdivision previously included within the boundaries of the Leawood Sewer System should be deleted from the said system and should properly be served by and included within the Johnson County Sewer District; and

WHEREAS, the purpose of this ordinance is to set forth the current boundaries of the Leawood Sewer System serving Hallbrook Farms subdivision, including additions and deletions following the adoption of Ordinance No. 1108.

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

Section 1. Sewer District boundaries amended. The City of Leawood does hereby accept into the Leawood Sewer System the property described in Exhibit A attached hereto.

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

Section 3. Ordinance 1108 Repealed. Ordinance No. 1108 as adopted by the City of Leawood on July 17, 1989, is hereby repealed.

Section 4. Take Effect. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

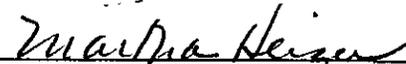
Passed by the Council the 20th day of November, 1989.

Approved by the Mayor the 21st day of November, 1989.

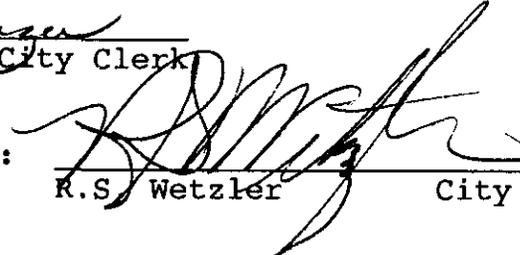
(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

Approved for Form:


R.S. Wetzler City Attorney

LEAWOOD SEWER DISTRICT

DESCRIPTION: ALL THAT PART OF FRACTIONAL SECTION 11, FRACTIONAL SECTION 14, SECTION 15, AND SECTION 10, ALL IN TOWNSHIP 13, RANGE 25, IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14; THENCE NORTH 2°-05'-34" WEST ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 272.37 FEET; THENCE NORTH 2°-21'-12" WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 582.34 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED, SAID POINT ALSO BEING ON THE EASTERLY PROLONGATION OF THE NORTH LINE OF LOT 17, BLOCK 1, "HALLBROOK FARMS, THIRD PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE SOUTH 87°-41'-53" WEST, ALONG SAID EASTERLY PROLONGATION, SAID NORTH LINE, AND ALONG THE NORTH LINE OF LOT 18, BLOCK 1, OF SAID "HALLBROOK FARMS, THIRD PLAT", A DISTANCE OF 386.38 FEET, TO THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 18, IN SAID BLOCK 1; THENCE SOUTH 27°-31'-18" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 18 AND ALONG THE NORTHWESTERLY LINE OF LOT 19, BLOCK 1, A DISTANCE OF 83.86 FEET, TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 35°-37'-36" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF SAID LOT 19 IN SAID BLOCK 1, A DISTANCE OF 79.95 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 39°-08'-13" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE AND ALONG THE NORTHWESTERLY LINE OF LOT 20, IN SAID BLOCK 1, A DISTANCE OF 84.35 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 55°-34'-33" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF SAID LOT 20, IN SAID BLOCK 1, A DISTANCE OF 93.68 FEET TO THE MOST WESTERLY CORNER THEREOF; THENCE SOUTH 51°-37'-20" WEST, A DISTANCE OF 85.25 FEET, TO THE MOST NORTHERLY CORNER OF LOT 4, IN SAID BLOCK 1; THENCE SOUTH 56°-12'-28" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 4, IN SAID BLOCK 1, A DISTANCE OF 154.86 FEET, TO THE MOST NORTHERLY CORNER OF SAID LOT 6, IN SAID BLOCK 1; THENCE SOUTH 68°-57'-18" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 6, IN SAID BLOCK 1, AND ALONG THE NORTHWESTERLY LINE OF LOT 7 IN SAID BLOCK 1, A DISTANCE OF 310.69 FEET TO A POINT ON A LINE DRAWN 25.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 22, BLOCK 2, "HALLBROOK FARMS, FIRST PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE, AND SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6; THENCE IN A WESTERLY AND NORTHERLY DIRECTION ALONG THE EASTERLY LINE OF SAID SEWER SUB-DISTRICT THE FOLLOWING BEARINGS AND DISTANCES; THENCE SOUTH 88°-39'-52" WEST ALONG THE SOUTHERLY LINE OF LOT 28, IN SAID BLOCK 2, A DISTANCE OF 153.39 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 83°-22'-44" WEST ALONG THE SOUTHERLY LINE OF LOT 27, IN SAID BLOCK 2, A DISTANCE OF 165.40 FEET TO THE THE SOUTHWEST CORNER THEREOF; THENCE NORTH 72°-49'-24" WEST ALONG THE SOUTHERLY LINE OF LOT 26, IN SAID BLOCK 2, A DISTANCE OF 174.94 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 59°-36'-34" WEST, A DISTANCE OF 85.35 FEET TO THE SOUTHEAST CORNER OF LOT 8, IN SAID BLOCK 2; THENCE NORTH 64°-45'-50" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 8, A DISTANCE OF 140.54 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 66°-53'-19" WEST ALONG THE SOUTHERLY LINE OF LOT 7, IN SAID BLOCK 2, A DISTANCE OF 123.81 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 71°-52'-17" WEST ALONG THE SOUTHERLY LINE OF LOT 6, IN SAID BLOCK 2, A DISTANCE OF 130.89 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE 17°-18'-42" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 200.00 FEET TO A POINT ON THE CENTERLINE OF 118TH STREET; THENCE NORTH 72°-41'-18" ALONG SAID CENTERLINE, A DISTANCE OF 232.65 FEET TO THE INTERSECTION OF THE CENTERLINE OF SAID 118TH STREET WITH THE CENTERLINE OF BROOKWOOD; THENCE NORTH 82°-43'-43" WEST ALONG THE CENTERLINE OF SAID 118TH STREET, A DISTANCE OF 103.55 FEET; THENCE WESTERLY ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 4°-31'-23" EAST AND AN ARC

DISTANCE OF 78.95 FEET; THENCE NORTH 2°-44'-53" EAST, A DISTANCE OF 42.50 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 4, IN SAID "HALLBROOK FARM, FIRST PLAT"; THENCE CONTINUING NORTH 2°-44'-53" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, A DISTANCE OF 157.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 73°-14'-57" EAST ALONG THE NORTHERLY LINE OF SAID LOT 6, A DISTANCE OF 31.47 FEET TO THE SOUTHWEST CORNER OF LOT 7, IN SAID BLOCK 4; THENCE NORTH 2°-02'-08" EAST ALONG THE WESTERLY LINE OF SAID LOT 7, A DISTANCE OF 135.90 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 9°-26'-04" WEST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 21°-55'-02" WEST ALONG THE WESTERLY LINE OF LOT 9, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 42°-37'-23" WEST ALONG THE WESTERLY LINE OF LOT 10, IN SAID BLOCK 4, A DISTANCE OF 120.28 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 32°-24'-17" WEST, A DISTANCE OF 86.37 FEET TO THE NORTHEAST CORNER OF LOT 25, IN BLOCK 4; THENCE NORTH 42°-37'-23" WEST ALONG THE NORTHERLY LINE OF SAID LOT 25, A DISTANCE OF 61.41 FEET TO AN ANGLE POINT THEREIN; THENCE NORTH 60°-25'-23" WEST ALONG THE NORTHERLY LINE OF LOT 25, 24 AND 23, A DISTANCE OF 317.79 FEET TO AN ANGLE POINT IN THE NORTHERLY LINE OF SAID LOT 23; THENCE NORTH 81°-49'-41" WEST, A DISTANCE OF 91.10 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 8°-10'-18" EAST ALONG THE WESTERLY LINE OF LOT 28, IN SAID BLOCK 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 269.32 FEET TO A POINT IN THE CENTERLINE OF AFORESAID BROOKWOOD; THENCE SOUTH 60°-25'-20" EAST ALONG SAID CENTERLINE, A DISTANCE OF 184.53 FEET; THENCE NORTH 43°-59'-05" EAST, A DISTANCE OF 2.43 FEET TO A POINT ON A LINE DRAWN FROM A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, THAT IS 275.88 FEET WEST OF THE SOUTHEAST CORNER THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 15, THAT IS 700.00 FEET EAST OF THE WEST LINE OF SAID NORTHEAST 1/4, AS MEASURED AT RIGHT ANGLES THERETO; THENCE NORTH 33°-54'-05" WEST ALONG THE LAST DESCRIBED LINE, A DISTANCE OF 384.06 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1, BLOCK 2, "HALLBROOK FARMS, SECOND PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE NORTH 8°-07'-25" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 48.86 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 74°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 167.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 4°-26'-02" WEST ALONG THE EASTERLY LINE OF LOT 2, IN SAID BLOCK 2, A DISTANCE OF 152.20 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 87°-42'-39" WEST ALONG THE NORTHERLY LINE OF SAID LOT 2, A DISTANCE OF 75.95 FEET TO THE SOUTHWEST CORNER OF LOT 11, IN SAID BLOCK 2; THENCE NORTH 12°-09'-34" WEST ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 166.16 FEET TO THE NORTHEAST CORNER OF LOT 3, IN SAID BLOCK 2; THENCE NORTH 9°-29'-16" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 132.41 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 16°-27'-55" EAST ALONG THE WESTERLY LINE OF LOT 10 AND LOT 9, IN SAID BLOCK 2, A DISTANCE OF 321.31 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE NORTH 9°-57'-40" EAST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 2 AND THE NORTHERLY EXTENSION OF THEREOF, A DISTANCE OF 173.22 FEET TO A POINT IN THE CENTERLINE OF 114TH STREET, THENCE NORTH 83°-25'-56" WEST ALONG SAID CENTERLINE AND ALONG THE CENTERLINE OF CANTERBURY CIRCLE, A DISTANCE OF 525.65 FEET TO A POINT ON THE WESTERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 6°-34'-04" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 212.65 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 87°-27'-50" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 196.53 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 85°-17'-35" EAST ALONG THE NORTHERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT", A DISTANCE OF 95.00 FEET TO THE NORTHWEST CORNER OF LOT 3, BLOCK 3, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE SOUTH 76°-04'-47" EAST ALONG THE NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 176.27 FEET TO A POINT ON A LINE DRAWN 700.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 15; THENCE NORTH 1°-30'-12" WEST ALONG

SAID PARALLEL LINE, A DISTANCE OF 178.61 FEET; THENCE NORTH
 24°-17'-07" WEST, A DISTANCE OF 1032.99 FEET TO A POINT 500.00
 FEET SOUTH OF AND 300.00 FEET EAST OF THE NORTHWEST CORNER
 THEREOF, AS MEASURED PARALLEL TO THE NORTH AND WEST LINES
 THEREOF; THENCE NORTH 1°-30'-12" WEST PARALLEL TO THE WEST
 LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 500.00 FEET TO THE
 NORTH LINE OF SAID NORTHEAST 1/4; THENCE SOUTH 88°-02'-19"
 WEST ALONG SAID NORTH LINE, A DISTANCE OF 300.00 FEET TO THE
 NORTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 87°-50'-04"
 WEST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID
 SECTION 15, A DISTANCE OF 391.82 FEET TO A POINT ON THE EASTERLY
 LINE OF TRACT "A" OF "LEAWOOD GREENWAY AND PARKS", A SUBDIVISION
 OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE LEAVING THE
 AFORESAID EASTERLY LINE OF TOMAHAWK CREEK SEWER SUB-DISTRICT
 NO. 4, LATERAL DISTRICT NO. 6 AND IN A NORTHEASTERLY AND EASTERLY
 DIRECTION ALONG THE EASTERLY LINE AND SOUTHERLY LINE OF SAID
 TRACT "A", THE FOLLOWING BEARINGS AND DISTANCES; NORTH
 16°-35'-17" EAST, A DISTANCE OF 256.53 FEET; THENCE NORTH
 19°-03'-17" EAST, A DISTANCE OF 150.00 FEET; THENCE NORTH
 14°-31'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH
 19°-49'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH
 27°-27'-17" EAST, A DISTANCE OF 309.30 FEET TO A POINT ON THE
 WEST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE
 NORTH 65°-31'-23" EAST, A DISTANCE OF 401.84 FEET; THENCE SOUTH
 35°-03'-34" EAST, A DISTANCE OF 100.67 FEET; THENCE SOUTH
 26°-55'-27" EAST, A DISTANCE OF 75.48 FEET; THENCE SOUTH
 36°-44'-46" EAST, A DISTANCE OF 81.99 FEET; THENCE SOUTH
 56°-17'-16" EAST, A DISTANCE OF 103.73 FEET; THENCE SOUTH
 81°-50'-55" EAST, A DISTANCE OF 51.15 FEET; THENCE NORTH
 82°-28'-47" EAST, A DISTANCE OF 204.26 FEET; THENCE NORTH
 67°-50'-32" EAST, A DISTANCE OF 310.21 FEET; THENCE NORTH
 60°-54'-10" EAST, A DISTANCE OF 136.13 FEET; THENCE NORTH
 58°-06'-27" EAST, A DISTANCE OF 83.32 FEET; THENCE NORTH
 57°-49'-25" EAST, A DISTANCE OF 59.22 FEET; THENCE NORTH
 74°-43'-33" EAST, A DISTANCE OF 75.54 FEET; THENCE NORTH
 65°-46'-07" EAST, A DISTANCE OF 325.22 FEET; THENCE NORTH
 72°-48'-48" EAST, A DISTANCE OF 46.56 FEET; THENCE NORTH
 87°-37'-46" EAST, A DISTANCE OF 74.49 FEET; THENCE NORTH
 79°-48'-20" EAST, A DISTANCE OF 125.05 FEET; THENCE SOUTH
 84°-36'-56" EAST, A DISTANCE OF 25.76 FEET; THENCE NORTH
 69°-52'-11" EAST, A DISTANCE OF 40.83 FEET; THENCE NORTH
 51°-06'-10" EAST, A DISTANCE OF 77.57 FEET; THENCE NORTH
 35°-54'-50" EAST, A DISTANCE OF 125.76 FEET; THENCE NORTH
 19°-51'-53" EAST, A DISTANCE OF 81.50 FEET; THENCE NORTH
 16°-09'-08" WEST, A DISTANCE OF 54.29 FEET; THENCE NORTH
 87°-58'-57" EAST, A DISTANCE OF 202.07 FEET; THENCE NORTH
 1°-56'-43" WEST, A DISTANCE OF 854.83 FEET; THENCE NORTH
 43°-42'-59" EAST, A DISTANCE OF 327.25 FEET, TO A POINT ON
 THE EAST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10;
 THENCE NORTH 2°-00'-46" WEST ALONG SAID EAST LINE, A DISTANCE
 OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST
 1/4; THENCE NORTH 2°-06'-10" WEST ALONG THE WEST LINE OF THE
 NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 11, A DISTANCE OF
 194.61 FEET TO THE NORTHEAST CORNER OF AFORESAID TRACT "A",
 LEAWOOD GREENWAY AND PARKS, SAID POINT ALSO BEING ON THE
 SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 435 AS
 NOW ESTABLISHED; THENCE LEAVING THE EASTERLY LINE OF SAID TRACT
 "A", NORTH 24°-23'-33" WEST, A DISTANCE OF 150.00 FEET TO A
 POINT ON THE CENTERLINE OF SAID INTERSTATE HIGHWAY NO. 435;
 THENCE NORTHEASTERLY ALONG THE CENTERLINE OF INTERSTATE HIGHWAY
 NO. 435 TO A POINT ON THE EAST LINE OF THE NORTH 1/2 OF SAID
 FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG SAID
 EAST LINE, A DISTANCE OF 967.45 FEET, MORE OR LESS, TO THE
 SOUTHEAST CORNER OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11;
 THENCE SOUTH 2°-25'-06" EAST ALONG THE EAST LINE OF THE SOUTH
 1/2 OF SAID FRACTIONAL SECTION 11, A DISTANCE OF 27.56 FEET
 TO THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF FRACTIONAL
 SECTION 6, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY,

MISSOURI; THENCE SOUTH 2°-10'-14" EAST ALONG SAID EAST LINE AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2625.10 FEET TO THE SOUTHEAST CORNER OF SAID SOUTH 1/2; THENCE SOUTH 2°-10'-14" EAST ALONG THE EAST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 14 AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 79.07 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE SOUTH 2°-22'-55" EAST ALONG THE EAST LINE OF SAID NORTH 1/2 AND ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2576.77 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE SOUTH 2°-22'-55" EAST ALONG SAID WEST LINE AND ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 127.40 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 6; THENCE SOUTH 2°-21'-12" EAST ALONG SAID EAST LINE AND ALONG THE WEST FRACTIONAL SECTION 7, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY, MISSOURI, A DISTANCE OF 1675.36 FEET TO THE POINT OF BEGINNING. CONTAINING 468.15 ACRES, MORE OR LESS.

ORDINANCE NO 1136

AN ORDINANCE AMENDING THE BOUNDARIES OF THE LEAWOOD SEWER SYSTEM AND RELATING TO SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS, A SUBDIVISION WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the City of Leawood has previously approved final plans and plats for certain portions of a mixed-use development within the City of Leawood known as Hallbrook Farms; and

WHEREAS, prior to filing of final plats, the owners and developers of said subdivision constructed a sewer system to serve said subdivision; and

WHEREAS, prior to construction of said sewer system, the owners and developers agreed to construct said system according to the standards of the Leawood Sewer System; and

WHEREAS, the City of Leawood has previously agreed that upon completion of said sewer system in accordance with the standards of the Leawood sewer System, the City would accept conveyance of said system from the owners and developers of Hallbrook Farms; and

WHEREAS, any expansion of the Leawood Sewer System requires the approval and acceptance of the City of Kansas City, Missouri; and

WHEREAS, the City of Kansas City, Missouri has agreed to permit expansion of the Leawood Sewer System to serve the area known as Hallbrook Farms, and has further agreed to accept such additional flows of sewerage as may be generated by said development; and

WHEREAS, the City of Leawood did by Ordinance No. 1108, passed by the Governing body on July 17, 1989, enlarge the Leawood Sewer System to include and provide service to said Hallbrook Farms; and

WHEREAS, following the adoption of Ordinance No. 1108, sewer district engineers determined that certain portions of the Hallbrook Farms subdivision not previously included within the boundaries of the Leawood Sewer System should be added to said sewer system; and

WHEREAS, following the adoption of Ordinance No. 1108, engineering studies further determined that certain portions of the Hallbrook Farms subdivision previously included within the boundaries of the Leawood Sewer System should be deleted from the said system and should properly be served by and included within the Johnson County Sewer District; and

WHEREAS, the purpose of this ordinance is to set forth the current boundaries of the Leawood Sewer System serving Hallbrook Farms subdivision, including additions and deletions following the adoption of Ordinance No. 1108.

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

Section 1. Sewer District boundaries amended. The City of Leawood does hereby accept into the Leawood Sewer System the property described in Exhibit A attached hereto.

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Section 4. Take Effect. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 20th day of November, 1989.

Approved by the Mayor the 21st day of November, 1989.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

Approved for Form:

R.S. Wetzler City Attorney

STATE OF KANSAS }
COUNTY OF JOHNSON }
FILED FOR RECORD

1989 DEC -4 A 9:27:4

1800
SARA FULLMANN
REGISTER OF DEEDS

BY _____ DEP.

LEAWOOD SEWER DISTRICT

DESCRIPTION: ALL THAT PART OF FRACTIONAL SECTION 11, FRACTIONAL SECTION 14, SECTION 15, AND SECTION 10, ALL IN TOWNSHIP 13, RANGE 25, IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14; THENCE NORTH 2°-05'-34" WEST ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 272.37 FEET; THENCE NORTH 2°-21'-12" WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 582.34 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED, SAID POINT ALSO BEING ON THE EASTERLY PROLONGATION OF THE NORTH LINE OF LOT 17, BLOCK 1, "HALLBROOK FARMS, THIRD PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE SOUTH 87°-41'-53" WEST, ALONG SAID EASTERLY PROLONGATION, SAID NORTH LINE, AND ALONG THE NORTH LINE OF LOT 18, BLOCK 1, OF SAID "HALLBROOK FARMS, THIRD PLAT", A DISTANCE OF 386.38 FEET, TO THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 18, IN SAID BLOCK 1; THENCE SOUTH 27°-31'-18" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 18 AND ALONG THE NORTHWESTERLY LINE OF LOT 19, BLOCK 1, A DISTANCE OF 83.86 FEET, TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 35°-37'-36" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF SAID LOT 19 IN SAID BLOCK 1, A DISTANCE OF 79.95 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 39°-08'-13" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE AND ALONG THE NORTHWESTERLY LINE OF LOT 20, IN SAID BLOCK 1, A DISTANCE OF 84.35 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 55°-34'-33" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF SAID LOT 20, IN SAID BLOCK 1, A DISTANCE OF 93.68 FEET TO THE MOST WESTERLY CORNER THEREOF; THENCE SOUTH 51°-37'-20" WEST, A DISTANCE OF 85.25 FEET, TO THE MOST NORTHERLY CORNER OF LOT 4, IN SAID BLOCK 1; THENCE SOUTH 56°-12'-28" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 4, IN SAID BLOCK 1, A DISTANCE OF 154.86 FEET, TO THE MOST NORTHERLY CORNER OF SAID LOT 6, IN SAID BLOCK 1; THENCE SOUTH 68°-57'-18" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 6, IN SAID BLOCK 1, AND ALONG THE NORTHWESTERLY LINE OF LOT 7 IN SAID BLOCK 1, A DISTANCE OF 310.69 FEET TO A POINT ON A LINE DRAWN 25.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 22, BLOCK 2, "HALLBROOK FARMS, FIRST PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE, AND SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6; THENCE IN A WESTERLY AND NORTHERLY DIRECTION ALONG THE EASTERLY LINE OF SAID SEWER SUB-DISTRICT THE FOLLOWING BEARINGS AND DISTANCES; THENCE SOUTH 88°-39'-52" WEST ALONG THE SOUTHERLY LINE OF LOT 28, IN SAID BLOCK 2, A DISTANCE OF 153.39 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 83°-22'-44" WEST ALONG THE SOUTHERLY LINE OF LOT 27, IN SAID BLOCK 2, A DISTANCE OF 165.40 FEET TO THE THE SOUTHWEST CORNER THEREOF; THENCE NORTH 72°-49'-24" WEST ALONG THE SOUTHERLY LINE OF LOT 26, IN SAID BLOCK 2, A DISTANCE OF 174.94 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 59°-36'-34" WEST, A DISTANCE OF 85.35 FEET TO THE SOUTHEAST CORNER OF LOT 8, IN SAID BLOCK 2; THENCE NORTH 64°-45'-50" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 8, A DISTANCE OF 140.54 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 66°-53'-19" WEST ALONG THE SOUTHERLY LINE OF LOT 7, IN SAID BLOCK 2, A DISTANCE OF 123.81 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 71°-52'-17" WEST ALONG THE SOUTHERLY LINE OF LOT 6, IN SAID BLOCK 2, A DISTANCE OF 130.89 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE 17°-18'-42" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 200.00 FEET TO A POINT ON THE CENTERLINE OF 118TH STREET; THENCE NORTH 72°-41'-18" ALONG SAID CENTERLINE, A DISTANCE OF 232.65 FEET TO THE INTERSECTION OF THE CENTERLINE OF SAID 118TH STREET WITH THE CENTERLINE OF BROOKWOOD; THENCE NORTH 82°-43'-43" WEST ALONG THE CENTERLINE OF SAID 118TH STREET, A DISTANCE OF 103.55 FEET; THENCE WESTERLY ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 4°-31'-23" EAST AND AN ARC

DISTANCE OF 78.95 FEET; THENCE NORTH 2°-44'-53" EAST, A DISTANCE OF 42.50 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 4, IN SAID "HALLBROOK FARM, FIRST PLAT"; THENCE CONTINUING NORTH 2°-44'-53" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, A DISTANCE OF 157.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 73°-14'-57" EAST ALONG THE NORTHERLY LINE OF SAID LOT 6, A DISTANCE OF 31.47 FEET TO THE SOUTHWEST CORNER OF LOT 7, IN SAID BLOCK 4; THENCE NORTH 2°-02'-08" EAST ALONG THE WESTERLY LINE OF SAID LOT 7, A DISTANCE OF 135.90 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 9°-26'-04" WEST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 21°-55'-02" WEST ALONG THE WESTERLY LINE OF LOT 9, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 42°-37'-23" WEST ALONG THE WESTERLY LINE OF LOT 10, IN SAID BLOCK 4, A DISTANCE OF 120.28 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 32°-24'-17" WEST, A DISTANCE OF 86.37 FEET TO THE NORTHEAST CORNER OF LOT 25, IN BLOCK 4; THENCE NORTH 42°-37'-23" WEST ALONG THE NORTHERLY LINE OF SAID LOT 25, A DISTANCE OF 61.41 FEET TO AN ANGLE POINT THEREIN; THENCE NORTH 60°-25'-23" WEST ALONG THE NORTHERLY LINE OF LOT 25, 24 AND 23, A DISTANCE OF 317.79 FEET TO AN ANGLE POINT IN THE NORTHERLY LINE OF SAID LOT 23; THENCE NORTH 81°-49'-41" WEST, A DISTANCE OF 91.10 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 8°-10'-18" EAST ALONG THE WESTERLY LINE OF LOT 28, IN SAID BLOCK 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 269.32 FEET TO A POINT IN THE CENTERLINE OF AFORESAID BROOKWOOD; THENCE SOUTH 60°-25'-20" EAST ALONG SAID CENTERLINE, A DISTANCE OF 184.53 FEET; THENCE NORTH 43°-59'-05" EAST, A DISTANCE OF 2.43 FEET TO A POINT ON A LINE DRAWN FROM A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, THAT IS 275.88 FEET WEST OF THE SOUTHEAST CORNER THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 15, THAT IS 700.00 FEET EAST OF THE WEST LINE OF SAID NORTHEAST 1/4, AS MEASURED AT RIGHT ANGLES THERETO; THENCE NORTH 33°-54'-05" WEST ALONG THE LAST DESCRIBED LINE, A DISTANCE OF 384.06 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1, BLOCK 2, "HALLBROOK FARMS, SECOND PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE NORTH 8°-07'-25" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 48.86 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 74°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 167.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 4°-26'-02" WEST ALONG THE EASTERLY LINE OF LOT 2, IN SAID BLOCK 2, A DISTANCE OF 152.20 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 87°-42'-39" WEST ALONG THE NORTHERLY LINE OF SAID LOT 2, A DISTANCE OF 75.95 FEET TO THE SOUTHWEST CORNER OF LOT 11, IN SAID BLOCK 2; THENCE NORTH 12°-09'-34" WEST ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 166.16 FEET TO THE NORTHEAST CORNER OF LOT 3, IN SAID BLOCK 2; THENCE NORTH 9°-29'-16" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 132.41 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 16°-27'-55" EAST ALONG THE WESTERLY LINE OF LOT 10 AND LOT 9, IN SAID BLOCK 2, A DISTANCE OF 321.31 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE NORTH 9°-57'-40" EAST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 2 AND THE NORTHERLY EXTENSION OF THEREOF, A DISTANCE OF 173.22 FEET TO A POINT IN THE CENTERLINE OF 114TH STREET, THENCE NORTH 83°-25'-56" WEST ALONG SAID CENTERLINE AND ALONG THE CENTERLINE OF CANTERBURY CIRCLE, A DISTANCE OF 525.65 FEET TO A POINT ON THE WESTERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 6°-34'-04" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 212.65 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 87°-27'-50" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 196.53 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 85°-17'-35" EAST ALONG THE NORTHERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT", A DISTANCE OF 95.00 FEET TO THE NORTHWEST CORNER OF LOT 3, BLOCK 3, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE SOUTH 76°-04'-47" EAST ALONG THE NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 176.27 FEET TO A POINT ON A LINE DRAWN 700.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 15; THENCE NORTH 1°-30'-12" WEST ALONG

SAID PARALLEL LINE, A DISTANCE OF 178.61 FEET; THENCE NORTH 24°-17'-07" WEST, A DISTANCE OF 1032.99 FEET TO A POINT 500.00 FEET SOUTH OF AND 300.00 FEET EAST OF THE NORTHWEST CORNER THEREOF, AS MEASURED PARALLEL TO THE NORTH AND WEST LINES THEREOF; THENCE NORTH 1°-30'-12" WEST PARALLEL TO THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 500.00 FEET TO THE NORTH LINE OF SAID NORTHEAST 1/4; THENCE SOUTH 88°-02'-19" WEST ALONG SAID NORTH LINE, A DISTANCE OF 300.00 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 87°-50'-04" WEST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 15, A DISTANCE OF 391.82 FEET TO A POINT ON THE EASTERLY LINE OF TRACT "A" OF "LEAWOOD GREENWAY AND PARKS", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE LEAVING THE AFORESAID EASTERLY LINE OF TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6 AND IN A NORTHEASTERLY AND EASTERLY DIRECTION ALONG THE EASTERLY LINE AND SOUTHERLY LINE OF SAID TRACT "A", THE FOLLOWING BEARINGS AND DISTANCES; NORTH 16°-35'-17" EAST, A DISTANCE OF 256.53 FEET; THENCE NORTH 19°-03'-17" EAST, A DISTANCE OF 150.00 FEET; THENCE NORTH 14°-31'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH 19°-49'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH 27°-27'-17" EAST, A DISTANCE OF 309.30 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 65°-31'-23" EAST, A DISTANCE OF 401.84 FEET; THENCE SOUTH 35°-03'-34" EAST, A DISTANCE OF 100.67 FEET; THENCE SOUTH 26°-55'-27" EAST, A DISTANCE OF 75.48 FEET; THENCE SOUTH 36°-44'-46" EAST, A DISTANCE OF 81.99 FEET; THENCE SOUTH 56°-17'-16" EAST, A DISTANCE OF 103.73 FEET; THENCE SOUTH 81°-50'-55" EAST, A DISTANCE OF 51.15 FEET; THENCE NORTH 82°-28'-47" EAST, A DISTANCE OF 204.26 FEET; THENCE NORTH 67°-50'-32" EAST, A DISTANCE OF 310.21 FEET; THENCE NORTH 60°-54'-10" EAST, A DISTANCE OF 136.13 FEET; THENCE NORTH 58°-06'-27" EAST, A DISTANCE OF 83.32 FEET; THENCE NORTH 57°-49'-25" EAST, A DISTANCE OF 59.22 FEET; THENCE NORTH 74°-43'-33" EAST, A DISTANCE OF 75.54 FEET; THENCE NORTH 65°-46'-07" EAST, A DISTANCE OF 325.22 FEET; THENCE NORTH 72°-48'-48" EAST, A DISTANCE OF 46.56 FEET; THENCE NORTH 87°-37'-46" EAST, A DISTANCE OF 74.49 FEET; THENCE NORTH 79°-48'-20" EAST, A DISTANCE OF 125.05 FEET; THENCE SOUTH 84°-36'-56" EAST, A DISTANCE OF 25.76 FEET; THENCE NORTH 69°-52'-11" EAST, A DISTANCE OF 40.83 FEET; THENCE NORTH 51°-06'-10" EAST, A DISTANCE OF 77.57 FEET; THENCE NORTH 35°-54'-50" EAST, A DISTANCE OF 125.76 FEET; THENCE NORTH 19°-51'-53" EAST, A DISTANCE OF 81.50 FEET; THENCE NORTH 16°-09'-08" WEST, A DISTANCE OF 54.29 FEET; THENCE NORTH 87°-58'-57" EAST, A DISTANCE OF 202.07 FEET; THENCE NORTH 1°-56'-43" WEST, A DISTANCE OF 854.83 FEET; THENCE NORTH 43°-42'-59" EAST, A DISTANCE OF 327.25 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 2°-00'-46" WEST ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE NORTH 2°-06'-10" WEST ALONG THE WEST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 11, A DISTANCE OF 194.61 FEET TO THE NORTHEAST CORNER OF AFORESAID TRACT "A", LEAWOOD GREENWAY AND PARKS, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 435 AS NOW ESTABLISHED; THENCE LEAVING THE EASTERLY LINE OF SAID TRACT "A", NORTH 24°-23'-33" WEST, A DISTANCE OF 150.00 FEET TO A POINT ON THE CENTERLINE OF SAID INTERSTATE HIGHWAY NO. 435; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF INTERSTATE HIGHWAY NO. 435 TO A POINT ON THE EAST LINE OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG SAID EAST LINE, A DISTANCE OF 967.45 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 11, A DISTANCE OF 27.56 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF FRACTIONAL SECTION 6, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY,

MISSOURI; THENCE SOUTH 2°-10'-14" EAST ALONG SAID EAST LINE AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2625.10 FEET TO THE SOUTHEAST CORNER OF SAID SOUTH 1/2; THENCE SOUTH 2°-10'-14" EAST ALONG THE EAST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 14 AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 79.07 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE SOUTH 2°-22'-55" EAST ALONG THE EAST LINE OF SAID NORTH 1/2 AND ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2576.77 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE SOUTH 2°-22'-55" EAST ALONG SAID WEST LINE AND ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 127.40 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 6; THENCE SOUTH 2°-21'-12" EAST ALONG SAID EAST LINE AND ALONG THE WEST FRACTIONAL SECTION 7, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY, MISSOURI, A DISTANCE OF 1675.36 FEET TO THE POINT OF BEGINNING. CONTAINING 468.15 ACRES, MORE OR LESS.

CERTIFICATE

I, Martha Heizer, City Clerk of the City of Leawood, Kansas, hereby certify that the attached is a true and correct copy of Ordinance No. 1136, as the same appears in my office. This ordinance repealed Ordinance No. 1108 filed for record in the Office of the Register of Deeds of Johnson County, Kansas, on July 21, 1989, in Book 3020 at Page 819.

In testimony whereof, I have hereunto signed my name and affixed the Seal of said City this 28th day of November, 1989.



Martha Heizer

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

- 1st 11/28/89
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

John Lewis
Business Manager
Subscribed and sworn to
before me this 28 day of
Nov., 1989.

Susan G. Hetherington
Notary Public
My commission expires:
3-30-91

Publication
Fees: 92.18

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORD. 1136

ORDINANCE NO 1136

AN ORDINANCE AMENDING THE BOUNDARIES OF THE LEAWOOD SEWER SYSTEM AND RELATING TO SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS, A SUBDIVISION WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the City of Leawood has previously approved final plans and plats for certain portions of a mixed-use development within the City of Leawood known as Hallbrook Farms; and

WHEREAS, prior to filing of final plats, the owners and developers of said subdivision constructed a sewer system to serve said subdivision; and

WHEREAS, prior to construction of said sewer system, the owners and developers agreed to construct said system according to the standards of the Leawood Sewer System; and

WHEREAS, the City of Leawood has previously agreed that upon completion of said sewer system in accordance with the standards of the Leawood Sewer System, the City would accept conveyance of said system from the owners and developers of Hallbrook Farms; and

WHEREAS, any expansion of the Leawood Sewer System requires the approval and acceptance of the City of Kansas City, Missouri; and

WHEREAS, the City of Kansas City, Missouri has agreed to permit expansion of the Leawood Sewer System to serve the area known as Hallbrook Farms, and has further agreed to accept such additional flows of sewerage as may be generated by said development; and

WHEREAS, the City of Leawood did by Ordinance No. 1108, passed by the Governing body on July 17, 1989, enlarge the Leawood Sewer System to include and provide service to said Hallbrook Farms; and

WHEREAS, following the adoption of Ordinance No. 1108, sewer district engineers determined that certain portions of the Hallbrook Farms subdivision not previously included within the boundaries of the Leawood Sewer System should be added to said sewer system; and

WHEREAS, following the adoption of Ordinance No. 1108, engineering studies further determined that certain portions of the Hallbrook Farms subdivision previously included within the boundaries of the Leawood Sewer System should be deleted from the said system and should properly be served by and included within the Johnson County Sewer District; and

WHEREAS, the purpose of this ordinance is to set forth the current boundaries of the Leawood Sewer System serving Hallbrook Farms subdivision, including additions and deletions following the adoption of Ordinance No. 1108.

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

Section 1. Sewer District boundaries amended. The City of Leawood does hereby accept into the Leawood Sewer System the property described in Exhibit A attached hereto.

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

Section 3. Ordinance 1108 Repealed. Ordinance No. 1108 as adopted by the City of Leawood on July 17, 1989, is hereby repealed.

Section 4. Take Effect. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 20th day of November, 1989.

Approved by the Mayor the 21st day of November, 1989.

(S E A L) Marcia Rinehart Mayor

Attest: Martha Heizer City Clerk

Approved for Form: R.S. Wetzler City Attorney

EXHIBIT "A" LEAWOOD SEWER DISTRICT

DESCRIPTION: ALL THAT PART OF FRACTIONAL SECTION 11, FRACTIONAL SECTION 14, SECTION 15, AND SECTION 10, ALL IN TOWNSHIP 13, RANGE 25, IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14; THENCE NORTH 2°-05'-34" WEST ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 272.37 FEET; THENCE NORTH 2°-21'-12" WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 582.34 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREBY DESCRIBED, SAID POINT ALSO BEING ON THE EASTERLY PROLONGATION OF THE NORTH LINE OF LOT 17, BLOCK 1, "HALLBROOK FARMS, THIRD PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE SOUTH 87°-41'-53" WEST, ALONG SAID EASTERLY PROLONGATION, SAID NORTH LINE, AND ALONG THE NORTH LINE OF LOT 18, BLOCK 1, OF SAID "HALLBROOK FARMS, THIRD PLAT", A DISTANCE OF 386.38 FEET, TO THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 18; IN SAID BLOCK 1; THENCE SOUTH 27°-31'-18" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 18 AND ALONG THE NORTHWESTERLY LINE OF LOT 19, BLOCK 1, A DISTANCE OF 83.86 FEET, TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 35°-37'-38" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF SAID LOT 19 IN SAID BLOCK 1, A DISTANCE OF 79.95 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 39°-08'-13" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE AND ALONG THE NORTHWESTERLY LINE OF LOT 20, IN SAID BLOCK 1, A DISTANCE OF 84.35 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE; THENCE SOUTH 55°-34'-33" WEST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF SAID LOT 20, IN SAID BLOCK 1, A DISTANCE OF 93.68 FEET TO THE MOST WESTERLY CORNER THEREOF; THENCE SOUTH 51°-37'-20" WEST, A DISTANCE OF 85.25 FEET, TO THE MOST NORTHERLY CORNER OF LOT 4, IN SAID BLOCK 1; THENCE SOUTH 56°-12'-28" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 4, IN SAID BLOCK 1, A DISTANCE OF 154.86 FEET, TO THE MOST NORTHERLY CORNER OF SAID LOT 6, IN SAID BLOCK 1; THENCE SOUTH 68°-57'-18" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 6, IN SAID BLOCK 1, AND ALONG THE NORTHWESTERLY LINE OF LOT 7 IN SAID BLOCK 1, A DISTANCE OF 310.69 FEET TO A POINT ON A LINE DRAWN 25.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15; SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 22, BLOCK 2, "HALLBROOK FARMS, FIRST PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE, AND SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6; THENCE IN A WESTERLY AND NORTHERLY DIRECTION ALONG THE EASTERLY LINE OF SAID SEWER SUB-DISTRICT THE FOLLOWING BEARINGS AND DISTANCES; THENCE SOUTH 88°-39'-52" WEST ALONG THE SOUTHERLY LINE OF LOT 28, IN SAID BLOCK 2, A DISTANCE OF 153.39 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 83°-22'-44" WEST ALONG THE SOUTHERLY LINE OF LOT 27, IN SAID BLOCK 2, A DISTANCE OF 165.40 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 72°-49'-24" WEST ALONG THE SOUTHERLY LINE OF LOT 26, IN SAID BLOCK 2, A DISTANCE OF 174.94 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 59°-36'-34" WEST, A DISTANCE OF 85.35 FEET TO THE SOUTHEAST CORNER OF LOT 8, IN SAID BLOCK 2; THENCE NORTH 64°-45'-50" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 8, A DISTANCE OF 140.54 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 66°-53'-19" WEST ALONG THE SOUTHERLY LINE OF LOT 7, IN SAID BLOCK 2, A DISTANCE OF 123.81 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 71°-52'-17" WEST ALONG THE SOUTHERLY LINE OF LOT 6, IN SAID BLOCK 2, A DISTANCE OF 130.89 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE 17°-18'-42" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 200.00 FEET TO A POINT ON THE CENTERLINE OF 118TH STREET; THENCE NORTH 72°-41'-18" ALONG SAID CENTERLINE, A DISTANCE OF 232.65 FEET TO THE INTERSECTION OF THE CENTERLINE OF SAID 118TH STREET WITH THE CENTERLINE OF BROOKWOOD; THENCE NORTH 82°-43'-43" WEST ALONG THE CENTERLINE OF SAID 118TH STREET, A DISTANCE OF 103.55 FEET; THENCE WESTERLY ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 4°-31'-23" EAST AND AN ARC DISTANCE OF 78.95 FEET; THENCE NORTH 2°-44'-53" EAST, A DISTANCE OF 42.50 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 4, IN SAID "HALLBROOK FARM, FIRST PLAT"; THENCE CONTINUING NORTH 2°-44'-53" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, A DISTANCE OF 157.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 73°-14'-57" EAST ALONG THE NORTHERLY LINE OF SAID LOT 6, A DISTANCE OF 31.47 FEET TO THE SOUTHWEST CORNER OF LOT 7, IN SAID BLOCK 4; THENCE NORTH 2°-02'-08" EAST ALONG THE WESTERLY LINE OF SAID LOT 7, A DISTANCE OF 135.90 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 9°-26'-04" WEST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 21°-55'-02" WEST ALONG THE WESTERLY LINE OF LOT 9, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 42°-37'-23" WEST ALONG THE WESTERLY LINE OF LOT 10, IN SAID BLOCK 4, A DISTANCE OF 120.28 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 32°-24'-17" WEST, A DISTANCE OF 86.37 FEET TO THE NORTHEAST CORNER OF LOT 25, IN BLOCK 4; THENCE

NORTH 42°-37'-23" WEST ALONG THE NORTHERLY LINE OF SAID LOT 25, A DISTANCE OF 61.41 FEET TO AN ANGLE POINT THEREIN; THENCE NORTH 60°-25'-23" WEST ALONG THE NORTHERLY LINE OF LOT 25, 24 AND 23, A DISTANCE OF 317.79 FEET TO AN ANGLE POINT IN THE NORTHERLY LINE OF SAID LOT 23; THENCE NORTH 81°-49'-41" WEST, A DISTANCE OF 91.10 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 8°-10'-18" EAST ALONG THE WESTERLY LINE OF LOT 28; IN SAID BLOCK 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 268.32 FEET TO A POINT IN THE CENTERLINE OF AFORESAID BROOKWOOD; THENCE SOUTH 60°-25'-20" EAST ALONG SAID CENTERLINE, A DISTANCE OF 184.53 FEET; THENCE NORTH 43°-59'-05" EAST, A DISTANCE OF 2.43 FEET TO A POINT ON A LINE DRAWN FROM A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, TO THAT IS 275.88 FEET WEST OF THE SOUTHEAST CORNER THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 15, THAT IS 700.00 FEET EAST OF THE WEST LINE OF SAID NORTHWEST 1/4, AS MEASURED AT RIGHT ANGLES THERETO; THENCE NORTH 33°-54'-05" WEST ALONG THE LAST DESCRIBED LINE, A DISTANCE OF 384.06 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1, BLOCK 2, "HALLBROOK FARMS, SECOND PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE NORTH 8°-07'-25" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 48.86 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 74°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 167.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 4°-26'-02" WEST ALONG THE EASTERLY LINE OF LOT 2, IN SAID BLOCK 2, A DISTANCE OF 152.20 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 87°-42'-39" WEST ALONG THE NORTHERLY LINE OF SAID LOT 2, A DISTANCE OF 75.95 FEET TO THE SOUTHWEST CORNER OF LOT 11, IN SAID BLOCK 2; THENCE NORTH 12°-09'-34" WEST ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 166.16 FEET TO THE NORTHEAST CORNER OF LOT 3, IN SAID BLOCK 2; THENCE NORTH 9°-29'-16" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 132.41 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 16°-27'-55" EAST ALONG THE WESTERLY LINE OF LOT 10 AND LOT 9, IN SAID BLOCK 2, A DISTANCE OF 321.31 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE NORTH 9°-57'-40" EAST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 2 AND THE NORTHERLY EXTENSION OF THEREOF, A DISTANCE OF 173.22 FEET TO A POINT IN THE CENTERLINE OF 114TH STREET, THENCE NORTH 83°-25'-56" WEST ALONG SAID CENTERLINE AND ALONG THE CENTERLINE OF CANTERBURY CIRCLE, A DISTANCE OF 525.65 FEET TO A POINT ON THE WESTERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 6°-34'-04" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 212.65 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 87°-27'-50" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 196.53 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 85°-17'-35" EAST ALONG THE NORTHERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT", A DISTANCE OF 95.00 FEET TO THE NORTHWEST CORNER OF LOT 3, BLOCK 3, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE SOUTH 76°-04'-47" EAST ALONG THE NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 178.27 FEET TO A POINT ON A LINE DRAWN 700.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 15; THENCE NORTH 1°-30'-12" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 178.61 FEET; THENCE NORTH 24°-17'-07" WEST, A DISTANCE OF 1032.99 FEET TO A POINT 500.00 FEET SOUTH OF AND 300.00 FEET EAST OF THE NORTHWEST CORNER THEREOF, AS MEASURED PARALLEL TO THE NORTH AND WEST LINES THEREOF; THENCE NORTH 1°-30'-12" WEST PARALLEL TO THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 500.00 FEET TO THE NORTH LINE OF SAID NORTHEAST 1/4; THENCE SOUTH 88°-02'-19" WEST ALONG SAID NORTH LINE, A DISTANCE OF 300.00 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 87°-50'-04" WEST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 15, A DISTANCE OF 391.82 FEET TO A POINT ON THE EASTERLY LINE OF TRACT "A" OF "LEAWOOD GREENWAY AND PARKS", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE LEAVING THE AFORESAID EASTERLY LINE OF TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6 AND IN A NORTHEASTERLY AND EASTERLY DIRECTION ALONG THE EASTERLY LINE AND SOUTHERLY LINE OF SAID TRACT "A", THE FOLLOWING BEARINGS AND DISTANCES; NORTH 16°-35'-17" EAST, A DISTANCE OF 256.53 FEET; THENCE NORTH 19°-03'-17" EAST, A DISTANCE OF 150.00 FEET; THENCE NORTH 14°-31'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH 19°-49'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH 27°-27'-17" EAST, A DISTANCE OF 309.30 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 65°-31'-23" EAST, A DISTANCE OF 401.84 FEET; THENCE SOUTH 35°-03'-34" EAST, A DISTANCE OF 100.87 FEET; THENCE SOUTH 26°-55'-27" EAST, A DISTANCE OF 75.48 FEET; THENCE SOUTH 36°-44'-46" EAST, A DISTANCE OF 81.99 FEET; THENCE SOUTH 56°-17'-16" EAST, A DISTANCE OF 103.73 FEET; THENCE SOUTH 81°-50'-55" EAST, A DISTANCE OF 51.15 FEET; THENCE NORTH 82°-28'-47" EAST, A DISTANCE OF 204.26 FEET; THENCE NORTH 67°-50'-32" EAST, A DISTANCE OF 310.21 FEET; THENCE NORTH 60°-54'-10" EAST, A DISTANCE OF 136.13 FEET; THENCE NORTH 58°-06'-27" EAST, A DISTANCE OF 83.32 FEET; THENCE NORTH 57°-49'-25" EAST, A DISTANCE OF 59.22 FEET; THENCE NORTH 74°-43'-33" EAST, A DISTANCE OF 75.54 FEET; THENCE NORTH 65°-46'-07" EAST, A DISTANCE OF 325.22 FEET; THENCE NORTH 72°-48'-48" EAST, A DISTANCE OF 46.56 FEET; THENCE NORTH 87°-37'-46" EAST, A DISTANCE OF 74.49 FEET; THENCE SOUTH 79°-48'-20" EAST, A DISTANCE OF 125.05 FEET; THENCE SOUTH 84°-36'-58" EAST, A DISTANCE OF 25.76 FEET; THENCE NORTH 69°-52'-11" EAST, A DISTANCE OF 40.83 FEET; THENCE NORTH 51°-06'-10" EAST, A DISTANCE OF 77.57 FEET; THENCE NORTH 35°-54'-50" EAST, A DISTANCE OF 125.76 FEET; THENCE NORTH 19°-51'-53" EAST, A DISTANCE OF 81.50 FEET; THENCE NORTH 16°-09'-08" WEST, A DISTANCE OF 54.29 FEET; THENCE NORTH 87°-58'-57" EAST, A DISTANCE OF 202.07 FEET; THENCE NORTH 1°-56'-43" WEST, A DISTANCE OF 854.83 FEET; THENCE NORTH 43°-42'-59" EAST, A DISTANCE OF 327.25 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 2°-00'-46" WEST ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE NORTH 2°-06'-10" WEST ALONG THE WEST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 11, A DISTANCE OF 194.61 FEET TO THE NORTHEAST CORNER OF AFORESAID TRACT "A", LEAWOOD GREENWAY AND PARKS, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 435 AS NOW ESTABLISHED; THENCE LEAVING THE EASTERLY LINE OF SAID TRACT "A", NORTH 24°-23'-33" WEST, A DISTANCE OF 150.00 FEET TO A POINT ON THE CENTERLINE OF SAID INTERSTATE HIGHWAY NO. 435; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF INTERSTATE HIGHWAY NO. 435 TO A POINT ON THE EAST LINE OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG SAID EAST LINE, A DISTANCE OF 967.45 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 11, A DISTANCE OF 27.56 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF FRACTIONAL SECTION 6, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY, MISSOURI; THENCE SOUTH 2°-10'-14" EAST ALONG SAID EAST LINE AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2625.10 FEET TO THE SOUTHEAST CORNER OF SAID SOUTH 1/2; THENCE SOUTH 2°-10'-14" EAST ALONG THE EAST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 14 AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 79.07 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE SOUTH 2°-22'-55" EAST ALONG THE EAST LINE OF SAID NORTH 1/2 AND ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2576.77 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE SOUTH 2°-22'-55" EAST ALONG SAID WEST LINE AND ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 127.40 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 6; THENCE SOUTH 2°-21'-12" EAST ALONG SAID EAST LINE AND ALONG THE WEST FRACTIONAL SECTION 7, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY, MISSOURI, A DISTANCE OF 1675.36 FEET TO THE POINT OF BEGINNING. CONTAINING 468.15 ACRES, MORE OR LESS.

ORDINANCE NO. 1135

AN ORDINANCE GRANTING AN EASEMENT TO SOUTHWESTERN BELL TELEPHONE COMPANY.

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

19-6,213. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Southwestern Bell Telephone Co. upon the following described land situated in the County of Johnson, State of Kansas, to wit:

The northerly 10 feet of Lot 115, Leawood Estates Subdivision in the City of Leawood, located in the Northeast Quarter (NE 1/4) of Section Three (3), Township Thirteen (13) South, Range Twenty-Five (25) East of the 6th P.M.

19-6,214. INCORPORATION BY REFERENCE. Section 2. A copy of said easement is attached hereto 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.

Passed by the Council the 6th day of November, 1989.

Approved by the Mayor the 7th day of November, 1989.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler

City Attorney

CORPORATION EASEMENT

In consideration of the sum of \$1.00 , the receipt of which is hereby acknowledged, and other valuable consideration, the CITY OF LEAWOOD, a municipal corporation, its successors and assigns, hereby grant to SOUTHWESTERN BELL TELEPHONE COMPANY, its associated and allied companies, their respective successors, assigns, lessees and agents a permanent right of way and easement 10 feet in width across the following described land situated in the County of Johnson, State of Kansas, owned by the Grantor, to wit:

Lot 115, Leawood Estates Subdivision in the City of Leawood, located in the Northeast Quarter (NE 1/4) of Section Three (3) , Township (13) South, Range Twenty-Five (25) East of the 6th P.M., with the right and privilege of constructing, reconstructing, operating, maintaining and placing thereon and removing therefrom a communication system consisting of underground cable or cables, as Grantee may from time to time require, together with markers, fixtures and other appurtenances thereto. The route of said right of way and easement shall be The Northerly 10 feet of the above described property.

Said cable or cables and all appurtenances thereto shall be placed so as not to interfere with the ordinary cultivation of said land.

The Grantor, its successors or assigns, shall be entitled to recover from the Grantee the reasonable amount of any damage caused to crops, fences or livestock by the Grantee or its employees in the construction, reconstruction, operation, maintenance or removal of said communication system.

Dated at Leawood this 7th day of November , 1989.



The City of Leawood, a municipal corporation.

BY: Marcia Rinehart
Mayor Marcia Rinehart

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

ATTEST:
Martha Heizer
Martha Heizer, City Clerk

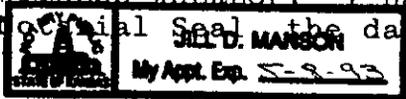
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1989 NOV -9 A 10: 32.9
SARA FULLMANN
REGISTER OF DEEDS

===== STATE OF KANSAS, COUNTY OF JOHNSON SS: _____ DEP.

BE IT REMEMBERED, that on this 7th day of November, 1989, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Marcia Rinehart and Martha Heizer, Mayor and City Clerk of the City of Leawood respectively,

who is/are personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same.

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



Appointment Expires _____, 1989

Jill D. Manson
Notary Public
Jill D. Manson

600
CP

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

- 1st 11/7/89
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 7 day of Nov, 1989.

Susan G. Hetherington
Notary Public

My commission expires: 3/30/91

Publication Fees: \$ 9.50

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

LEAWOOD ORD. 1135
First published in The Legal Record and The News, Tuesday, November 7, 1989.
ORDINANCE NO. 1135
AN ORDINANCE GRANTING AN EASEMENT TO SOUTHWESTERN BELL TELEPHONE COMPANY.
Be it ordained by the Governing Body of the City of Leawood:
19-6,213. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Southwestern Bell Telephone Co. upon the following described land situated in the County of Johnson, State of Kansas, to wit:
The northerly 10 feet of Lot 115, Leawood Estates Subdivision in the City of Leawood, located in the Northeast Quarter (NE 1/4) of Section Three (3), Township Thirteen (13) South, Range Twenty-Five (25) East of the 6th P.M.
19-6,214. INCORPORATION BY REFERENCE. Section 2. A copy of said easement is attached hereto 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.
Passed by the Council the 6th day of November, 1989.
Approved by the Mayor the 7th day of November, 1989.
(SEAL)
/s/ Marcia Rinehart
Mayor
Attest:
/s/ Martha Helzer
City Clerk
APPROVED FOR FORM:
/s/ R.S. Wetzler
City Attorney
11/7

NOTICE AND

AN ORDINANCE RELATING TO ACCEPTANCE OF DRAINAGE EASEMENTS REQUIRED FOR THE 98TH STREET CULVERT PROJECT, 98TH AND LEE BOULEVARD.

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

19-6,211. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept 4 permanent drainage easements, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors and assigns, permanent easements to construct, maintain, alter, repair, and replace drainage facilities and all appurtenances convenient or required, together with the right of ingress and egress over and through the following premises in the City of Leawood, Johnson County, Kansas, to-wit:

From James J. and Barbara A. Bergin: All that part of Lot 301, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the northeast corner of said Lot 301; thence southwesterly, along the north boundary of said Lot, a distance of 40 feet; thence southeasterly, normal to the last described line, to the westerly right-of-way line of Lee Boulevard; thence northeasterly, along said west right-of-way line, to the point of beginning. The above contains 630 square feet, more or less.

From Michael A. Loyd: All that part of Lot 300, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southwest corner of said Lot 300; thence easterly along the south boundary of said lot to a point 19 feet easterly of the west line of said lot; thence northerly parallel to the south leg of the west boundary of said lot a distance of 104 feet; thence westerly normal to the last described line to the west boundary of said lot; thence southeasterly along said west boundary to an angle point; thence southerly along said west boundary, a distance of 93.10 feet to the point of beginning. The above contains 2,115 square feet, more or less.

From Michael A. and Ann D. DeFeo: All that part of Lot 413, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southeast corner of said Lot 413; thence westerly along the south boundary of said lot to a point 26 feet westerly of the east line of said lot; thence northerly parallel to the south leg of the east boundary of said lot, a distance of 113 feet; thence easterly normal to the last described line to the east boundary of said lot; thence southeasterly along said east boundary to an angle point; thence southerly along said east boundary, a distance of 93.10 feet to the point of beginning. The above contains 2,763 square feet, more or less.

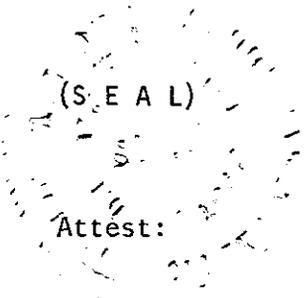
From Michael R. and Melanie M. Cavender: All that part of Lot 300-A, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at a point on the north boundary of said Lot 300-A and 57 feet westerly of the northeast corner of said lot; thence southerly in a straight line to a point on the easterly line of said lot and 65 feet northerly of the southerly corner of said lot; thence southwesterly along said easterly boundary to the southeast corner of said lot; thence westerly along the south line of said lot a distance of 2 feet; thence northerly and parallel to the east line of this easement a distance of 66 feet; thence easterly, normal to the last described line, a distance of 6 feet; thence northerly to a point on the north boundary of said lot and 35 feet west of the point of beginning; thence easterly along said north boundary to the point of beginning. The above contains 3901 square feet more or less.

19-6,212. Section 2. INCORPORATION BY REFERENCE. Copies of said easements are attached hereto and thereby incorporated by reference.

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

Passed by the Council the 16th day of October, 1989.

Approved by the Mayor the 17th day of October, 1989.



Marcia Rinehart
Marcia Rinehart Mayor

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Wetzler City Attorney

1902934 ✓

PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this 19 day of August,
1989, by and between James J. Bergin and Barbara A. Bergin
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:

All that part of Lot 301, LEAWOOD ESTATES, a subdivision of land in the City of
Leawood, Johnson County, Kansas, described as follows:

Beginning at the northeast corner of said Lot 301; thence southwesterly, along the
north boundary of said Lot, a distance of 40 feet; thence southeasterly, normal to
the last described line, to the westerly right-of-way line of Lee Boulevard; thence
northeasterly, along said west right-of-way line, to the point of beginning.

The above contains 630 square feet, more or less.

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.

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

800 1989 OCT 18 P 1:26.1

SARA F. ULLMANN
REGISTER OF DEEDS

BY _____ DEP.

Barbara A. Bergin
Barbara A. Bergin

James J. Bergin
James J. Bergin

gock

INDIVIDUAL ACKNOWLEDGEMENT

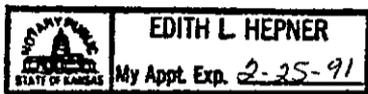
STATE OF Kansas :

COUNTY OF County : SS:

BE IT REMEMBERED, That on the 19 day of August, 1989, before me, the undersigned, a Notary Public in and for said County and State, came James J. Bergin and Barbara A. Bergin

who personally known to me to be the same persons who executed the within instrument of writing, and duly acknowledged the execution of same.

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



Edith L. Hepner
Notary Public
Edith L. Hepner

My Commission Expires:

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :

COUNTY OF _____ : SS:

BE IT REMEMBERED that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, President of _____

_____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____;

and _____, 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.

Notary Public

My Commission Expires:

NTA of Kansas

1902936 ✓

PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this 11 day of Sept, 1989 by and between Michael A. Loyd party of the first part, and the City of Leawood, Johnson County, Kansas, party of the second part.

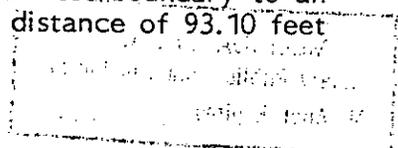
WITNESSETH:

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:

All that part of Lot 300, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at the southwest corner of said Lot 300; thence easterly along the south boundary of said lot to a point 19 feet easterly of the west line of said lot; thence northerly parallel to the south leg of the west boundary of said lot a distance of 104 feet; thence westerly normal to the last described line to the west boundary of said lot; thence southeasterly along said west boundary to an angle point; thence southerly along said west boundary, a distance of 93.10 feet to the point of beginning.

The above contains 2,115 square feet, more or less.

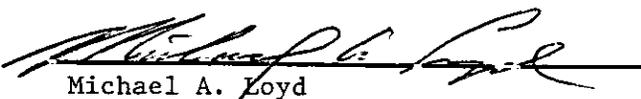


for the sole use of said party of the second part as and for drainage purposes within said City; when same shall cease to be used for said purposes to revert to the grantors, their successors, assigns or grantees.

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.

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD


Michael A. Loyd

800
1989 OCT 18 P 1:27.1
SARA FULLMANN
REGISTER OF DEEDS

BY _____ DEP.

800
JK

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Kansas :

COUNTY OF Johnson : SS:

BE IT REMEMBERED, That on the 11th day of Sept., 1989,
before me, the undersigned, a Notary Public in and for said County and State,
came Michael A. Loyd

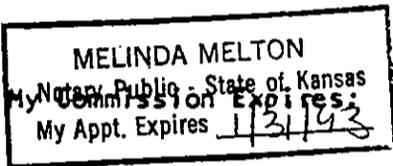
who _____ personally known to me to be the same person _____ who executed the within
instrument of writing, and duly acknowledged the execution of same.

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

Melinda Melton

Notary Public

Melinda Melton



CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :

COUNTY OF _____ : SS:

BE IT REMEMBERED that on this _____ day of _____, 19____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, 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.

Notary Public

My Commission Expires:

Notary of Kansas

Leawood, Kansas
Lee Boulevard
LA No. 89001
Rev. 7-25-89

1902935 ✓

PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this 8 day of August, 1989, by and between Michael A. DeFeo and Ann D. DeFeo 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:

All that part of Lot 413, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

Beginning at the southeast corner of said Lot 413; thence westerly along the south boundary of said lot to a point 26 feet westerly of the east line of said lot; thence northerly parallel to the south leg of the east boundary of said lot; a distance of 113 feet; thence easterly normal to the last described line to the east boundary of said lot; thence southeasterly along said east boundary to an angle point; thence southerly along said east boundary, a distance of 93.10 feet to the point of beginning.

The above contains 2,763 square feet, more or less.

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.

STATE OF KANSAS
COUNTY OF JOHNSON } ss
FILED FOR RECORD

800

1989 OCT 18 P 1:26.6

SARA F. ULLMANN
REGISTER OF DEEDS

BY _____ DEP.

Michael DeFeo
MICHAEL DEFEO

Ann D. DeFeo
ANN D. DEFEO

800 OK

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Kansas :

COUNTY OF Johnson : SS:

BE IT REMEMBERED, That on the 8 day of August, 1989
before me, the undersigned, a Notary Public in and for said County and State,
came Michael A. DeFeo and Ann D. DeFeo

who _____ personally known to me to be the same person _____ who executed the within
instrument of writing, and duly acknowledged the execution of same.

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



Julie A. Butler
Notary Public
Julie A. Butler

My Commission Expires:

06-25-91

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :

COUNTY OF _____ : SS:

BE IT REMEMBERED that on this _____ day of _____, 19____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, 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.

Notary Public

My Commission Expires:

PH. of Hancock

PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this 5 day of October, 1989, by and between Michael R. Cavender and Melanie M. Cavender 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:

All that part of Lot 300-A, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows:

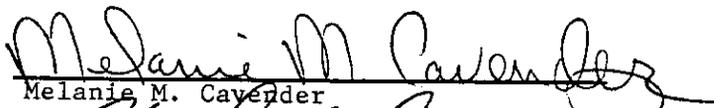
Beginning at a point on the north boundary of said lot 300-A and 57 feet westerly of the northeast corner of said lot; thence southerly in a straight line to a point on the easterly line of said lot and 65 feet northerly of the southerly corner of said lot; thence southwesterly along said easterly boundary to the southeast corner of said lot; thence westerly along the south line of said lot a distance of 2 feet; thence northerly and parallel to the east line of this easement a distance of 66 feet; thence easterly, normal to the last described line, a distance of 6 feet; thence northerly to a point on the north boundary of said lot and 35 feet west of the point of beginning; thence easterly along said north boundary to the point of beginning.

The above contains 3901 square feet more or less.

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.



Melanie M. Cavender


Michael R. Cavender

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF KANSAS :

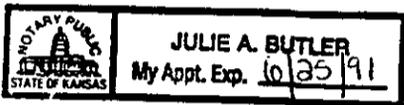
COUNTY OF JOHNSON : SS:

BE IT REMEMBERED, That on the 5 day of October, 1989, before me, the undersigned, a Notary Public in and for said County and State,

came Melanie M. and Michael R. Cavender

who are personally known to me to be the same persons who executed the within instrument of writing, and duly acknowledged the execution of same.

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



Julie A. Butler
Notary Public
Julie A. Butler

My Commission Expires:

06/25/91

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :

COUNTY OF _____ : SS:

BE IT REMEMBERED that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, President of _____

_____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____;

and _____, 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.

Notary Public

My Commission Expires:

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Legal Record Co., which publishes two newspapers: The Legal Record; and The News which is printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 10/17/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager

Subscribed and sworn to before me this 17 day of

Oct., 1989

Susan G. Hetherington
Notary Public

My commission expires:
3/30/91

Publication
Fees: \$25.94

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

AN ORDINANCE RELATING TO ACCEPTANCE OF DRAINAGE EASEMENTS REQUIRED FOR
THE 98TH STREET CULVERT PROJECT, 98TH AND LEE BOULEVARD

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

19-6,211. Section 1. The Governing Body of the City of Leawood, Kansas, does hereby accept 4 permanent drainage easements, along with the restrictions and reservations as set forth therein, granting the City of Leawood, Kansas, its successors and assigns, permanent easements to construct, maintain, alter, repair, and replace drainage facilities and all appurtenances convenient or required, together with the right of ingress and egress over and through the following premises in the City of Leawood, Johnson County, Kansas, to-wit:

From James J. and Barbara A. Bergin: All that part of Lot 301, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the northeast corner of said Lot 301; thence southwesterly, along the north boundary of said Lot, a distance of 40 feet; thence southeasterly, normal to the last described line, to the westerly right-of-way line of Lee Boulevard; thence northeasterly, along said west right-of-way line, to the point of beginning. The above contains 630 square feet, more or less.

From Michael A. Loyd: All that part of Lot 300, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southwest corner of said Lot 300; thence easterly along the south boundary of said lot to a point 19 feet easterly of the west line of said lot; thence northerly parallel to the south leg of the west boundary of said lot a distance of 104 feet; thence westerly normal to the last described line to the west boundary of said lot; thence southeasterly along said west boundary to an angle point; thence southerly along said west boundary, a distance of 93.10 feet to the point of beginning. The above contains 2,115 square feet, more or less.

From Michael A. and Ann O. DeFeo: All that part of Lot 413, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southeast corner of said Lot 413; thence westerly along the south boundary of said lot to a point 26 feet westerly of the east line of said lot; thence northerly parallel to the south leg of the east boundary of said lot, a distance of 113 feet; thence easterly normal to the last described line to the east boundary of said lot; thence southeasterly along said east boundary to an angle point; thence southerly along said east boundary, a distance of 93.10 feet to the point of beginning. The above contains 2,763 square feet, more or less.

From Michael R. and Melanie M. Cavender: All that part of Lot 300-A, LEAWOOD ESTATES, a subdivision of land in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at a point on the north boundary of said Lot 300-A and 57 feet westerly of the northeast corner of said lot; thence southerly in a straight line to a point on the easterly line of said lot and 65 feet northerly of the southerly corner of said lot; thence southwesterly along said easterly boundary to the southeast corner of said lot; thence westerly along the south line of said lot a distance of 2 feet; thence northerly and parallel to the east line of this easement a distance of 66 feet; thence easterly, normal to the last described line, a distance of 6 feet; thence northerly to a point on the north boundary of said lot and 35 feet west of the point of beginning; thence easterly along said north boundary to the point of beginning. The above contains 3901 square feet more or less.

19-6,212. Section 2. INCORPORATION BY REFERENCE. Copies of said easements are attached hereto and thereby incorporated by reference.

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

Passed by the Council the 16th day of October, 1989.

Approved by the Mayor the 17th day of October, 1989.

(S E A L)

/s/ Marcia Rinehart

Marcia Rinehart

Mayor

Attest:

/s/ Martha Heizer

Martha Heizer

City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler

R.S. Wetzler

City Attorney

ORDINANCE NO. 1133

AN ORDINANCE AUTHORIZING AND PROVIDING FOR ACQUISITION OF ROAD RIGHT OF WAY FOR THE IMPROVEMENT OF 143RD STREET WEST NEAR THE INTERSECTION OF 143RD STREET AND NALL AVENUE IN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood did by resolution, approved on October 2, 1989, declare the necessity of appropriating certain private property for the use of the City; and

WHEREAS, the Governing Body has previously authorized a survey and description of the land and interest to be condemned to be made by some competent engineer and filed with the City Clerk; and

WHEREAS, a survey and description of the land and interest to be condemned has been made by a competent engineer and filed with the City Clerk.

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

19-132. Section 1. The City Attorney is hereby authorized and directed to institute eminent domain proceedings to acquire the property and interests described by survey filed with the City Clerk which property and interests have been determined by the Governing Body to be necessary for the purpose of construction of improvements and re-improvements to 143rd Street near the intersection of 143rd Street and Nall Avenue in the City of Leawood, Kansas. Specifically, the City Attorney is authorized and directed to institute eminent domain proceedings to acquire permanent road right of way to the following described property:

Tract 1. The North 30 feet of the South 50 feet of the West 10 acres of the East 20 acres of the Southeast 1/4 of the Southwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas.

Owner: Corrine O'Brien, trustee under that certain Trust Agreement dated March 10, 1986 between Corrine O'Brien, grantor, and Corrine O'Brien, trustee, and her successor or successors in Trust and Timothy E. O'Brien,

trustee under that certain Trust Agreement dated March 10, 1986 between Timothy E. O'Brien, grantor and Timothy E. O'Brien, trustee and his successor or successors in Trust.

Tract 2. The North 30 feet of the South 50 feet of the East 10 acres of the Southeast 1/4 of the Southwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas.

Owner: Same as Tract 1 hereinabove.

Section 2. This Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 2nd DAY OF October, 1989.

APPROVED BY THE MAYOR THIS 4th DAY OF October, 1989.

(S E A L)

Marcia R. Reinhardt
Mayor

ATTEST:

Marta Heizer
City Clerk

Approved as to form:

[Signature]
City Attorney

First Published in the Johnson County Sun, Friday, October 6, 1989.

ORDINANCE NO. 1133
AN ORDINANCE AUTHORIZING AND PROVIDING FOR ACQUISITION OF ROAD RIGHT OF WAY FOR THE IMPROVEMENT OF 143RD STREET WEST NEAR THE INTERSECTION OF 143RD STREET AND NALL AVENUE IN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the Governing Body of the City of Leawood did by resolution, approved on October 2, 1989, declare the necessity of appropriating certain private property for the use of the City; and

WHEREAS, the Governing Body has previously authorized a survey and description of the land and interest to be condemned to be made by some competent engineer and filed with the City Clerk; and

WHEREAS, a survey and description of the land and interest to be condemned has been made by a competent engineer and filed with the City Clerk.

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

Section 1. The City Attorney is hereby authorized and directed to institute eminent domain proceedings to acquire the property and interests described by survey filed with the City Clerk which property and interests have been determined by the Governing Body to be necessary for the purpose of construction of improvements and re-improvements to 143rd Street near the intersection of 143rd Street and Nall Avenue in the City of Leawood, Kansas. Specifically, the City Attorney is authorized and directed to institute eminent domain proceedings to acquire permanent road right of way to the following described property:

Tract 1. The North 30 feet of the South 50 feet of the West 10 acres of the East 20 acres of the Southeast 1/4 of the Southwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas.

Owner: Corrine O'Brien, trustee under that certain Trust Agreement dated March 10, 1986 between Corrine O'Brien, grantor, and Corrine O'Brien, trustee, and her successor or successors in Trust and Timothy E. O'Brien, trustee under that certain Trust Agreement dated March 10, 1986 between Timothy E. O'Brien, grantor and Timothy E. O'Brien, trustee and his successor or successors in Trust.

Tract 2. The North 30 feet of the South 50 feet of the East 10 acres of the Southeast 1/4 of the Southwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas.

Owner: Same as Tract 1 hereinabove.

Section 2. This Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 2nd DAY OF October, 1989.

APPROVED BY THE MAYOR THIS 4th DAY OF October, 1989.

ATTEST:
(s) Marcia Rinehart
Mayor
(SEAL)
(s) Martha Heizer
City Clerk
Approved as to form:
(s) R. S. Wetzler
City Attorney

(6463 1F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martash being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 6th day of October 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Deanna Martash

Subscribe and sworn to before me this 6th day of October 1989

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Expires Jan. 25, 1992

My Commission expires: 6-9-38
Printer's Fee \$-----
Additional copies \$-----

ORDINANCE NO. 1132

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF SOMERSET DRIVE, A MAIN TRAFFICWAY FROM CITY LIMITS WEST OF FAIRWAY (WENONGA) TO BELINDER ROAD WITHIN THE CITY OF LEAWOOD AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Somerset Drive which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, K.S.A. 12-687 provides that the Governing Body of any city shall have power to improve or reimprove or cause to be improved or reimproved, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-685 et seq., and such improvement or reimprovement may include grading, regrading, curbing, recurbing, guttering, reguttering, paving, repaving, macadamizing, remacadamizing, constructing, reconstructing, opening, widening, extending, rounding corners, straightening, relocating, construction or reconstruction of any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts, storm drainage, trafficway illumination, traffic control devices, pedestrian ways, bicycle ways, or other improvements or any two or more of such improvements or reimprovements and the acquisition of right-of-way by purchase or condemnation when necessary for any of such purposes; and

WHEREAS, K.S.A. 12-689 provides that all costs of improvements or reimprovements authorized under the provisions of K.S.A. 12-687, including acquisition of right-of-way, engineering costs, and all other costs properly attributable to such projects, shall be paid by the City at large and may be funded among others, by the issuance of general improvement bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove certain portions of Somerset Drive from City Limits West of Fairway (Wenonga) to Belinder Road as provided by and under the authority of K.S.A. 12-687, and to provide for the payment of the costs thereof as provided by and under the authority of K.S.A. 12-689.

THEREFORE, BE IT ORDAINED by the Governing Body of the City of Leawood, Kansas:

20-1,519. Section 1. It is hereby deemed and declared to be necessary to improve and reimprove certain portions of Somerset Drive from City Limits West of Fairway (Wenonga) to Belinder Road, located within the City of Leawood, and it is hereby authorized, ordered, and directed that said main trafficway improvements be done under the authority of K.S.A. 12-687.

Section 2. The total estimated cost of the above described main trafficway improvements or re improvements, including construction, engineering fees, acquisition of right-of-way and easements, contingencies, administrative expenses and expenses of financing the improvements or re improvements, is \$75,000.00, and said costs shall be chargeable to the City at large and will be paid by the issuance of general obligation bonds of the City of Leawood under the authority of K.S.A. 12-689.

Section 3. This ordinance shall take effect and be of force from and after its passage and approval and publication one time in the official City newspaper.

Passed by the Council the 2nd day of October, 1989.

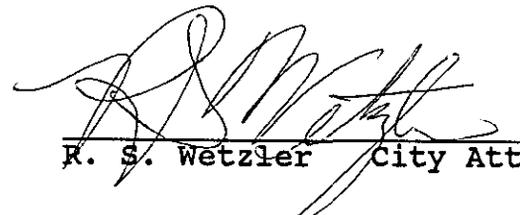
Approved by the Mayor this 4th day of October, 1989.


Marcia Rinehart Mayor

ATTEST:


Martha Heizer City Clerk

APPROVED AS TO FORM AND CONTENT:


R. S. Wetzler City Attorney

First Published in the Johnson County Sun, Friday, October 6, 1989.
 ORDINANCE NO. 1132
 AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF SOMERSET DRIVE, A MAIN TRAFFICWAY FROM CITY LIMITS WEST OF FAIRWAY (WENONGA) TO BELINDER ROAD WITHIN THE CITY OF LEAWOOD AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Somerset Drive which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, K.S.A. 12-687 provides that the Governing Body of any city shall have power to improve or reimprove or cause to be improved or reimproved, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-685 et seq., and such improvement or reimpovement may include grading, regrading, curbing, recurbng, guttering, reguttering, paving, repaving, macadamizing, remacadamizing, constructing, reconstructing, opening, widening, extending, rounding corners, straightening, relocating, construction or reconstruction of any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts, storm drainage, trafficway illumination, traffic control devices, pedestrian ways, bicycle ways, or other improvements or any two or more of such improvements or reimpvements and the acquisition of right-of-way by purchase or condemnation when necessary for any of such purposes; and

WHEREAS, K.S.A. 12-689 provides that all costs of improvements or reimpvements authorized under the provisions of K.S.A. 12-687, including acquisition of right-of-way, engineering costs, and all other costs properly attributable to such projects, shall be paid by the City at large and may be funded among others, by the issuance of general improvement bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove certain portions of Somerset Drive from City Limits West of Fairway (Wenonga) to Belinder Road as provided by and under the authority of K.S.A. 12-687, and to provide for the payment of the costs thereof as provided by and under the authority of K.S.A. 12-689.

THEREFORE, BE IT ORDAINED by the Governing Body of the City of Leawood, Kansas:

Section 1. It is hereby deemed and declared to be necessary to improve and reimprove certain portions of Somerset Drive from City Limits West of Fairway (Wenonga) to Belinder Road, located within the City of Leawood, and it is hereby authorized, ordered, and directed that said main trafficway improvements be done under the authority of K.S.A. 12-687.

Section 2. The total estimated cost of the above described main trafficway improvements or reimpvements, including construction, engineering fees, acquisition of right-of-way and easements, contingencies, administrative expenses and expenses of financing the improvements or reimpvements, is \$75,000.00, and said costs shall be chargeable to the City at large and will be paid by the issuance of general obligation bonds of the City of Leawood under the authority of K.S.A. 12-689.

Section 3. This ordinance shall take effect and be of force from and after its passage and approval and publication one time in the official City newspaper.

Approved by the Council the 2nd day of October, 1989.

Approved by the Mayor this 4th day of October, 1989.

(s) Marcia Rinehart, Mayor
 SEAL
 ATTEST:
 (s) Martha Hetzer
 City Clerk
 APPROVED AS TO FORM AND CONTENT:
 (s) R. S. Wetzler
 City Attorney
 (6462 1F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: **Deanna Martasin** being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 6th day of October, 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
 -----, 19-----, 19-----

Deanna Martasin

subscribe and sworn to before me this 6th day of October, 1989

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
 NOTARY PUBLIC
 STATE OF KANSAS
 My Appt. Expires Jan. 25, 1992

My Commission expires: 8.6.89
 Printer's Fee \$-----
 Additional copies \$-----

ORDINANCE NO. 1131

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF SOMERSET DRIVE, A MAIN TRAFFICWAY FROM BELINDER ROAD TO SAGAMORE ROAD, WITHIN THE CITY OF LEAWOOD AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Somerset Drive which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, K.S.A. 12-687 provides that the Governing Body of any city shall have power to improve or reimprove or cause to be improved or reimproved, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-685 et seq., and such improvement or reimprovement may include grading, regrading, curbing, recurbing, guttering, reguttering, paving, repaving, macadamizing, remacadamizing, constructing, reconstructing, opening, widening, extending, rounding corners, straightening, relocating, construction or reconstruction of any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts, storm drainage, trafficway illumination, traffic control devices, pedestrian ways, bicycle ways, or other improvements or any two or more of such improvements or reimprovements and the acquisition of right-of-way by purchase or condemnation when necessary for any of such purposes; and

WHEREAS, K.S.A. 12-689 provides that all costs of improvements or reimprovements authorized under the provisions of K.S.A. 12-687, including acquisition of right-of-way, engineering costs, and all other costs properly attributable to such projects, shall be paid by the City at large and may be funded among others, by the issuance of general improvement bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove certain portions of Somerset Drive from Belinder Road to Sagamore Road, as provided by and under the authority of K.S.A. 12-687, and to provide for the payment of the costs thereof as provided by and under the authority of K.S.A. 12-689.

THEREFORE, BE IT ORDAINED by the Governing Body of the City of Leawood, Kansas:

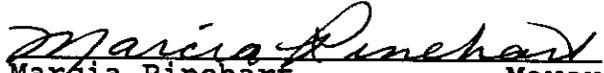
20-1,517. Section 1. It is hereby deemed and declared to be necessary to improve and reimprove certain portions of Somerset Drive from Belinder Road to Sagamore Road, located within the City of Leawood, and it is hereby authorized, ordered, and directed that said main trafficway improvements be done under the authority of K.S.A. 12-687.

Section 2. The total estimated cost of the above described main trafficway improvements or re improvements, including construction, engineering fees, acquisition of right-of-way and easements, contingencies, administrative expenses and expenses of financing the improvements or re improvements, is \$175,000.00, and said costs shall be chargeable to the City at large and will be paid by the issuance of general obligation bonds of the City of Leawood under the authority of K.S.A. 12-689.

Section 3. This ordinance shall take effect and be of force from and after its passage and approval and publication one time in the official City newspaper.

Passed by the Council the 2nd day of October, 1989.

Approved by the Mayor this 4th day of October, 1989.



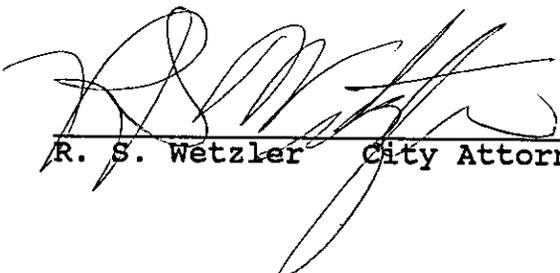
Marcia Rinehart Mayor

ATTEST:



Martha Heizer City Clerk

APPROVED AS TO FORM AND CONTENT:



R. S. Wetzler City Attorney

First Published in The Johnson County Sun, Friday, October 6, 1989.
ORDINANCE NO. 1131
AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTIONS OF SOMERSET DRIVE, A MAIN TRAFFICWAY FROM BELINDER ROAD TO SAGAMORE ROAD, WITHIN THE CITY OF LEAWOOD AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984", designated that portion of Somerset Drive which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, K.S.A. 12-687 provides that the Governing Body of any city shall have power to improve or reimprove or cause to be improved or reimproved, any main trafficway or trafficway connection designated and established under the provisions of K.S.A. 12-685 et seq., and such improvement or reimprovement may include grading, regrading, curbing, recurbing, guttering, reguttering, paving, repaving, macadamizing, remacadamizing, constructing, reconstructing, opening, widening, extending, rounding corners, straightening, relocating, construction or reconstruction of any necessary bridges and approaches thereto, viaducts, overpasses, underpasses, culverts, storm drainage, trafficway illumination, traffic control devices, pedestrian ways, bicycle ways, or other improvements or any two or more of such improvements or reimprovements and the acquisition of right-of-way by purchase or condemnation when necessary for any of such purposes; and

WHEREAS, K.S.A. 12-689 provides that all costs of improvements or reimprovements authorized under the provisions of K.S.A. 12-687, including acquisition of right-of-way, engineering costs, and all other costs properly attributable to such projects, shall be paid by the City at large and may be funded among others, by the issuance of general improvement bonds; and

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove certain portions of Somerset Drive from Belinder Road to Sagamore Road, as provided by and under the authority of K.S.A. 12-687, and to provide for the payment of the costs thereof as provided by and under the authority of K.S.A. 12-689.

THEREFORE, BE IT ORDAINED by the Governing Body of the City of Leawood, Kansas:

Section 1. It is hereby deemed and declared to be necessary to improve and reimprove certain portions of Somerset Drive from Belinder Road to Sagamore Road, located within the City of Leawood, and it is hereby authorized, ordered, and directed that said main trafficway improvements be done under the authority of K.S.A. 12-687.

Section 2. The total estimated cost of the above described main trafficway improvements or reimprovements, including construction, engineering fees, acquisition of right-of-way and easements, contingencies, administrative expenses and expenses of financing and improvements or reimprovements, is \$175,000.00, and said costs shall be chargeable to the City at large and will be paid by the issuance of general obligation bonds of the City of Leawood under the authority of K.S.A. 12-689.

Section 3. This ordinance shall take effect immediately from and after its passage and approval and publication one time in the official City newspaper.

Passed by the Council this 2nd day of October, 1989.

Approved by the Mayor this 4th day of October, 1989.

(s) Marcia Rinehart
Mayor
(SEAL)
ATTEST:
(s) Martha Heizer
City Clerk
APPROVED AS TO FORM AND CONTENT:
/s/ R. S. Wetzler
City Attorney

(6461 1F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martin being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 50 consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 6th day of October 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Deanna Martin

Subscribe and sworn to before me this 6th day of October 1989

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Expires Jan. 25, 1992

My Commission expires: -----
Printer's Fee \$ 86.02
Additional copies \$ -----

ORDINANCE NO. 1130C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD; DESIGNATING MAIN TRAFFICWAYS WITHIN THE CITY OF LEAWOOD, KANSAS; AND REPEALING EXISTING SECTION.

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

Section 1. Section 14-206 of the Code of the City of Leawood is hereby amended to read as follows:

14-206. MAIN TRAFFICWAYS. The following list of streets, as located within the City of Leawood, are hereby designated as main trafficways with primary functions of said trafficways for the moving of through traffic between areas of concentrated activities and between such areas within the City and traffic facilities outside the City all pursuant to K.S.A. 12-685:

- (a) Lee Boulevard;
- (b) Mission Road;
- (c) College Boulevard (111th Street);
- (d) Roe Avenue;
- (e) State Line Road;
- (f) Nall Avenue;
- (g) 103rd Street;
- (h) 123rd Street;
- (i) 95th Street;
- (j) 119th Street;
- (k) 135th Street (K-150);
- (l) 143rd Street;
- (m) 83rd Street;
- (n) 151st Street;
- (o) Tomahawk Creek Parkway;
- (p) Somerset Drive;
- (q) Kenneth Parkway/Kenneth Road;
- (r) 127th Street.

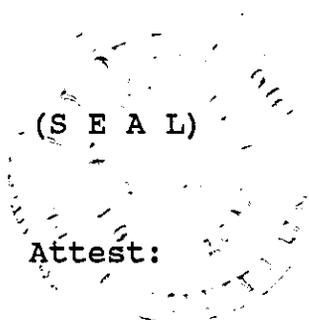
Section 2. Existing Section 14-206 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1073C)

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

Passed by the Council the 2nd day of October, 1989.

Approved by the Mayor the 4th day of October, 1989.

Page 2
ORDINANCE NO. 1130C
re: Main Trafficways



(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler
R.S. Wetzler City Attorney

First Published in The Johnson County Sun, Friday, October 6, 1989.
 ORDINANCE NO. 1130C
 AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD; DESIGNATING MAIN TRAFFICWAYS WITHIN THE CITY OF LEAWOOD, KANSAS; AND REPEALING EXISTING SECTION.
 Be it ordained by the Governing Body of the City of Leawood:
 Section 1. Section 14-206 of the Code of the City of Leawood is hereby amended to read as follows:
 14-206. MAIN TRAFFICWAYS.
 The following list of streets, as located within the City of Leawood, are hereby designated as main trafficways with primary functions of said trafficways for the moving of through traffic between areas of concentrated activities and between such areas within the City and traffic facilities outside the City all pursuant to K.S.A. 12-685:
 (a) Lee Boulevard;
 (b) Mission Road;
 (c) College Boulevard (111th Street);
 (d) Roe Avenue;
 (e) State Line Road;
 (f) Mall Avenue;
 (g) 103rd Street;
 (h) 123rd Street;
 (i) 95th Street;
 (j) 119th Street;
 (k) 135th Street (K-150);
 (l) 143rd Street;
 (m) 83rd Street;
 (n) 151st Street;
 (o) Tomahawk Creek Parkway;
 (p) Somerset Drive;
 (q) Kenneth Parkway/Kenneth Road;
 (r) 127th Street.
 Section 2. Existing Section 14-206 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1073C)
 Section 3. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.
 Passed by the Council the 2nd day of October, 1989.
 Approved by the Mayor the 4th day of October, 1989.
 (s) Marcia Rinehart
 Mayor
 (SEAL)
 Attest:
 (s) Martha Heizer
 City Clerk
 APPROVED FOR FORM:
 /s/ R.S. Wetzler
 City Attorney

(6460 1F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: **Deanna Martalin** being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 6th day of October 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
 -----, 19-----, 19-----

Deanna Martalin

Subscribe and sworn to before me this 6th day of October 1989

Pearlie A. Peterson
 NOTARY PUBLIC

PEARLIE A. PETERSON
 NOTARY PUBLIC
 STATE OF KANSAS
 My Appt. Expires Jan. 25, 1992

My Commission expires: -----
 Printer's Fee \$ 47.62
 Additional copies \$ -----

ORDINANCE NO. 1129

AN ORDINANCE ANNEXING LANDS TO THE CITY OF LEAWOOD, KANSAS, UPON ORDER OF BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, KANSAS, ISSUED ON SEPTEMBER 28, 1989, PURSUANT TO THE PROVISIONS OF K.S.A. 12-521 (1988 SUPP.).

WHEREAS, the City of Leawood, Kansas, did file a Petition for Annexation with the Board of County Commissioners on March 10 and March 17, 1988 requesting authority to annex land located within Johnson County, pursuant to K.S.A. 12-521; and

WHEREAS, a court action was commenced by and between the City of Leawood and the City of Overland Park concerning the authority of the City of Leawood to annex certain portions of the land included within the Petition filed with the Board by the City of Leawood; and

WHEREAS, the Board of County commissioners stayed its proceedings upon the Petition pending a final decision in the court action; and

WHEREAS, a final ruling was issued by the Kansas Supreme Court in the court action on July 24, 1989, and the Board then commenced its proceedings on the Petition of the City of Leawood, directing the City to provide notice by mail and publication of the proposed annexation and public hearing and confining its considerations on the Petition to only that land and properties which, consistent with the decision of the Supreme Court, were not then annexed within the City of Overland Park; and

WHEREAS, the City of Leawood did file a revised request, reflecting the decision of the Supreme Court and the Order of the Board; and

WHEREAS, the Board of County Commissioners, under K.S.A. 12-521, as amended, is vested with the authority and responsibility to conduct a public hearing upon the Petition and to weigh the evidence presented to it to determine whether the Petition, or any part of it, should be granted or denied; and

WHEREAS, K.S.A. 12-521 requires the Board of County Commissioners to determine the affect of the proposed annexation upon the City, the area to be annexed, the residents of the area and the City, the utility services, other governmental units and other persons, using the factors and criteria identified in the statute; and

WHEREAS, the Board did conduct a public hearing on September 14, 1989 on the Petition and has considered all comments, evidence, and factors relevant to the annexation request; and

WHEREAS, the Board following public hearing on September 28, 1989, did by its Resolution No. 117-89 make findings and conclusions regarding the annexation petition of the City of Leawood, which findings and conclusions are incorporated herein by reference as if set forth in full; and

WHEREAS, the Board did by its Resolution No. 117-89 approve, pursuant to K.S.A. 12-521, of a portion of the request of the City of Leawood to Annex land and did specifically authorize the City of Leawood to annex by ordinance certain land as described in said Resolution No. 117-89.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, AS FOLLOWS:

Section 1. Land annexed to the City of Leawood. The City of Leawood, Kansas, does hereby, pursuant to the provisions of K.S.A. 12-521 and as authorized by the Order of Board of County Commissioners of Johnson County, annex to said city the following described land:

Parcel 1: Section 9, Township; 14, Range 25.

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guilford Downs. Containing 34.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25.

Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guilford Downs.

RECORDED BY: [unclear]
INDEXED BY: [unclear]
DATE: 11/51
TIME: 3/12/90

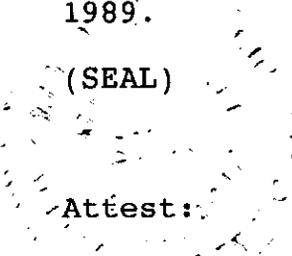
Section 2. Clerk directed to file copies or ordinance. The City Clerk is hereby directed upon passage and publication of this annexation ordinance to file a certified copy of this ordinance with the county clerk, the register of deeds, and the county election commissioner of Johnson County, Kansas.

Section 3. Take effect. This ordinance shall take effect upon publication and filing as provided by law.

Passed by the Governing Body this 2nd day of October, 1989.

Approved by the Mayor this 4th day of October, 1989.

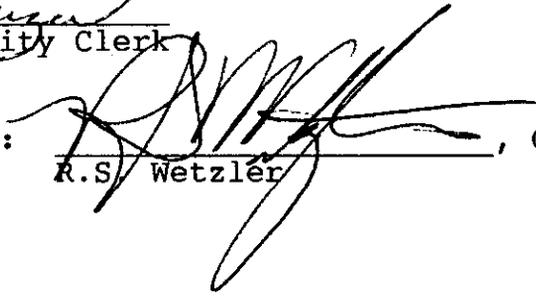
(SEAL)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:


R.S. Wetzler

, City Attorney

1901178 ✓

ORDINANCE NO. 1129

AN ORDINANCE ANNEXING LANDS TO THE CITY OF LEAWOOD, KANSAS, UPON ORDER OF BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, KANSAS, ISSUED ON SEPTEMBER 28, 1989, PURSUANT TO THE PROVISIONS OF K.S.A. 12-521 (1988 SUPP.).

WHEREAS, the City of Leawood, Kansas, did file a Petition for Annexation with the Board of County Commissioners on March 10 and March 17, 1988 requesting authority to annex land located within Johnson County, pursuant to K.S.A. 12-521; and

WHEREAS, a court action was commenced by and between the City of Leawood and the City of Overland Park concerning the authority of the City of Leawood to annex certain portions of the land included within the Petition filed with the Board by the City of Leawood; and

WHEREAS, the Board of County commissioners stayed its proceedings upon the Petition pending a final decision in the court action; and

WHEREAS, a final ruling was issued by the Kansas Supreme Court in the court action on July 24, 1989, and the Board then commenced its proceedings on the Petition of the City of Leawood, directing the City to provide notice by mail and publication of the proposed annexation and public hearing and confining its considerations on the Petition to only that land and properties which, consistent with the decision of the Supreme Court, were not then annexed within the City of Overland Park; and

WHEREAS, the City of Leawood did file a revised request, reflecting the decision of the Supreme Court and the Order of the Board; and

WHEREAS, the Board of County Commissioners, under K.S.A. 12-521, as amended, is vested with the authority and responsibility to conduct a public hearing upon the Petition and to weigh the evidence presented to it to determine whether the Petition, or any part of it, should be granted or denied; and

WHEREAS, K.S.A. 12-521 requires the Board of County Commissioners to determine the affect of the proposed annexation upon the City, the area to be annexed, the residents of the area and the City, the utility services, other governmental units and other persons, using the factors and criteria identified in the statute; and

no chg

no chg

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

1989 OCT 10 AM 11:01.9

SARA F. ULLMANN
REGISTER OF DEEDS

BY _____ DEP.

ORIGINAL COMPARED WITH RE

— This is in our misc
record only because your
legal description for Parcel
3 is incorrect. Part of
— Guildford Downs is
repleted. Please check!

Thank you

1901178

WHEREAS, the Board did conduct a public hearing on September 14, 1989 on the Petition and has considered all comments, evidence, and factors relevant to the annexation request; and

WHEREAS, the Board following public hearing on September 28, 1989, did by its Resolution No. 117-89 make findings and conclusions regarding the annexation petition of the City of Leawood, which findings and conclusions are incorporated herein by reference as if set forth in full; and

WHEREAS, the Board did by its Resolution No. 117-89 approve, pursuant to K.S.A. 12-521, of a portion of the request of the City of Leawood to Annex land and did specifically authorize the City of Leawood to annex by ordinance certain land as described in said Resolution No. 117-89.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, AS FOLLOWS:

Section 1. Land annexed to the City of Leawood. The City of Leawood, Kansas, does hereby, pursuant to the provisions of K.S.A. 12-521 and as authorized by the Order of Board of County Commissioners of Johnson County, annex to said city the following described land:

Parcel 1: Section 9, Township; 14, Range 25.

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guilford Downs. Containing 34.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25.

Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guilford Downs.

Section 2. Clerk directed to file copies of ordinance. The City Clerk is hereby directed upon passage and publication of this annexation ordinance to file a certified copy of this ordinance with the county clerk, the register of deeds, and the county election commissioner of Johnson County, Kansas.

Section 3. Take effect. This ordinance shall take effect upon publication and filing as provided by law.

Passed by the Governing Body this 2nd day of October, 1989.

Approved by the Mayor this 4th day of October, 1989.

(SEAL)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Wetzler, City Attorney

CERTIFICATE

State of Kansas)
County of Johnson)
City of Leawood)

I, Martha Heizer, City Clerk of the City of Leawood, Kansas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 1129 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said City this 9th day of October, 1989.

(S E A L)

Martha Heizer

MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS
OF JOHNSON COUNTY, KANSAS, HELD ON THURSDAY, SEPTEMBER 28,
1989.

A regular meeting of the Board of County Commissioners
of Johnson County, Kansas, was held on Thursday, September
28, 1989, with the following members being present and
participating, to-wit: Chairman Bruce R. Craig
Commissioner Kent E. Crippin
Commissioner Murray L. Nolte
Commissioner Sue E. Weltner

WHEREUPON, there came before the Board for considera-
tion the request of the City of Leawood, originally filed on
March 10 and March 17, 1988 and revised on July 24, 1989,
seeking authority to annex, pursuant to K.S.A. 12-521, three
(3) tracts of land, comprising a total of 124.75 acres,
located in Johnson County, Kansas.

The Board, after conducting a public hearing, as
required by K.S.A. 12-521, upon reviewing the files, records
and documents, and having considered the statements of City
officials and comments of citizens, adopted the following
findings and conclusions, Resolution and Order, all upon a
motion duly made, seconded and carried, to-wit:

RESOLUTION MAKING FINDINGS AND
CONCLUSIONS AND ORDER ON THE
ANNEXATION REQUEST OF THE CITY
OF LEAWOOD

RES. NO. 117-89

WHEREAS, the City of Leawood, Kansas, located in
Johnson County, did file a Petition for Annexation with the
Board of County Commissioners on March 10 and March 17, 1988
requesting authority to annex land located within Johnson
County, pursuant to K.S.A. 12-521; and

WHEREAS, a court action was commenced by and between
the City of Leawood and the City of Overland Park concerning
the authority to annex certain portions of the land included
within the Petition filed with the Board by the City of
Leawood; and

CERTIFICATE OF TRUE COPY

I, Eileen S. Otto, Deputy County Clerk of
Johnson County, Kansas, hereby certify that the foregoing and
attached Resolution No. 117-89 is a true and correct
copy of Resolution No. 117-89.


Eileen S. Otto
Eileen S. Otto
Deputy County Clerk

WHEREAS, the Board of County Commissioners stayed its proceedings upon the Petition pending a final decision in the court action; and

WHEREAS, a final ruling was issued by the Kansas Supreme Court in the court action on July 24, 1989, and the Board then commenced its proceedings on the Petition of the City of Leawood, directing the City to provide notice by mail and publication of the proposed annexation and public hearing and confining its considerations on the Petition to only that land and properties which, consistent with the decision of the Supreme Court, were not then annexed within the City of Overland Park; and

WHEREAS, the City of Leawood did file a revised request, reflecting the decision of the Supreme Court and the Order of the Board; and

WHEREAS, the Board of County Commissioners, under K.S.A. 12-521, is vested with the authority and responsibility to conduct a public hearing upon the Petition and to weigh the evidence presented to it to determine whether the Petition, or any part of it, should be granted or denied; and

WHEREAS, K.S.A. 12-521 requires the Board of County Commissioners to determine the affect of the proposed annexation upon the City, the area to be annexed, the residents of the area and the City, the utility services, other governmental units and other persons, using the factors and criteria identified in the statute; and

WHEREAS, the Board did conduct a public hearing on September 14, 1989 on the Petition and has considered all comments, evidence, and factors relevant to the annexation request.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Johnson County, Kansas that the following findings and conclusions be and hereby are adopted:

1. The City of Leawood properly filed the Petition for Annexation on March 10 and March 17, 1988 and properly

revised the request, consistent with the decision of the Supreme Court and Order of this Board on July 24, 1989;

2. Notice of the filing of the Petition, the stay of the Board's proceedings, the revision of the request, and the scheduled date for the public hearing before the Board were provided by mail and by publication in full and substantial compliance with the statutory requirements;

3. The City of Leawood submitted its plan for the extension of services to the area proposed to be annexed and revised the plan as necessary to conform to the changes in the annexation request;

4. The Petition for Annexation, as filed and revised, is properly before the Board, and the Board has proper jurisdiction over the request;

5. The Petition has been submitted to and reviewed by the Johnson County Planning Commission, which has found and reported to the Board that the request is consistent with the comprehensive plan of the County and the plan of the City, but the planning commission did not make a recommendation on the Petition;

6. The area proposed to be annexed includes a total of 124.75 acres of land, is comprised of three primary tracts of land, and is generally located at or near 151st Street and Mission Ave., as depicted on the attached Exhibit A;

7. The current land uses within the area proposed to be annexed include approximately 30 acres in a platted subdivision zoned for residential use, with the remainder being currently vacant ground or agricultural usage, but none of the land is devoted to agriculture or cultivation;

8. At the present time, approximately one quarter of the area proposed for annexation is now platted, and landowners of the unplatted area are in the process of proposing subdivision plans for their property;

9. The future land use proposed for the area is residential with some recreational areas along streams and

flood plain areas, and the land proposed to be annexed has been included within the comprehensive plan for the City;

10. The area proposed to be annexed has no existing commercial or industrial development and none is planned within the area, but utility and industrial properties are located to the east and south of the area;

11. The present population in the area proposed to be annexed is 56 persons, and that population is expected to increase significantly through substantial growth and development likely to occur in the area during the next five years;

12. The area proposed to be annexed is bounded on all sides by property located within either the City of Leawood or the City of Overland Park and is no longer adjacent to nor near any other unincorporated area;

13. The area proposed to be annexed lies adjacent to the boundaries of the City of Leawood, lies with the natural growth area of Leawood, is more naturally aligned by topography and transportation routes with the City of Leawood, and is very near or adjacent to other proposed and existing residential development located within the City of Leawood;

14. The area is currently located in and is a part of Oxford Township, Johnson County Fire District No. 2, and Blue River Main Sewer District, as well as Blue Valley Unified School District 299, which provide services or have services available for the area, but it is not now a part of any other separate governmental subdivision or special service district, and there are no existing petitions for incorporation or to create any special or improvement districts related to the area or any part of it;

15. The area currently receives governmental services from Johnson County, which are paid from the County general fund and other mill levies at rates applicable to all properties in the County, from the Unified Sewer Districts, at rates applicable to properties within the separate and

unified districts, from the Johnson County Fire District No. 2, at rates applicable through the district, and from the township, at tax rates levied for the township, and those services are adequate for existing conditions but will need to be supplemented and improved with new growth and development in the area;

16. The City of Leawood has proposed a plan for the extension of municipal services into the area and does now possess the capability to provide all necessary municipal services to the area without appreciable additional cost to the City or its residents;

17. The area proposed to be annexed is now isolated from any other unincorporated or township area, and the City of Leawood can more easily and efficiently provide services to the area and can provide the services, including planning and zoning, more comparable to and consistent with those provided to adjacent and surrounding areas;

18. The services proposed by the City for the area are generally equivalent to services provided to current residents of the City of Leawood and are equivalent to or better than those now provided or which can be readily provided by the County and township in the near future;

19. The annexation, as proposed, would impose a tax impact upon the land with a resulting increase in taxes of approximately 24 to 33 mills, based upon 1988 property valuations and mill levy equivalents, for the general mill levy paid by all land within the City, less the tax levy for Johnson County Fire District No. 2 as that service is incorporated into the City;

20. The tax and cost impact upon the area to be annexed and its residents is not appreciable nor substantial when compared to the services and benefits to be provided and necessary for growth and development in the area and will not result in substantial burdens in relation to other surrounding properties;

21. To the extent identifiable within the urban nature of Johnson County and the Kansas City Metropolitan area, the land sought to be annexed is dependent to some extent upon the City of Leawood for services, for social and economic opportunities, and for other available resources, with major thorough fares and transportation routes running into and through the City of Leawood to the North, West and East;

22. The proposed annexation will have no effect upon any adjacent area, nor upon any sewer, water utility, or improvement district and any impact upon the fire district or township services will be minimal and/or compensated for through agreements with the City;

23. The area proposed to be annexed is ready for imminent development and will experience significant growth and development in the next five years, and both the area and the City will benefit from the annexation due to the necessity for and ability of the City to provide planning and regulation of the growth and development in an orderly manner, consistent and compatible with surrounding properties already within the City;

24. The landowners within the area proposed to be annexed will benefit from the proposed annexation, and the landowners of more than three-fourths of the property have consented, in writing, to the annexation;

25. Some property owners within the existing platted subdivision, Guildford Downs, have objected, in writing, to the annexation and others in the subdivision have supported the proposed annexation;

26. The Guildford Downs platted subdivision is bounded on the North, East and West by property already annexed into the City of Leawood and is bounded on the South by property owned by a developer who has consented to annexation by the City of Leawood;

27. The area proposed to be annexed will be better served and have more appropriate governmental services and regulations upon annexation and without annexation would be

isolated from other unincorporated areas and would not be easily accessible for or able to develop comparable services;

28. The citizens within the current City boundaries will not incur any appreciable burdens or costs from the proposed annexation, and the citizens in the area proposed to be annexed will receive services and benefits commensurate with any costs or burdens imposed by the annexation.

IT IS, THEREFORE, THE CONCLUSION of the Board of County Commissioners of Johnson County, Kansas that:

1. The proposed annexation, in whole, is reasonable and advisable due to the location of the area immediately adjacent to current city limits, due to the imminent nature of development in the area, due to the nature of surrounding properties already included within the City of Leawood or City of Overland Park, and due to the present need for and capability of the City to provide full municipal services to the area;

2. The proposed annexation, as a whole, will not adversely affect nor cause any manifest injury to the landowners within the area, nor the current city residents, nor to any governmental entity or other service district, nor to any other person, utility or entity; and the City of Overland Park has not opposed the annexation and has not been shown to be more capable or reasonable to serve the area;

3. Failure to approve the annexation may cause injury to the City of Leawood due to the inability then for the City to plan and regulate the growth and development in the area in an orderly manner, compatible with adjacent areas and consistent with the need for municipal services in the area and surrounding area; and

4. Annexation of the area, as a whole, within the City of Leawood is preferable to any division or partition since approximately one-fourth of the area is currently platted, the remaining three quarters have consented to the annexation, and the platted area is completely surrounded and

bounded by property already within the City of Leawood or consenting to the annexation.

IT IS, THEREFORE, RESOLVED AND ORDERED by the Board of County Commissioners of Johnson County, Kansas, based upon the findings and conclusions, that the Petition for Annexation filed by the City of Leawood on March 10 and March 17, 1988, as revised on July 24, 1989, be and hereby is approved and, pursuant to K.S.A. 12-521 the City of Leawood is hereby authorized to annex, by ordinance, the land legally described on the attached Exhibit B.

This Resolution shall be effective upon adoption and a certified copy shall be filed with the City Clerk of the City of Leawood.

BOARD OF COUNTY COMMISSIONERS
OF JOHNSON COUNTY, KANSAS

BY: *Bruce R. Craig*
Bruce R. Craig, Chairman

ATTEST:

Beverly L. Baker
Beverly L. Baker
County Clerk

APPROVED AS TO FORM:

Donald Jarrett
Donald Jarrett
Chief Counsel

cc: City of Leawood
Planning
Legal

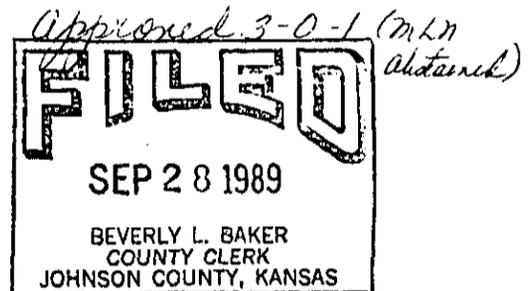


EXHIBIT A

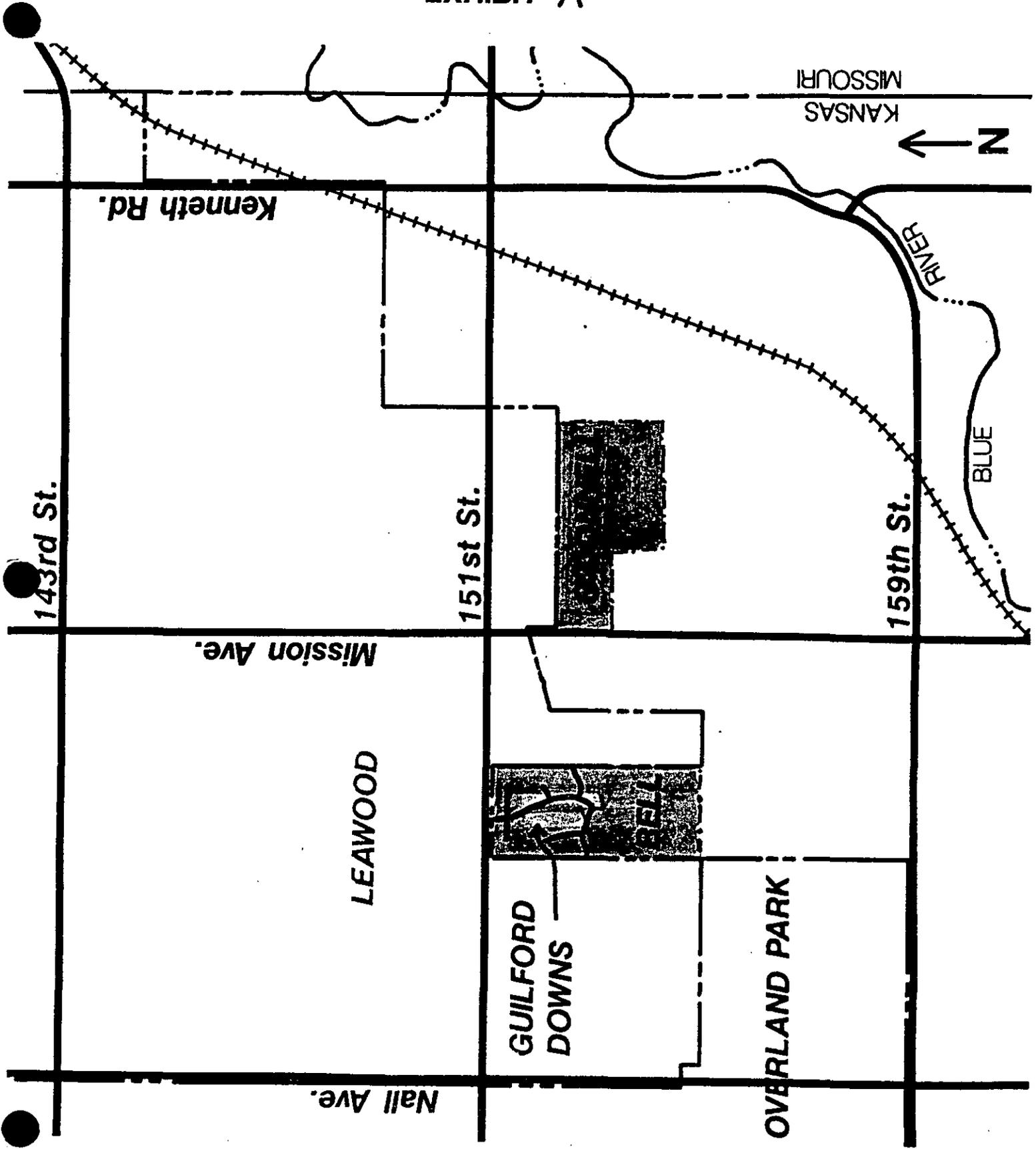


EXHIBIT B - LEGAL DESCRIPTION OF AREAS TO BE ANNEXED

Parcel 1: Section 9, Township 14, Range 25.

The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guilford Downs. Containing 34.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25.

Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25.

That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guilford Downs.

First Published in The Johnson County Sun, Friday, October 6, 1989.

ORDINANCE NO. 1129
AN ORDINANCE ANNEXING LANDS TO THE CITY OF LEAWOOD, KANSAS, UPON ORDER OF BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, KANSAS, ISSUED ON SEPTEMBER 28, 1989, PURSUANT TO THE PROVISIONS OF K.S.A. 12-521 (1988 SUPP.).

WHEREAS, the City of Leawood, Kansas, did file a Petition for Annexation with the Board of County Commissioners on March 10 and March 17, 1988 requesting authority to annex land located within Johnson County, pursuant to K.S.A. 12-521; and

WHEREAS, a court action was commenced by and between the City of Leawood and the City of Overland Park concerning the authority of the City of Leawood to annex certain portions of the land included within the petition filed with the Board by the City of Leawood; and

WHEREAS, the Board of County Commissioners stayed its proceedings upon the Petition pending a final decision in the court action; and

WHEREAS, a final ruling was issued by the Kansas Supreme Court in the court action on July 24, 1989, and the Board then commenced its proceedings on the Petition of the City of Leawood, directing the City to provide notice by mail and publication of the proposed annexation and public hearing, and confining its considerations on the Petition to only that land and properties which, consistent with the decision of the Supreme Court, were not then annexed within the City of Overland Park; and

WHEREAS, the City of Leawood did file a revised request reflecting the decision of the Supreme Court and the Order of the Board; and

WHEREAS, the Board of County Commissioners, under K.S.A. 12-521, as amended, is vested with the authority and responsibility to conduct a public hearing upon the Petition and to weigh the evidence presented to it to determine whether the Petition, or any part of it, should be granted or denied; and

WHEREAS, K.S.A. 12-521 requires the Board of County Commissioners to determine the effect of the proposed annexation upon the City, the area to be annexed, the residents of the area and the City, the utility services, other governmental units and other persons, using the factors and criteria identified in the statute; and

WHEREAS, the Board did conduct a public hearing on September 14, 1989 on the Petition and has considered all comments, evidence, and factors relevant to the annexation request; and

WHEREAS, the Board following public hearing on September 28, 1989, did by its Resolution No. 117-89 make findings and conclusions regarding the annexation petition of the City of Leawood, which findings and conclusions are incorporated herein by reference as if set forth in full; and

WHEREAS, the Board did by its Resolution No. 117-89 approve, pursuant to K.S.A. 12-521, of a portion of the request of the City of Leawood to Annex land and did specifically authorize the City of Leawood to annex by ordinance certain land as described in said Resolution No. 117-89.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS, AS FOLLOWS:

Section 1. Land annexed to the City of Leawood. The City of Leawood, Kansas, does hereby, pursuant to the provisions of K.S.A. 12-521 and as authorized by the order of Board of County Commissioners of Johnson County, annex to said city the following described land:

Parcel 1: Section 9, Township 14, Range 25. The west half of the northeast quarter; except the east 15.27 acres and except 30.706 acres platted as Guilford Downs. Containing 34.024 acres more or less.

Parcel 2: Section 10, Township 14, Range 25. Beginning 829.6 feet south of the northwest corner of the northwest quarter; thence east 2,409.6 feet; south 1,320 feet; west 1,465.8 feet; north 600 feet; west 943.8 feet; north 720 feet to the point of beginning. Containing 60.02 acres more or less.

Parcel 3: Section 9, Township 14, Range 25. That subdivision located in the northwest quarter of the northeast quarter; consisting of 30.706 acres more or less platted known as Guilford Downs.

Section 2. Clerk directed to file copies of ordinance. The City Clerk is hereby directed upon passage and publication of this annexation ordinance to file a certified copy of this ordinance with the county clerk, the register of deeds, and the county election commissioner of Johnson County, Kansas.

Section 3. Take effect. This ordinance shall take effect upon publication and filing as provided by law.

Passed by the Governing Body this 2nd day of October, 1989.

Approved by the Mayor this 4th day of October, 1989.

(s) Marcia Rinehart
Mayor

(SEAL)
Attest:
(s) Martha Heizer
City Clerk

APPROVED FOR FORM:
(s) R.S. Wetzler,
City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: **Deanna Martasin** being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 16th day of October 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Deanna Martasin

Subscribe and sworn to before me this 16th day of October 1989

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Expires Jan. 25, 1992

Commission expires: 11/4/89
Printer's Fee \$
Additional copies \$

ORDINANCE NO. 1128C

AN ORDINANCE RELATING TO DRUGS; DRUG PARAPHERNALIA; DEFINING CERTAIN TERMS RELATING TO THE SAME, REGULATING THE USE, POSSESSION WITH INTENT TO USE, SALE, DELIVERY OR MANUFACTURE OF DRUG PARAPHERNALIA; REPEALING EXISTING SECTIONS.

DECLARATION OF CITY POLICY AND PURPOSE. Whereas, the governing body of the City of Leawood, Kansas, has determined, and hereby finds, that a problem exists within its territorial limits exposing both young people and adults to the use of drugs and controlled substances other than as authorized by law. The governing body hereby finds that the display and availability for sale of drug paraphernalia, simulated drugs and simulated controlled substances all hereinafter defined contributes to the usage of drugs creating an atmosphere of apparent condonation by the community of the same; and

Whereas, the governing body of the City of Leawood hereby finds that it is to the best interests of the health, safety and welfare of the community to prohibit the display and sale of drug paraphernalia.

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

SECTION 1. ADOPTION OF NEW ARTICLE SIX OF CHAPTER 11. Article 6 of Chapter 11 is hereby amended to read as follows:

11-601. DEFINITIONS. When used in this ordinance:

a. The term "controlled substance" means any drug, substance or immediate precursor included in any of the schedules as designated in the Uniform Controlled Substance Act, Chapter 65, Article 41 of the Kansas Statutes Annotated.

b. The term "deliver" or "delivery" means actual constructive or attempt to transfer from one person to another whether or not there is an agency relationship.

c. The term "drug" means:

1. Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, or any supplement to any of them;

2. Substances intended for use in the diagnosis, cure, medication, treatment or prevention of disease in man or animal;

3. Substances other than food intended to affect the structure or any function of the body or man or animal;

4. Substances intended for use as a compo-

ment of any articles specified in paragraphs 1, 2 or 3 of this subsection, but does not include devices or their components, parts or accessories.

d. "Drug Paraphernalia" means all equipment, products and materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding converting, producing processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of the Uniform Controlled Substances Act, Chapter 65, Article 41 of the Kansas Statutes Annotated. Drug Paraphernalia shall include but is not limited to:

1. Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived;

2. Kits used or intended for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances;

3. Isomerization devices used or intended for use in increasing the potency of any species of plant which is a controlled substance;

4. Testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of a controlled substance;

5. Scales and balances used or intended for use in weighing or measuring controlled substances;

6. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, which are used or intended for use in cutting controlled substances;

7. Separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;

8. Blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;

9. Hypodermic syringes, needles and other objects used or designed for use in parenterally injecting controlled substances into the human body;

10. Objects used or intended for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

(a) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

(b) Water pipes;

(c) Carburetion tubes and devices;

- (d) Smoking and carburetion masks;
- (e) Roach clips (objects used to hold burning material such as marijuana cigarettes that have become too small or too short to be held in the hand);
- (f) Miniature cocaine spoons and cocaine vials;
- (g) Chamber pipes;
- (h) Carburetor pipes;
- (i) Electric pipes;
- (j) Air-driven pipes;
- (k) Chillums;
- (l) Bonges;
- (m) Ice pipes or chillers.

In determining whether an object is drug paraphernalia, a court or other authority shall consider in addition to all other logically relevant factors, the following:

1. Statements by an owner or person in control of the object concerning its use;
2. Prior convictions, if any, of the owner or person in control of the object under any city, state or federal law relating to any controlled substance;
3. The proximity of the object to a direct violation of the Uniform Controlled Substances Act;
4. The proximity of the object to a controlled substance;
5. The existence of any residue of controlled substances on the object;
6. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object to deliver it to persons whom he knows or should reasonably know, intends to use the object to facilitate a violation of the Uniform Controlled Substances Act; the innocence of an owner or person in control of the object, as to a direct violation of the Uniform Controlled Substances Act shall not prevent a finding that the object is intended for use as drug paraphernalia;
7. Oral or written instructions provided with the object concerning its use;
8. Descriptive materials accompanying the object which explain or depict its use;
9. National and local advertising concerning the object's use;
10. The manner in which the object is displayed for sale;
11. Whether the owner or person in control of the object is a legitimate supplier of similar or related items to the community such as a distributor or dealer of tobacco products;
12. Direct or circumstantial evidence of the ratio of sales of the object or objects to the total sale of the

business enterprise;

13. The existence and scope of legitimate uses for the object in the community or expert testimony concerning the object's use.

e. "Intended for use" or the "with intent to deliver" means the intent of the person possessing, manufacturing, selling, offering to sell, dispensing, giving way or displaying, drug paraphernalia or any simulated controlled substances or simulated drug.

f. The term "marijuana" means all parts of all varieties of the plant Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination.

g. "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging or labeling of a controlled substance:

1. By a practitioner or his agent pursuant to a lawful order of a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or

2. By a practitioner or by his authorized agent under his supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or hospital as an incident to his or its dispensing of a controlled substance.

h. "Patient" means, as the case may be:

1. The individual for whom a drug is prescribed or to whom a drug is administered; or

2. The owner or the agent or the owner of the animal for which a drug is prescribed or to which a drug is administered; provided, that the prescribing or administering referred to in subdivisions 1 and 2 of this subsection is in good faith and in the course of professional practice only.

i. "Person" means individual, corporation, gov-

ernment or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

j. "Pharmacist" means an individual currently licensed to practice the profession of pharmacy in this state.

k. "Practitioner" means a physician (M.D. or D.O.), dentist, podiatrist, veterinarian, scientific investigator or other person licensed, registered or otherwise authorized by law to administer and prescribe, use in teaching or chemical analysis, or conduct research with respect to a controlled substance in the course of professional practice and research.

l. "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

m. "Prescription" means a written order, and in cases of emergency, a telephone order, issued by a practitioner in good faith in the course of his professional practice to a pharmacist for a drug for a particular patient, which specifies the date of its issue, the name and address of the patient (and, if such drug is prescribed for an animal, the species of such animal), the name and quantity of the drug prescribed, the directions for use of such drug, and the signature of such practitioner.

n. "Simulated drugs" and "simulated controlled substances" means any product which identifies itself by a common name or slang term associated with a controlled substance and which indicates on its label or accompanying promotional material that the produce simulates the effect of a controlled substances.

o. "Somnifacient" and "stimulating" have the meaning attributable in standard medical lexicons.

p. "Warehouseman" means a person who, in the usual course of business, stores drugs for others lawfully entitled to possess them and who has no control over the disposition of such drugs except for the purpose of such storage.

q. "Wholesaler" means a person engaged in the business of distributing drugs to persons included in any of the classes named in this chapter.

11-602. POSSESSION OF CONTROLLED SUBSTANCES.

A. It is unlawful for any person to deliver, possess, manufacture or have under his or her control, any dangerous drug or controlled substance.

B. It is unlawful for any person to sell, offer for sale or have in his or her possession with the intent to sell any dangerous drug or controlled substance.

11-603. USE AND POSSESSION WITH INTENT TO USE DRUG PARAPHERNALIA. It shall be unlawful for any person to use or possess with the intent to use any drug paraphernalia within the city limits of Leawood, Kansas.

11-604. THE DELIVERY, POSSESSION WITH INTENT TO DELIVER, MANUFACTURE WITH INTENT TO DELIVER, AND DISPLAY OF DRUG PARAPHERNALIA AND SIMULATED CONTROLLED SUBSTANCE AND SIMULATED DRUGS PROHIBITED. It shall be unlawful for any person to deliver, possess with intent to deliver, manufacture with intent to deliver or display drug paraphernalia, any simulated controlled substance, or any simulated drug within the city limits of Leawood, Kansas, knowing or under circumstances where one reasonably should know that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substance Act.

11-605. EXEMPTIONS.

A. This ordinance does not apply to manufacturers, practitioners, pharmacists, owners of pharmacies and other persons duly registered with the Kansas Board of Pharmacy as prescribed in the Uniform Controlled Substances Act, Article 41, Chapter 65 of the Kansas Statutes Annotated.

B. Nothing contained in this ordinance shall make it unlawful for a public officer, agent or employee, or person aiding such public officer in performing his official duties to possess, obtain, or attempt to obtain a drug for the purpose of enforcing the provisions of any law of this state or of the United States relating to the regulation of the handling, sale or distribution of drugs.

11-606. PENALTIES. A violation of any provision of this Article shall be punishable as a Class A violation as defined by the Uniform Public Offense Code for Kansas Cities, 1989 Edition, as incorporated by reference by Section 11-101 of this Chapter.

11-607. FORFEITURE OF DRUG PARAPHERNALIA AND SIMULATED CONTROLLED SUBSTANCE.

Repealed by Ord. #1936
CODE OF 1984
Effective 12/21/84

11-606
Repealed by:
ORDINANCE NO. 1760C
Adopted: 10/27/81
Effective:

a. All drug paraphernalia and simulated controlled substances are subject to forfeiture as provided in this section.

b. Property subject to forfeiture under this section may be seized by any law enforcement officer upon process issued by any district court having jurisdiction over the property.

c. In the event of seizure pursuant to subsection (b) proceedings under subsection (d) shall be instituted promptly.

d. Property taken or detained under this section shall not be subject to replevin but is deemed to be in the custody of the law enforcement agency seizing it, subject only to the orders of the district court having jurisdiction over the forfeiture proceeding. When property is seized under this section the law enforcement agency seizing it may (i) place the property under seal, (ii) remove the property to a place designated by it or (iii) require the State Board of Pharmacy to take custody of the property and remove it to an appropriate location for disposition in accordance with law.

e. When property is forfeited under this section, the law enforcement agency having custody of it may: (i) retain it for official use; (ii) sell that which is not required to be destroyed by law and which is not harmful to the public with the proceeds to be used for the payment of all proper expenses of the proceedings for forfeiture and sale including expenses of seizure, maintenance, custody, advertising and court costs; (iii) transfer it for medical or scientific use to any state agency; or (iv) require the sheriff of the county in which the property is located to take custody of the property and remove it to an appropriate location for disposition in accordance with law.

SECTION 2. REPEAL OF SECTIONS. Existing Sections 11-601, 11-602, 11-603 and 11-604 of the Code of the City of Leawood are hereby repealed. (Prior law: Ord. No. 1001C)

SECTION 3. SEVERABILITY. In the event any section, subsection, sentence, clause or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no name effect the other sections, subsections, sentences, clauses or phrases of this ordinance, all of which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.

SECTION 4. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the

official City newspaper.

Passed by the Council the 18th day of September, 1989.

Approved by the Mayor the 18th day of September, 1989.

(SEAL)



Marcia Rinehart
Marcia Rinehart, Mayor

Attest:

Martha Heizer
Martha Heizer, City Clerk

APPROVED FOR FORM:

E. S. Wetzler
E. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 9/19/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 19 day of Sept., 1989.

Susan G. Hetherington
Notary Public
My commission expires: 3/30/91

Publication
Fees: \$107.45

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

AN ORDINANCE RELATING TO DRUGS; DRUG PARAPHERNALIA; DEFINING CERTAIN TERMS RELATING TO THE SAME, REGULATING THE USE, POSSESSION WITH INTENT TO USE, SALE, DELIVERY OR MANUFACTURE OF DRUG PARAPHERNALIA; REPEALING EXISTING SECTIONS.

DECLARATION OF CITY POLICY AND PURPOSE. Whereas, the governing body of the City of Leawood, Kansas, has determined, and hereby finds, that a problem exists within its territorial limits exposing both young people and adults to the use of drugs and controlled substances other than as authorized by law. The governing body hereby finds that the display and availability for sale of drug paraphernalia, simulated drugs and simulated controlled substances all hereinafter defined contributes to the usage of drugs creating an atmosphere of apparent condonation by the community of the same; and

Whereas, the governing body of the City of Leawood hereby finds that it is to the best interests of the health, safety and welfare of the community to prohibit the display and sale of drug paraphernalia.

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

SECTION 1. ADOPTION OF NEW ARTICLE SIX OF CHAPTER 11. Article 6 of Chapter 11 is hereby amended to read as follows:

11-601. DEFINITIONS. When used in this ordinance:

a. The term "controlled substance" means any drug, substance or immediate precursor included in any of the schedules as designated in the Uniform Controlled Substance Act, Chapter 65, Article 41 of the Kansas Statutes Annotated.

b. The term "deliver" or "delivery" means actual constructive or attempt to transfer from one person to another whether or not there is an agency relationship.

c. The term "drug" means:

1. Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, or any supplement to any of them;

2. Substances intended for use in the diagnosis, cure, medication, treatment or prevention of disease in man or animal;

3. Substances other than food intended to affect the structure or any function of the body or man or animal;

4. Substances intended for use as a component of any articles specified in paragraphs 1, 2 or 3 of this subsection, but does not include devices or their components, parts or accessories.

d. "Drug Paraphernalia" means all equipment, products and materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of the Uniform Controlled Substances Act, Chapter 65, Article 41 of the Kansas Statutes Annotated. Drug Paraphernalia shall include but is not limited to:

1. Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived;

2. Kits used or intended for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances;

3. Isomerization devices used or intended for use in increasing the potency of any species of plant which is a controlled substance;

4. Testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of a controlled substance;

5. Scales and balances used or intended for use in weighing or measuring controlled substances;

6. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, which are used or intended for use in cutting controlled substances;

7. Separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;

8. Blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;

9. Hypodermic syringes, needles and other objects used or designed for use in parenterally injecting controlled substances into the human body;

10. Objects used or intended for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

(a) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

(b) Water pipes;

(c) Carburation tubes and devices;

(d) Smoking and carburation masks;

(e) Roach clips (objects used to hold burning material such as marijuana cigarettes that have become too small or too short to be held in the hand);

(f) Miniature cocaine spoons and cocaine vials;

(g) Chamber pipes;

(h) Carburator pipes;

(i) Electric pipes;

(j) Air-driven pipes;

(k) Chillums;

(l) Bongs;

(m) Ice pipes or chillers.

In determining whether an object is drug paraphernalia, a court or other authority shall consider in addition to all other logically relevant factors, the following:

1. Statements by an owner or person in control of the object concerning its use;

2. Prior convictions, if any, of the owner or person in control of the object under any city, state or federal law relating to any controlled substance;

3. The proximity of the object to a direct violation of the Uniform Controlled Substances Act;

4. The proximity of the object to a controlled substance;

5. The existence of any residue of controlled substances on the object;

6. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object to deliver it to persons whom he knows or should reasonably know, intends to use the object to facilitate a violation of the Uniform Controlled Substances Act; the innocence of an owner or person in control of the object, as to a direct violation of the Uniform Controlled Substances Act shall not prevent a finding that the object is intended for use as drug paraphernalia;

7. Oral or written instructions provided with the object concerning its use;

8. Descriptive materials accompanying the object which explain or depict its use;

9. National and local advertising concerning the object's use;

10. The manner in which the object is displayed for sale;

11. Whether the owner or person in control of the object is a legitimate supplier of similar or related items to the community such as a distributor or dealer of tobacco products;

12. Direct or circumstantial evidence of the ratio of sales of the object or objects to the total sale of the business enterprise;

13. The existence and scope of legitimate uses for the object in the community or expert testimony concerning the object's use.

e. "Intended for use" or the "with intent to deliver" means the intent of the person possessing, manufacturing, selling, offering to sell, dispensing, giving way or displaying, drug paraphernalia or any simulated controlled substances or simulated drug.

f. The term "marijuana" means all parts of all varieties of the plant Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination.

g. "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging or labeling of a controlled substance:

1. By a practitioner or his agent pursuant to a lawful order of a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or
2. By a practitioner or by his authorized agent under his supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or hospital as an incident to his or its dispensing of a controlled substance.

h. "Patient" means, as the case may be:

1. The individual for whom a drug is prescribed or to whom a drug is administered; or
2. The owner or the agent or the owner of the animal for which a drug is prescribed or to which a drug is administered; provided, that the prescribing or administering referred to in subdivisions 1 and 2 of this subsection is in good faith and in the course of professional practice only.

i. "Person" means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

j. "Pharmacist" means an individual currently licensed to practice the profession of pharmacy in this state.

k. "Practitioner" means a physician (M.D. or D.O.), dentist, podiatrist, veterinarian, scientific investigator or other person licensed, registered or otherwise authorized by law to administer and prescribe, use in teaching or chemical analysis, or conduct research with respect to a controlled substance in the course of professional practice and research.

1. "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

m. "Prescription" means a written order, and in cases of emergency, a telephone order, issued by a practitioner in good faith in the course of his professional practice to a pharmacist for a drug for a particular patient, which specifies the date of its issue, the name and address of the patient (and, if such drug is prescribed for an animal, the species of such animal), the name and quantity of the drug prescribed, the directions for use of such drug, and the signature of such practitioner.

n. "Simulated drugs" and "simulated controlled substances" means any product which identifies itself by a common name or slang term associated with a controlled substance and which indicates on its label or accompanying promotional material that the produce simulates the effect of a controlled substance.

o. "Somnifacient" and "stimulating" have the meaning attributable in standard medical lexicons.

p. "Warehouseman" means a person who, in the usual course of business, stores drugs for others lawfully entitled to possess them and who has no control over the disposition of such drugs except for the purpose of such storage.

q. "Wholesaler" means a person engaged in the business of distributing drugs to persons included in any of the classes named in this chapter.

11-602. POSSESSION OF CONTROLLED SUBSTANCES.

A. It is unlawful for any person to deliver, possess, manufacture or have under his or her control, any dangerous drug or controlled substance.

B. It is unlawful for any person to sell, offer for sale or have in his or her possession with the intent to sell any dangerous drug or controlled substance.

11-603. USE AND POSSESSION WITH INTENT TO USE DRUG PARAPHERNALIA. It shall be unlawful for any person to use or possess with the intent to use any drug paraphernalia within the city limits of Leawood, Kansas.

11-604. THE DELIVERY, POSSESSION WITH INTENT TO DELIVER, MANUFACTURE WITH INTENT TO DELIVER, AND DISPLAY OF DRUG PARAPHERNALIA AND SIMULATED CONTROLLED SUBSTANCE AND SIMULATED DRUGS PROHIBITED. It shall be unlawful for any person to deliver, possess with intent to deliver, manufacture with intent to deliver or display drug paraphernalia, any simulated controlled substance, or any simulated drug within the city limits of Leawood, Kansas, knowing or under circumstances where one reasonably should know that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substance Act.

11-605. EXEMPTIONS.

A. This ordinance does not apply to manufacturers, practitioners, pharmacists, owners of pharmacies and other persons duly registered with the Kansas Board of Pharmacy as prescribed in the Uniform Controlled Substances Act, Article 41, Chapter 65 of the Kansas Statutes Annotated.

B. Nothing contained in this ordinance shall make it unlawful for a public officer, agent or employee, or person aiding such public officer in performing his official duties to possess, obtain, or attempt to obtain a drug for the purpose of enforcing the provisions of any law of this state or of the United States relating to the regulation of the handling, sale or distribution of drugs.

11-606. PENALTIES. A violation of any provision of this Article shall be punishable as a Class A violation as defined by the Uniform Public Offense Code for Kansas Cities, 1989 Edition, as incorporated by reference by Section 11-101 of this Chapter.

11-607. FORFEITURE OF DRUG PARAPHERNALIA AND SIMULATED CONTROLLED SUBSTANCE.

a. All drug paraphernalia and simulated controlled substances are subject to forfeiture as provided in this section.

b. Property subject to forfeiture under this section may be seized by any law enforcement officer upon process issued by any district court having jurisdiction over the property.

c. In the event of seizure pursuant to subsection (b) proceedings under subsection (d) shall be instituted promptly.

d. Property taken or detained under this section shall not be subject to replevin but is deemed to be in the custody of the law enforcement agency seizing it, subject only to the orders of the district court having jurisdiction over the forfeiture proceeding. When property is seized under this section the law enforcement agency seizing it may (i) place the property under seal, (ii) remove the property to a place designated by it or (iii) require the State Board of Pharmacy to take custody of the property and remove it to an appropriate location for disposition in accordance with law.

e. When property is forfeited under this section, the law enforcement agency having custody of it may: (i) retain it for official use; (ii) sell that which is not required to be destroyed by law and which is not harmful to the public with the proceeds to be used for the payment of all proper expenses of the proceedings for forfeiture and sale including expenses of seizure, maintenance, custody, advertising and court costs; (iii) transfer it for medical or scientific use to any state agency; or (iv) require the sheriff of the county in which the property is located to take custody of the property and remove it to an appropriate location for disposition in accordance with law.

SECTION 2. REPEAL OF SECTIONS. Existing Sections 11-601, 11-602, 11-603 and 11-604 of the Code of the City of Leawood are hereby repealed. (Prior law: Ord. No. 1001C)

SECTION 3. SEVERABILITY. In the event any section, subsection, sentence, clause or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no name effect the other sections, subsections, sentences, clauses or phrases of this ordinance, all of which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.

SECTION 4. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 18th day of September, 1989.

Approved by the Mayor the 18th day of September, 1989.

(SEAL)

Marcia Rinehart
Marcia Rinehart, Mayor

Attest:

Martha Helzer
Martha Helzer, City Clerk

APPROVED FOR FORM: *[Signature]*
B. S. Wetzel, City Attorney

ORDINANCE NO. 1127C

Repealed by:
ORDINANCE NO. 1177C
Adopted: 8/21/90
Effective: _____

AN ORDINANCE AMENDING SECTION 11-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR PUBLIC OFFENSE LOCAL PROVISIONS, AND REPEALING EXISTING SECTION.

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

Section 1. Section 11-201 of the Code of the City of Leawood is hereby amended to read as follows:

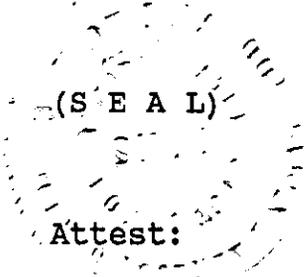
11-201. PENALTIES. Unless otherwise specified, the penalties for violation of any of the following sections will be classed in the manner set out in Article 12 of the "Uniform Public Offense Code for Kansas Cities", 1989 Edition, as incorporated by reference by Section 11-101 of this Chapter.

Section 2. Existing Section 11-201 of the Code of the City of Leawood is hereby repealed.

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

Passed by the Council the 18th day of September, 1989.

Approved by the Mayor the 18th day of September, 1989.



Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: [Signature]
R.S. Wetzler City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

- 1st 9/19/89
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 19 day of Sept., 1989.

Susan G. Hetherington
Notary Public
My commission expires 3/30/91

Publication Fees: \$14.82

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORDINANCE NO. 1127C

AN ORDINANCE AMENDING SECTION 11-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR PUBLIC OFFENSE LOCAL PROVISIONS, AND REPEALING EXISTING SECTION.

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

Section 1. Section 11-201 of the Code of the City of Leawood is hereby amended to read as follows:

11-201. PENALTIES. Unless otherwise specified, the penalties for violation of any of the following sections will be classed in the manner set out in Article 12 of the "Uniform Public Offense Code for Kansas Cities", 1989 Edition, as incorporated by reference by Section 11-101 of this Chapter.

Section 2. Existing Section 11-201 of the Code of the City of Leawood is hereby repealed.

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

Passed by the Council the 18th day of September, 1989.

Approved by the Mayor the 18th day of September, 1989.

(S E A L)

Marjia Rinehart
Marjia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Heizer City Attorney

ORDINANCE NO. 1126C

Repealed by:
ORDINANCE NO. 1176C
Adopted: 8/21/90
Effective: _____

AN ORDINANCE ADOPTING THE 1989 EDITION OF THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", AND REPEALING EXISTING SECTIONS.

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

Section 1. ADOPTION OF THE UNIFORM PUBLIC OFFENSE CODE. Article 1 ("Uniform Offense Code") of Chapter 11 of the Code of the City of Leawood is hereby amended to read as follows:

11-101. UNIFORM CODE INCORPORATED. There is hereby incorporated by reference the "Uniform Public Offense Code for Kansas Cities", 1989 Edition, revised, prepared and published by the League of Kansas Municipalities. No fewer than three copies of said uniform ordinance shall be marked or stamped "Official Copy as adopted by the Code of the City of Leawood, Kansas", and shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable hours.

11-102. SAME; AMENDMENT. Section 10.13 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

10.13. BARBED WIRE. It shall be unlawful for any person to construct, set up or maintain any barbed wired or barbed wire fence or enclosure within the city, except in areas zoned or predominately used for agricultural purposes.

Violation of this section is a Class C violation.

11-103. SAME. Section 10.1 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

10.1. UNLAWFUL USE OF WEAPONS.

(a) Unlawful use of weapons is knowingly:

(1) Selling, manufacturing, purchasing, possessing or carrying any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switchblade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or

Repealed by:
ORDINANCE NO. 476C
Adopted: 8/21/90
Effective: _____

movement;

(2) Carrying concealed on one's person, or possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, sling shot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;

(3) Carrying on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;

(4) Carrying any pistol, revolver or other firearm:
(i) concealed on one's person except when on the person's land or in the person's abode or fixed place of business;
(ii) openly or visibly on the person at any place open to public view;
(iii) within any vehicle in transport unless the weapon is unloaded and in a case;

(5) Setting a spring gun;

(6) Possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.

(b) Subsections (a) (1), (2), (3) and (4) shall not apply to or affect any of the following:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) Members of the armed services or reserve forces of the United States or the Kansas National Guard while in the performance of their official duty; or

(4) Manufacture of, transportation to, or sale of weapons to a person authorized under (b) (1) through (b) (3) of this section to possess such weapons.

(c) Subsection (a) (4) does not apply to or affect the following:

(1) Watchmen, while actually engaged in the performance of the duties of their employment;

(2) Licensed hunters while engaged in hunting;

(3) Private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;

Repealed by:
ORDINANCE NO. 1176C
Adopted: 8/21/90
Effective: _____

(4) Detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment; or

(5) The state fire marshal, the state fire marshal's deputies or member of a fire department authorized to carry a firearm pursuant to K.S.A. Supp. 31-157 and amendments thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157 and amendments thereto.

(d) Subsections (a) (1) and (6) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

(e) It shall be a defense that the defendant is within an exemption. (K.S.A. 21-4201)

Violation of this section is a Class B violation.

11-104. SAME. Section 10.5 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

10.5 UNLAWFUL DISCHARGE OF FIREARMS.

Unlawful discharge of firearms is the discharging or firing of any gun, rifle, pistol, revolver or other firearm within the city. This section shall not be construed to apply:

(a) To the discharge of firearms by any duly authorized law enforcement officer when necessary in the discharge of his or her official duties;

(b) To the discharge of firearms in any licensed shooting gallery;

(c) To firing squads for ceremonials; nor

(d) To a legitimate gunsmith in pursuit of his or her trade; nor

(e) To an established trap or skeet range upon the premises of any private club, which club was in existence upon the same property prior to the date of the incorporation of the City, from 10:00 a.m. to 5:00 p.m., solely for recreational purposes, provided that the club rules and changes therein related to the types of weapons and loads will be first submitted to the chief of police for approval; provided

Repealed by:
ORDINANCE NO. 1176C
Adopted: 8/21/90
Effective: _____

further that the distance from the muzzle direction of the appropriate firearm so used shall not be less than 1,000 feet from the boundary line of any adjacent property owned by another.

Unlawful discharge of firearms is a Class B violation.

Section 2. REPEAL OF SECTIONS. Existing Sections 11-101, 11-102, 11-103, 11-104, and 11-105 of the Code of the City of Leawood are hereby repealed. (Prior law: Ord. No. 1046C)

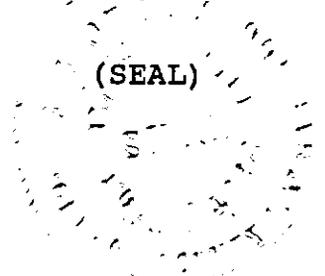
Section 3. VALIDITY OF ORDINANCE. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected.

Section 4. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 18th day of September, 1989.

Approved by the Mayor the 18th day of September, 1989.

(SEAL)


Marcia Rinehart
Marcia Rinehart, Mayor

Attest:

Martha Heizer
Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler
R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

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John Lewis
Business Manager
Subscribed and sworn to
before me this 19 day of
Sept., 1989.

Susan G. Hetherington
Notary Public
My commission expires:
3/30/91

Publication
Fees: \$ 55.56

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORDINANCE NO. 1126C

AN ORDINANCE ADOPTING THE 1989 EDITION OF THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", AND REPEALING EXISTING SECTIONS.

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

Section 1. ADOPTION OF THE UNIFORM PUBLIC OFFENSE CODE. Article 1 ("Uniform Offense Code") of Chapter 11 of the Code of the City of Leawood is hereby amended to read as follows:

11-101. UNIFORM CODE INCORPORATED. There is hereby incorporated by reference the "Uniform Public Offense Code for Kansas Cities", 1989 Edition, revised, prepared and published by the League of Kansas Municipalities. No fewer than three copies of said uniform ordinance shall be marked or stamped "Official Copy as adopted by the Code of the City of Leawood, Kansas", and shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable hours.

11-102. SAME; AMENDMENT. Section 10.13 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

10.13. BARBED WIRE. It shall be unlawful for any person to construct, set up or maintain any barbed wired or barbed wire fence or enclosure within the city, except in areas zoned or predominately used for agricultural purposes.

Violation of this section is a Class C violation.

11-103. SAME. Section 10.1 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

10.1. UNLAWFUL USE OF WEAPONS.

(a) Unlawful use of weapons is knowingly:

(1) Selling, manufacturing, purchasing, possessing or carrying any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switchblade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;

(2) Carrying concealed on one's person, or possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, sling shot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;

(3) Carrying on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;

(4) Carrying any pistol, revolver or other firearm:

(i) concealed on one's person except when on the person's land or in the person's abode or fixed place of business;

(ii) openly or visibly on the person at any place open to public view;

(iii) within any vehicle in transport unless the weapon is unloaded and in a case;

(5) Setting a spring gun;

(6) Possessing any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.

(b) Subsections (a) (1), (2), (3) and (4) shall not apply to or affect any of the following:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) Members of the armed services or reserve forces of the United States or the Kansas National Guard while in the performance of their official duty; or

(4) Manufacture of, transportation to, or sale of weapons to a person authorized under (b) (1) through (b) (3) of this section to possess such weapons.

(c) Subsection (a) (4) does not apply to or affect the following:

(1) Watchmen, while actually engaged in the performance of the duties of their employment;

(2) Licensed hunters while engaged in hunting;

(3) Private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;

(4) Detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment; or

(5) The state fire marshal, the state fire marshal's deputies or member of a fire department authorized to carry a firearm pursuant to K.S.A. Supp. 31-157 and amendments thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157 and amendments thereto.

(d) Subsections (a) (1) and (6) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

(e) It shall be a defense that the defendant is within an exemption. (K.S.A. 21-4201)

Violation of this section is a Class B violation.

11-104. SAME. Section 10.5 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

10.5 UNLAWFUL DISCHARGE OF FIREARMS.

Unlawful discharge of firearms is the discharging or firing of any gun, rifle, pistol, revolver or other firearm within the city. This section shall not be construed to apply:

(a) To the discharge of firearms by any duly authorized law enforcement officer when necessary in the discharge of his or her official duties;

(b) To the discharge of firearms in any licensed shooting gallery;

(c) To firing squads for ceremonials; nor

(d) To a legitimate gunsmith in pursuit of his or her trade; nor

(e) To an established trap or skeet range upon the premises of any private club, which club was in existence upon the same property prior to the date of the incorporation of the City, from 10:00 a.m. to 5:00 p.m., solely for recreational purposes, provided that the club rules and changes therein related to the types of weapons and loads will be first submitted to the chief of police for approval; provided further that the distance from the muzzle direction of the appropriate firearm so used shall not be less than 1,000 feet from the boundary line of any adjacent property owned by another.

Unlawful discharge of firearms is a Class B violation.

Section 2. REPEAL OF SECTIONS. Existing Sections 11-101, 11-102, 11-103, 11-104, and 11-105 of the Code of the City of Leawood are hereby repealed. (Prior law: Ord. No. 1046C)

Section 3. VALIDITY OF ORDINANCE. 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.

Section 4. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 18th day of September, 1989.

Approved by the Mayor the 18th day of September, 1989.

(SEAL)

Attest:

Marcia Rinehart
Marcia Rinehart, Mayor

Martha Heizer
Martha Heizer, City Clerk

APPROVED FOR FORM: *R. S. Watzlar*
R. S. Watzlar, City Attorney

ORDINANCE NO. 1125

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89L, PROJECT 117 (LEE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$300,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF LEE BOULEVARD, INCLUDING GRADING, REGRADING, CURBING, RECURBING, GUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, REMACADAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNDING CORNERS, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECONSTRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES THERETO, VIADUCTS, OVERPASSES, UNDERPASSES, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS OR OTHER IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Lee Boulevard, which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1077 on November 21, 1988; and

WHEREAS, total cost of improvements to Lee Boulevard is estimated to be \$1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,511. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89L, Project 117 (Lee Boulevard), in the aggregate principal amount of Three Hundred Thousand Dollars (\$300,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1,512. Section Two: Said issue of Temporary Notes, Series 89L, Project 117 (Lee Boulevard), shall consist of three bearer notes numbered from 1 through 3 inclusive, each in the denomination of \$100,000. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.36% per annum. The note shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said note is authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,513. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,514. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered; said note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,515. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

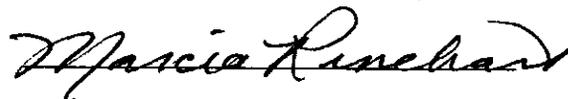
The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,516. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

SIGNED by the Mayor this 18th day of September, 1989.



Marcia Rinehart, Mayor

ATTEST:



Martha Heizer, City Clerk

APPROVED AS TO FORM:



R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 9/19/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager
Subscribed and sworn to
before me this 19 day of
Sept., 1989.

Susan G. Hetherington
Notary Public
My commission expires:
3/30/91

Publication
Fees: * 7250

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89L, PROJECT 117 (LEE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$300,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF LEE BOULEVARD, INCLUDING GRADING, REGRADING, CURBING, RECURBING, CUTTING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, REMACADAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNDING CORNERS, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECONSTRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES THERETO, VIADUCTS, OVERPASSES, UNDERPASSES, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS OR OTHER IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Lee Boulevard, which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-683; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1077 on November 21, 1988; and

WHEREAS, total cost of improvements to Lee Boulevard is estimated to be \$1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89L, Project 117 (Lee Boulevard), in the aggregate principal amount of Three Hundred Thousand Dollars (\$300,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 89L, Project 117 (Lee Boulevard), shall consist of three bearer notes numbered from 1 through 3 inclusive, each in the denomination of \$100,000. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.36% per annum. The note shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said note is authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

September 19, 1989, Page 8

From Page 7

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; ~~provided, however,~~ the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day

ORDINANCE NO. 1124

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89N, PROJECT 119 (119TH STREET, STATE LINE TO MISSION ROAD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 119TH STREET, STATE LINE TO MISSION ROAD, INCLUDING GRADING, CURBING, GUTTERING, PAVING, MACADAMIZING, CONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNDING CORNERS, STRAIGHTENING, RELOCATING, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS, OR OTHER IMPROVEMENTS OR ANY TWO OR MORE OF SUCH IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 119th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1090 on February 6, 1989; and

WHEREAS, total cost of improvements to 119th Street, State Line to Mission Road, is estimated to be \$1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,505. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89N, Project 119 (119th Street, State Line Road to Mission Road), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1,506. Section Two: Said issue of Temporary Notes, Series 89N, Project 119 (119th Street, State Line to Mission Road), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.33% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,507. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,508. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to Cooper-Malone-McClain, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,509. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

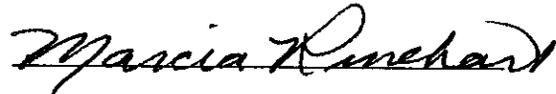
The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,504. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

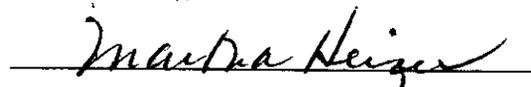
Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

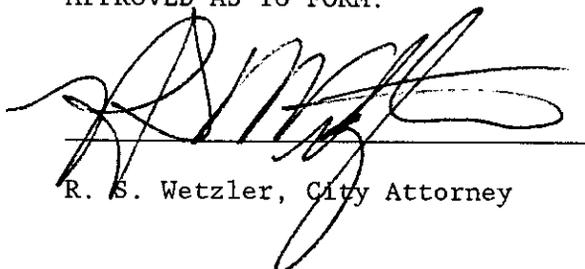
SIGNED by the Mayor this 18th day of September, 1989.


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk

APPROVED AS TO FORM:


R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st 9/19/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 19 day of Sept, 1989.

Susan G. Hetherington
Notary Public
My commission expires: 3/30/91

Publication Fees: \$ 71.63

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89N, Project 119 (119th Street, State Line Road to Mission Road), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 89N, Project 119 (119th Street, State Line to Mission Road), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The notes shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.33% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinafter described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when executed and when registered, said notes shall be countersigned by the City Clerk and delivered to Cooper-Halena-McClein, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinafter described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.
2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$300,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 88-1-89G, Proj. 107 Ree Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;
4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

SIGNED by the Mayor this 18th day of September, 1989.

Marcia Rinehart
Marcia Rinehart, Mayor

ATTEST:
Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM:
[Signature]
S. S. Wetzel, City Attorney

ORDINANCE NO. 1124

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89N, PROJECT 119 (119TH STREET, STATE LINE TO MISSION ROAD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 119TH STREET, STATE LINE TO MISSION ROAD, INCLUDING GRADING, CURBING, CUTTERING, PAVING, MACADAMIZING, CONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNDING CORNERS, STRAIGHTENING, RELOCATING, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS, OR OTHER IMPROVEMENTS OR ANY TWO OR MORE OF SUCH IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 119th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or re-improvement of certain sections of said main trafficway by the approval of Ordinance No. 1090 on February 6, 1989; and

WHEREAS, total cost of improvements to 119th Street, State Line to Mission Road, is estimated to be \$1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall

ORDINANCE NO. 1123

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89M, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 RE-MODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF REMODELING, ADDITION AND EQUIPPING OF THE POLICE/COURTS BUILDING AND FIRE STATION #1.

WHEREAS, the Governing Body authorized the improvement or remodel of the Police/Courts Building and Fire Station #1 by the approval of Resolution No. 937 on December 5, 1988; and

WHEREAS, total cost of improvement and remodeling is estimated to be \$1,200,000.00; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-1737 and all acts amendatory thereto and by Resolution No. 937.

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

24-313. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary design, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89M, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000.00) which amount does not exceed the total estimated costs of said improvements.

24-314. Section Two: Said issue of Temporary Notes, Series 89M, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.23% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-1737 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

24-315. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

24-316. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to Cooper-Malone-McClain, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

24-317. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the pro-

visions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

24-318. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

SIGNED by the Mayor this 18th day of September, 1989.



Marcia Rinehart, Mayor

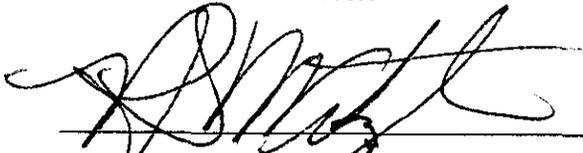
Marcia Rinehart, Mayor

ATTEST:



Martha Heizer, City Clerk

APPROVED AS TO FORM:



R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

- 1st 9/19/89
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 19 day of

Sept., 1989.

Susan G. Hetherington
Notary Public

My commission expires:
3/30/91

Publication
Fees: 67.87

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

SIGNED by the Mayor this 18th day of September, 1989.

Marcia Rinehart
Marcia Rinehart, Mayor

ATTEST:

Martha Helzer
Martha Helzer, City Clerk

APPROVED AS TO FORM:
R. S. Wetzler
R. S. Wetzler, City Attorney

ORDINANCE NO. 1123

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89H, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 REMODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF REMODELING, ADDITION AND EQUIPPING OF THE POLICE/COURTS BUILDING AND FIRE STATION #1.

WHEREAS, the Governing Body authorized the improvement or remodel of the Police/Courts Building and Fire Station #1 by the approval of Resolution No. 937 on December 5, 1988; and

WHEREAS, total cost of improvement and remodeling is estimated to be \$1,200,000.00; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-1737 and all acts amendatory thereto and by Resolution No. 937.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary design, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89H, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 89H, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The notes shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.25% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-1737 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to Cooper-Malons-McClein, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes, provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.
2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000

ORDINANCE NO. 1122

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89K, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be \$1,750,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,499. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89K, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1,500. Section Two: Said issue of Temporary Notes, Series 89K, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.33% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,501. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,502. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to Cooper-Malone-McClain, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,503. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk-Creek-Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,510. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

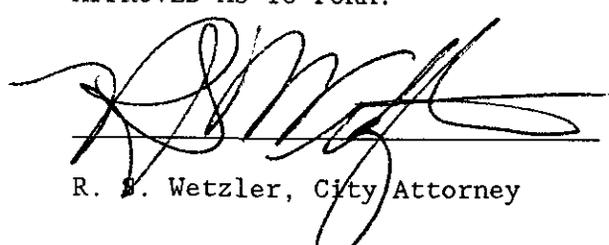
SIGNED by the Mayor this 18th day of September, 1989.


Marcia Rinehart
Marcia Rinehart, Mayor

ATTEST:

Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM:


R. B. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 9/19/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis

Business Manager

Subscribed and sworn to before me this 19 day of Sept, 1989.

Susan G. Hetherington

Notary Public

My commission expires:
3/30/91

Publication

Fees: 71.63

SUSAN G. HETHERINGTON

Notary Public - State of Kansas
My Appt. Exp. 3-30-91

the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from a nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants as follows: The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave. 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 86-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes.

No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September 1989.

SIGNED by the Mayor this 18th day of September 1989.

Marcia Rinehart
Marcia Rinehart, Mayor

ATTEST:
Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM:
R. S. Wetzler
R. S. Wetzler, City Attorney

ORDINANCE NO. 1122

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89K, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the Code of the City of Leawood, Kansas, 1984 designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be \$1,750,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89K, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 89K, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 5 inclusive; each in the denomination of \$100,000.00. Said notes shall be dated September 27, 1989; and shall have the stated maturity date of September 26, 1990. The note shall bear interest from its dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 6.33% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to Cooper-Malone-McClain, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to

ORDINANCE NO. 1121

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89P, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$1,000,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be \$3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,493. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 88-1-89P, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of One Million Dollars (\$1,000,000), which amount does not exceed the total estimated costs of said improvements.

20-1,494. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89P, Project 113, shall consist of bearer notes numbered from 1 through 10 inclusive, each in the denomination of \$100,000. Each of said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.36% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be

redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,495. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,496. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,497. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89G, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 95th-Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,498. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

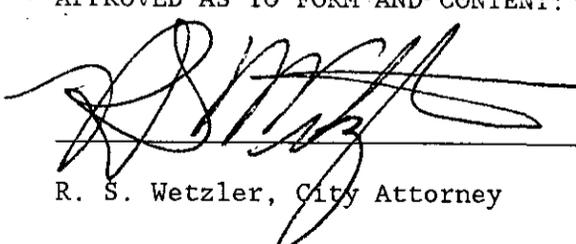
SIGNED by the Mayor this 18th day of September, 1989.


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk

~~APPROVED-AS-TO-FORM-AND-CONTENT:~~


R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 9/19/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 19 day of Sept., 1989.

Susan G. Hetherington
Notary Public
My commission expires:
3/30/91

Publication
Fees: \$72.50

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORDINANCE NO. 1121

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89P, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$1,000,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAS, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be \$3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 88-1-89P, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of One Million Dollars (\$1,000,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89P, Project 113, shall consist of bearer notes numbered from 1 through 10 inclusive, each in the denomination of \$100,000. Each of said notes shall be dated September 27, 1989, and shall have the stated maturity date of September 26, 1990. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.366 per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas; and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; Provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;
2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 93th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000
(d) Temporary Notes, Series L.I.D. 86-1-89C, Proj. 107 Roe Ave, 112-121st Street	July 25, 1989	\$260,000
(e) Temporary Notes, Series L.I.D. 88-1-89H, Proj. 113 Tomahawk Creek Parkway	July 25, 1989	\$500,000
(f) Temporary Notes Series 89I, Project 116 93th Street	July 25, 1989	\$300,000
(g) Temporary Notes Series 89J, Project 118 Police/Court/Fire Remodel	July 25, 1989	\$400,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;
4. No portion of the proceeds of the sale of the notes will be loaned

See page 9

to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 18th day of September, 1989.

SIGNED by the Mayor this 18th day of September, 1989.

ORDINANCE NO. 1120C

Repealed by:
ORDINANCE NO. 1175C
Adopted: 8/21/90
Effective: _____

AN ORDINANCE ADOPTING THE 1989 EDITION OF THE "STANDARD TRAFFIC ORDINANCE", AND REPEALING EXISTING SECTIONS.

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

Section 1. ADOPTION OF "STANDARD TRAFFIC ORDINANCE". Article 1 ("Standard Traffic Ordinance") of Chapter 14 of the Code of the City of Leawood is hereby amended to read as follows:

14-101. INCORPORATING "STANDARD TRAFFIC ORDINANCE". There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Leawood, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", Edition of 1989, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three copies of said standard ordinance shall be marked or stamped "Official Copy", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

14-102. AMENDMENTS; SPEED LIMITS. Section 33 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Section 33. Maximum Speed Limits. (a) Except when a special hazard exists that requires lower speed for compliance with Section 32, the limits specified in this Section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits:

(1) All vehicles 20 miles per hour in any business district.

(2) All vehicles 20 miles per hour in any park under the jurisdiction of this city.

(3) All vehicles 20 miles per hour during those hours when students are going to and from school of any day school is in session, upon streets and/or parts of streets abutting school property and adjacent to school crosswalks designated as school zones; provided that appropriate signs are erected giving notice of such speed limits and the times said limits are in force, said times to be determined by the Chief of Police with the consent of the City Council.

Repealed by:
ORDINANCE NO. 1175C
Adopted: 8/21/90
Effective: _____

(4) All vehicles 25 miles per hour in any residential district and on other streets within the City except where modified by engineering and traffic investigation as provided hereafter in subsection (b) of this Section. The maximum speed limit established by or pursuant to this paragraph shall be of force and effect regardless of whether signs are posted giving notice thereof and notwithstanding any signs giving notice of maximum speed limits in excess thereof, and any sign giving notice of a maximum speed limit in excess of the limits established by or pursuant to this paragraph shall not be of any force or effect, subject to the following exception.

(b) The Chief of Police is hereby authorized and empowered to designate maximum speed zones when he or she shall find and determine that such regulation is necessary for safety purposes or to expedite traffic, to the extent any such regulation is not in conflict with any law of the City. The Chief of Police shall, following ratification of his or her designations under this subsection by the Governing Body, place and maintain the necessary traffic-control signs and devices.

(c) Whenever the Chief of Police shall determine upon the basis of an engineering and traffic investigation that any speed limit herein set forth is greater or less than is reasonable or safe under the conditions found to exist, the governing body shall declare by resolution a reasonable and safe speed limit consistent with applicable state and local statutes which shall be effective at all times or during daytime or nighttime or at such other times as may be determined when appropriate signs giving notice thereof are erected pursuant to council action and K.S.A. 8-1560 and 8-2002. It shall be unlawful for any person to drive a vehicle at a speed in excess of such declared maximum limits.

(d) No person shall drive a school bus to or from school or interschool or intraschool functions or activities at a speed greater than 45 miles per hour on any roadway having dirt, sand or gravel surface, and in no event shall a school bus be driven to and from school or activities in excess of 55 miles per hour, notwithstanding any maximum speed limit in excess thereof. The provisions of this subsection shall also apply to buses used for the transportation of students enrolled in community junior colleges or area vocation schools when such buses are transporting students to or from school functions or activities.

14-103. SAME; RACING ON HIGHWAYS. The title of Section 37 is hereby changed to read as follows: Racing on Highways; Drag Race, Racing, Exhibition of Speed or Acceleration.

14-104. SAME; PEDESTRIANS ON HIGHWAYS. Section 68 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Repealed by:
ORDINANCE NO. 1175C
Adopted: 8/21/90
Effective: _____

Section 68. Pedestrians on Highways. (a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk, jog or run along and upon an adjacent roadway.

(b) Where a sidewalk is not available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run only on a shoulder, as far as practicable from the edge of the roadway.

(c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk, jog or run only on the left side of the roadway.

(d) Except as otherwise provided in this ordinance, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

Section 2. REPEAL OF SECTIONS. Existing Sections 14-101, 14-102, 14-103, 14-104, and 14-105 of the Code of the City of Leawood are hereby repealed. (Prior law: 14-101, 102, 103, 104 - Ord. No. 1025C; 14-105 - Ord. No. 1099C)

Section 3. VALIDITY OF ORDINANCE. 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.

Section 4. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 5th day of September, 1989.

Approved by the Mayor the 6th day of September, 1989.

(S E A L)

Attest:

Martha Heizer
Martha Heizer, City Clerk

Marcia Rinehart
Marcia Rinehart, Mayor

APPROVED FOR FORM:

K. S. Wetzler
K. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 9/12/89
 2nd _____
 3rd _____
 4th _____
 5th _____
 6th _____

John Lewis
 Business Manager

Subscribed and sworn to before me this 12 day of Sept, 1989.

Susan G. Hetherington
 Notary Public

My commission expires: 3/30/91

Publication Fees: \$47.12

SUSAN G. HETHERINGTON

Notary Public - State of Kansas
 My Appt. Exp. 3-30-91

ORD. #1120C

First published in The Weekly Johnson County Legal Record, Tuesday, September 12, 1989.

ORDINANCE NO. 1120C AN ORDINANCE ADOPTING THE 1989 EDITION OF THE "STANDARD TRAFFIC ORDINANCE", AND REPEALING EXISTING SECTIONS.

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

Section 1. ADOPTION OF "STANDARD TRAFFIC ORDINANCE". Article 1 ("Standard Traffic Ordinance") of Chapter 14 of the Code of the City of Leawood is hereby amended to read as follows:

14-101. INCORPORATING "STANDARD TRAFFIC ORDINANCE". There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Leawood, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", Edition of 1989, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three copies of said standard ordinance shall be marked or stamped "Official Copy", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

14-102. AMENDMENTS; SPEED LIMITS. Section 33 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Section 33. Maximum Speed Limits. (a) Except when a special hazard exists that requires lower speed for compliance with Section 32, the limits specified in this Section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits:

(1) All vehicles 20 miles per hour in any business district.
 (2) All vehicles 20 miles per hour in any park under the jurisdiction of this city.

(3) All vehicles 20 miles per hour during those hours when students are going to and from school of any day school is in session, upon streets and/or parts of streets abutting school property and adjacent to school crosswalks designated as school zones; provided that appropriate signs are erected giving notice of such speed limits and the times said limits are in force, said times to be determined by the Chief of Police with the consent of the City Council.

(4) All vehicles 25 miles per hour in any residential district and on other streets within the City except where modified by engineering and traffic investigation as provided hereafter in subsection (b) of this Section. The maximum speed limit established by or pursuant to this paragraph shall be of force and effect regardless of whether signs are posted giving notice thereof and notwithstanding any signs giving notice of maximum speed limits in excess thereof, and any sign giving notice of a maximum speed limit in excess of the limits established by or pursuant to this paragraph shall not be of any force or effect, subject to the following exception.

(b) The Chief of Police is hereby authorized and empowered to designate maximum speed zones when he or she shall find and determine that such regulation is necessary for safety purposes or to expedite traffic, to the extent any such regulation is not in conflict with any law of the City. The Chief of Police shall, following ratification of his or her designations under this subsection by the Governing Body, place and maintain the necessary traffic-control signs and devices.

(c) Whenever the Chief of Police shall determine upon the basis of an engineering and traffic investigation that any speed limit herein set forth is greater or less than is reasonable or safe under the conditions found to exist, the governing body shall declare by resolution a reasonable and safe speed limit consistent with applicable state and local statutes which shall be effective at all times or during daytime or nighttime or at such other times as may be determined when appropriate signs giving notice thereof are erected pursuant to council action and K.S.A. 8-1560 and 8-2002. It shall be unlawful for any person to drive a vehicle at a speed in excess of such declared maximum limits.

(d) No person shall drive a school bus to or from school or interschool or intraschool functions or activities at a speed greater than 45 miles per hour on any roadway having dirt, sand or gravel surface, and in no event shall a school bus be driven to and from school or activities in excess of 55 miles per hour, notwithstanding any maximum speed limit in excess thereof. The provisions of this subsection shall also apply to buses used for the transportation of students enrolled in community junior colleges or area vocation schools when such buses are transporting students to or from school functions or activities.

14-103. SAME; RACING ON HIGHWAYS. The title of Section 37 is hereby changed to read as follows: Racing on Highways; Drag Race, Racing, Exhibition of Speed or Acceleration.

14-104. SAME; PEDESTRIANS ON HIGHWAYS. Section 68 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Section 68. Pedestrians on Highways. (a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk, jog or run along and upon an adjacent roadway.

(b) Where a sidewalk is not available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run only on a shoulder, as far as practicable from the edge of the roadway.

(c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk, jog or run only on the left side of the roadway.

(d) Except as otherwise provided in this ordinance, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

Section 2. REPEAL OF SECTIONS. Existing Sections 14-101, 14-102, 14-103, 14-104, and 14-105 of the Code of the City of Leawood are hereby repealed. (Prior law: 14-101, 102, 103, 104 -

Ord. No. 1025C; 14-105 - Ord. No. 1099C)

Section 3. VALIDITY OF ORDINANCE. 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.

Section 4. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 5th day of September, 1989.
 Approved by the Mayor the 6th day of September, 1989.

(SEAL)
 /s/ Marcia Rinehart, Mayor
 Attest:
 /s/ Martha Heizer, City Clerk
 APPROVED FOR FORM:
 /s/ R.S. Wetzler, City Attorney
 9/12

AN ORDINANCE GRANTING AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR UTILITY PURPOSES.

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

19-6,209. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Kansas City Power & Light Company on property described as follows:

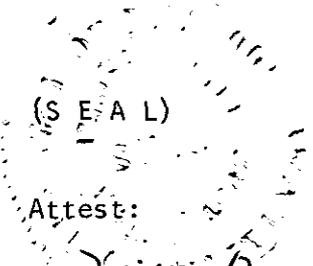
A tract of land ten (10) feet in width the center line of which is described as follows: Beginning at a point on the Westerly right-of-way line of Tomahawk Creek Parkway, as now established, said point being fifty (50) feet South of the North line of the Northwest Quarter (NW 1/4) of Section 15, Township 13, Range 25, Johnson County, Kansas; thence Easterly, parallel with and fifty (50) feet South of said North line of the Northwest Quarter (NW 1/4) of said Section 15, a distance of six hundred sixty (660) feet; thence to the left at an angle of ninety degrees (90°) from the last described course through the Northwest Quarter (NW 1/4) of said Section 15 into and through the Southwest Quarter (SW 1/4) of Section 10, Township 13, Range 25, Johnson County, Kansas, to a point on the Northerly line of Tract A, LEAWOOD GREENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, said point being one thousand nine hundred ninety (1990) feet East of the West line of the Southwest Quarter (SW 1/4) of said Section 10. Excepting any part of the above described ten (10) foot tract of land lying in public roads, as now established.

19-6,210. Section 2. INCORPORATION BY REFERENCE. A copy of said easement is attached hereto and thereby incorporated by reference.

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

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.



Attest:

Martha Heizer
Martha Heizer City Clerk

Marcia Rinehart
Marcia Rinehart Mayor

APPROVED FOR FORM: *R.E. Wetzler*
R.E. Wetzler City Attorney

EASEMENT CONVEYANCE
(Corporation)

KNOW ALL MEN BY THESE PRESENTS, that CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS,
a corporation doing business in the County of Johnson and State of Kansas,

for and in consideration of the sum of ONE Dollar (\$1.00), and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, do hereby grant, bargain, sell, convey and confirm unto Kansas City Power & Light Company, 1330 Baltimore, Kansas City, Missouri, a Missouri corporation, and unto its successors and assigns, a right of way easement over, along, across and under the lands hereinafter described, including the right and privilege at any time and from time to time to enter on said right of way and erect, construct, maintain, repair and relocate ~~poles, wires, guys, anchors,~~ underground cables, conduits, pad mounted transformers and service pedestals, and all appurtenances thereto for the transmission and distribution of electric energy and for communication purposes, and including the right and privilege at any time and from time to time to patrol said right of way, ~~and to cut, top, trim and remove such brush and trees, if any, on or adjacent to said right of way,~~ as may be necessary or desirable to maintain any appurtenances thereon, said right of way being over, along, across and under the following described lands in the County of Johnson, State of Kansas, to wit:

A tract of land ten (10) feet in width the center line of which is described as follows: Beginning at a point on the Westerly right of way line of Tomahawk Creek Parkway, as now established, said point being fifty (50) feet South of the North line of the Northwest Quarter (NW 1/4) of Section 15, Township 13, Range 25, Johnson County, Kansas; thence Easterly, parallel with and fifty (50) feet South of said North line of the Northwest Quarter (NW 1/4) of said Section 15, a distance of six hundred sixty (660) feet; thence to the left at an angle of ninety degrees (90°) from the last described course through the Northwest Quarter (NW 1/4) of said Section 15 into and through the Southwest Quarter (SW 1/4) of Section 10, Township 13, Range 25, Johnson County, Kansas, to a point on the Northerly line of Tract A, LEAWOOD GREENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, said point being one thousand nine hundred ninety (1990) feet East of the West line of the Southwest Quarter (SW 1/4) of said Section 10. Excepting any part of the above described ten (10) foot tract of land lying in public roads, as now established.

This easement conveyance shall run with the land and shall be binding upon the Grantor, its successors and assigns.

TO HAVE AND TO HOLD THE SAME, together with all appurtenances, necessary incidents and immunities thereunto belonging or in any manner appertaining, unto the said Kansas City Power & Light Company, a corporation, and unto its successors and assigns, forever.

IN WITNESS WHEREOF, the CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS
(Name of Corporation)

has caused these presents to be signed by its Mayor -President- and attested by its City Clerk ~~Secretary~~, and its corporate seal to be hereunto affixed this 21st day of August, A.D. 1989.

CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS
By Marcia Rinehart
Marcia Rinehart, Mayor
--President--

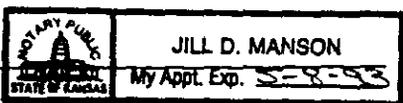
Attest Martha Heizer
Martha Heizer, City Clerk
Secretary-

(CORPORATE SEAL)
State of Kansas
County of Johnson ss.

On this 21st day of August, 1989, before me, a Notary Public, appeared Marcia Rinehart, to me personally known, who, being by me duly sworn, did say that he is the Mayor -President- of the City of Leawood, Kansas
(Name of Corporation)

described in and which executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Governing Body and the said Mayor acknowledged said deed to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.

My Commission Expires  Notary Public Jill D. Manson
County of Johnson State of Kansas

EASEMENT CONVEYANCE

INSTRUMENT NO. _____

FROM CITY OF LEAWOOD

TO---KANSAS CITY POWER & LIGHT COMPANY
1330 Baltimore, Kansas City, MO

NE

SE QTR OF THE SW QTR

15

13

25

Sect. 10

Twp. 13

Range 25

County of JOHNSON

C.D.# 8-60950C

Filed for record this _____ day

of _____ A.D., 19 _____

at _____ o'clock _____ minutes _____ M.

Recorded in Book _____ at Page _____

Recorder

By _____ Deputy

Recorder's Fee, \$ _____

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

- 1st 8/22
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 22 day of Aug, 1989.

Susan G. Hetherington
Notary Public
My commission expires: 3/30/91

Publication Fees: 3.1482

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp 3-30-91

ORD. 1119

ORDINANCE NO. 1119

AN ORDINANCE GRANTING AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR UTILITY PURPOSES.

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

19-6,209. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Kansas City Power & Light Company on property described as follows:

A tract of land ten (10) feet in width the center line of which is described as follows: Beginning at a point on the Westerly right-of-way line of Tomahawk Creek Parkway, as now established, said point being fifty (50) feet South of the North line of the Northwest Quarter (NW 1/4) of Section 15, Township 13, Range 25, Johnson County, Kansas; thence Easterly, parallel with and fifty (50) feet South of said North line of the Northwest Quarter (NW 1/4) of said Section 15, a distance of six hundred sixty (660) feet; thence to the left at an angle of ninety degrees (90°) from the last described course through the Northwest Quarter (NW 1/4) of said Section 15 into and through the Southwest Quarter (SW 1/4) of Section 10, Township 13, Range 25, Johnson County, Kansas, to a point on the Northerly line of Tract A, LEAWOOD GREENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, said point being one thousand nine hundred ninety (1990) feet East of the West line of the Southwest Quarter (SW 1/4) of said Section 10. Excepting any part of the above described ten (10) foot tract of land lying in public roads, as now established.

19-6,210. Section 2. INCORPORATION BY REFERENCE. A copy of said easement is attached hereto and thereby incorporated by reference.

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

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L) /s/ Marcia Rinehart
Marcia Rinehart, Mayor

Attest:
/s/ Martha Heizer
Martha Heizer, City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler
R.S. Wetzler, City Attorney

ORDINANCE NO. 1118

AN ORDINANCE AMENDING SECTION 17-302 OF THE "SUBDIVISION REGULATIONS" OF THE CITY OF LEAWOOD, KANSAS, RELATING TO SUBDIVISION DESIGN STANDARDS, PRIVATE STREETS; AND REPEALING EXISTING SECTION.

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

Section 1. AMENDMENT. Section 17-302 of the "Subdivision Regulations", dated January 16, 1978, and adopted by reference by the "Code of the City of Leawood, 1984", is hereby amended to read as follows:

17-302. SUBDIVISION DESIGN STANDARDS.

A. Streets. The arrangement, character, extent, width, grade and location of all streets shall conform to all of the elements of the Major Street Plan and shall be designed in accordance with the following provisions:

1. Major streets shall be planned to conform with the Major Street Plan.

2. Whenever a subdivision abuts or contains an existing or proposed major street, the Plan Commission may require service streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

3. Local streets shall be laid out so that their use by through traffic will be discouraged.

4. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Plan Commission may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard to the requirements of approach grades and future grade separation structures.

5. Reserve strips controlling access to streets shall be prohibited except where their control is placed in the City under conditions approved by the Plan Commission.

6. Where the plat to be submitted includes only part of the tract owned or intended for development by the subdivider, a tentative plan of a proposed future street system for the unsubdivided portion shall be prepared and submitted by the subdivider.

7. When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of

future streets and appropriate resubdivision, with provision for adequate utility easements and connections for such resubdivision.

8. Street jogs with centerline offsets of less than one hundred and fifty (150) feet shall not be permitted.

9. Streets shall intersect at approximately right angles and no street should intersect any other street at an angle of less than seventy-five (75) degrees.

10. Street rights-of-way, pavement widths, maximum and minimum gradients, sight distance requirements, horizontal and vertical alignment, and other design elements shall be in accordance with the Leawood Street Construction Standards based on the street classification shown on the Major Street Plan. Where unusual topographic conditions exist in the opinion of the Plan Commission and the City Engineer, slight modification from these standards may be permitted. New streets not shown on the Major Street Plan shall be designed to local street standards unless the Plan Commission determines that higher design standards are required to serve anticipated traffic demands.

11. A cul-de-sac shall not exceed five hundred (500) feet in length, measured from the entrance to the center of the turnaround. The turnaround shall have an outside property line radius of not less than 50 feet and a curblin radius of 40 feet. There shall be provided in the center of the turnaround an unpaved island improved with grass and landscaping that will not interfere with sight distance. Said unpaved area shall have a radius of not less than twelve (12) feet and shall be curbed.

12. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and provided that the Plan Commission finds it will be practical to obtain the dedication of the other half of the street right-of-way within a reasonable time.

13. The arrangement of streets shall be such as to facilitate the subdividing of adjacent properties. Street stubs shall be platted and paved at intervals in keeping with maximum block length standards, topography and property lines of land adjacent.

14. Street names and numbers shall be assigned by the City of Leawood.

A.1. Scope of Ordinance. This ordinance shall deal exclusively with private streets. Any other reference to streets in this section shall be construed to be a reference to public streets.

1. Private streets shall be allowed only within residential developments as defined and authorized in Article 10 of the Leawood Zoning Regulations.

2. Plats with private streets shall have the private

streets clearly and boldly marked on the drawing portion, as well as in the written portion.

3. Any street which has been platted as a private street shall remain as a private street in perpetuity.

4. Any person making application for an occupancy permit for a residence constructed within a subdivision containing a private street, shall certify to the City that he has mailed by restricted certified mail to the initial purchaser of said residence a copy of the declaration of restrictions along with a letter calling particular attention to the fact that the residence may be subject to assessments for the maintenance of private streets within the subdivision or development.

5. The City will install a standard "private street sign" at each private street connection to a public street at the developer's expense.

6. Each private street shall be designed and constructed to handle its and any connecting street's traffic loading.

7. All design factors of a private street shall be considered on an individual basis with the following minimum requirements:

- a. 28 feet wide, back to back of curb
- b. 8 inch pavement thickness, conforming to City standards
- c. 1% minimum and 12% maximum gradients
- d. 25 miles per hour sight radius
- e. 65 foot center line radius

8. Lay down type curb and gutter, as approved by the City, shall be constructed along the public street curb line at the intersection of each public and private street, thus forming a ribbon of concrete separating the public and private street.

9. A public safety covenant in a form to be approved by the City shall be filed of record.

10. Street lights and/or sidewalks may be installed at the developer's discretion. In the event street lights and/or sidewalks are installed, their installations and their continued maintenance shall be the responsibility of the developer.

11. Adequate utility easements shall be provided.

B. Easements. Easements not less than fifteen (15) feet wide shall be provided for use by public and private utilities along each rear lot line, and along side lot lines where necessary, in the following manner:

1. A permanent easement not less than seven and one-half (7-1/2) feet wide shall be provided along the rear lot line, or along the side lot line where necessary, of each

abutting or adjoining lot.

2. Where the land owned and being subdivided ends at a rear or side lot line and the subdivider is unable to obtain from the adjoining property owners an easement not less than seven and one-half (7-1/2) feet wide, the Plan Commission upon finding that the easement will be available from the adjoining property owners at a future date, may approve the grant of an easement along each rear lot line, or side lot line where necessary, not less than ten (10) feet.

3. Easements shall be maintained free of buildings or structures. The Plan Commission may require area easements and easements of greater width for the extension of main storm and sanitary sewers, surface drainageways and other utilities where it is deemed necessary.

C. Storm Drainage. All subdivisions shall be provided with storm water disposal systems in compliance with the DESIGN CRITERIA FOR STORM SEWERS AND APPURTENANCES published by the Kansas City Metropolitan Chapter of the American Public Works Association and amendments thereto. Hydrological calculations shall utilize a time of concentration (TC) of ten minutes unless otherwise directed by the City Engineer. All subdivision plats shall include easements for purposes of access to and protection of underground and surface drainageways. Where drainageways serve a sufficiently large area that underground pipe is impractical, the City may require the subdivider to either perform channel improvements or, in the alternative, dedicate an easement of greater width than the drainageway currently requires in order to allow for overflow and sideslope deterioration. In addition, the calculated one hundred year flood elevation, as computed by a registered engineer, shall be depicted on the preliminary plat and submitted to the City Engineer with the Public Works Elements. This calculation and mapped flood line shall be submitted regardless of the presence of any flood plain as shown on the Flood Insurance Rate Maps of the Flood Insurance Agency. In case such flood prone area occurs within the subdivision the subdivider shall provide assurance that any building constructed in the flood prone area will have its lowest opening at or above the said 100 year flood elevation. Any grading within the flood prone area shall not proceed until review and approval is received from the Kansas Board of Water Resources as set out in K.S.A. 74-2611. In addition, the 100 year Floodway as depicted on the Flood Insurance Map, Department of Housing and Urban Development, shall be shown on the same preliminary plat if applicable to any portion of the subdivision.

Alternative methods of handling surface water may be required or permitted by the Plan Commission and City Council upon recommendation of the City Engineer. Such alternatives may include retention or detention basins, rooftop or parking lot detention, bank stabilization, velocity dissipation

techniques and other methods that are shown to be in the long term public interest.

Prior to issuance of a building permit within a subdivision, the City Architect shall review a plot plan submitted by the applicant indicating finished grades for each lot and specifying by proper indications thereon the direction of flow of surface drainage and facilities for its disposition adequately to preclude damage to any adjacent property by virtue of such drainage.

D. Dedication or Reservation of Public Areas, Parkland and Open Space.

1. In subdividing land, due consideration shall be given by the subdivider to the dedication or reservation of land for public parks, playgrounds, school sites, open spaces and other public areas, which shall be provided in accordance with the requirements and standards set forth in the Comprehensive Development Plan, as amended, and in the ordinances relating thereto. Notwithstanding the above, park impact fees may be due at final plat approval for residential development or at building permit issuance for non-residential development pursuant to Ordinance No. 985C.

2. All areas proposed to be reserved or dedicated shall be indicated on the preliminary plat in accordance with Article 2, Section 17-201B of these Subdivision Regulations in order that it may be determined when, in what manner and under what circumstances and conditions such areas will be reserved or dedicated to the City or other appropriate public agency. The Plan Commission shall require that reserved or dedicated lands be of suitable size, location, dimension, topography and general character and shall have proper and adequate road and/or pedestrian access, as may be appropriate, for the particular purpose for which such land is intended to be used. Reserved or dedicated land shall be clearly indicated as such on the preliminary plat.

3. Reservation or dedication of land may be required by the City as a condition of subdivision approval, or the subdivider may voluntarily offer land to the City for reservation or dedication. If the City requires such dedication as a condition of preliminary plat approval, the amount of land required to be dedicated in residential subdivisions shall not exceed ten percent (10%) of the tract being subdivided, exclusive of streets, alleys, easements or other public ways; provided, however, that a subdivider may voluntarily dedicate more than ten percent (10%) of the tract being subdivided.

4. The Plan Commission shall, during the preliminary plat review, determine whether the land proposed to be reserved or dedicated is for parkland or open space and, if so, whether such land is of a size, location, dimension, topography and general character so as to be suitable for

such purposes and consistent with the Park and Recreation element of the Master Plan. The Plan Commission may, at its discretion and in accordance with the Master Plan, grant compensating density in exchange for all or a portion of land dedicated pursuant to this provision in order to achieve a balanced project and a fair and equitable result.

5. In its approval of a preliminary plat which proposes reservation or dedication, the Plan Commission may impose such conditions as deemed necessary to ensure that the purposes and intent of this section are satisfied.

6. The final plat of a tract including reservation or dedication of land shall be consistent with the approved preliminary plat and shall incorporate all conditions and requirements imposed by the Plan Commission.

7. A final plat that has been approved by the Plan Commission and which shows dedication of land shall be submitted to the Governing Body for acceptance of the proposed dedication. No dedication shall be deemed approved without express action of the Governing Body in the form of a written "Acceptance of Dedication". Failure of the Governing Body to execute an Acceptance of Dedication shall be deemed to be a refusal of the proposed dedication. A final plat which shows a dedication which has not been accepted by the Governing Body shall not be dated or endorsed by the Plan Commission and shall not be filed with the Register of Deeds.

8. If the Governing Body refuses to accept the dedication, the final plat shall be returned to the subdivider for resubmission to the Plan Commission with the appropriate changes to indicate the use of the portion of the property originally proposed to be dedicated.

E. Blocks.

1. The lengths, widths and shapes of blocks will be determined with due regard to the following:

a. Provision shall be made for the use of adequate building sites suitable for the special needs of the type of use contemplated.

b. Zoning requirements as to lot sizes and dimensions shall be met.

c. The proposed subdivision must be designed to provide the needs for convenient access, circulation, control and street safety.

d. The subdivision shall be designed to function adequately within the limitations and opportunities provided by the topography of the site.

2. Blocks for residential use shall not be longer than eighteen hundred (1,800) feet along the center line of the block. When a block exceeds six hundred (600) feet in length, the Plan Commission may require a dedicated and

fenced easement containing a paved crosswalk not less than five (5) feet in width to provide pedestrian access across the block.

3. Blocks used for residential purposes shall be of sufficient width to allow for two tiers of lots of appropriate depth. Blocks intended for business and industrial use shall be of a width suitable for the intended use, with due allowance for screening and off-street parking and loading facilities.

F. Lots.

1. Residential lots shall have a width not less than that specified in the Leawood Zoning Ordinance. Lots fronting on a cul-de-sac turnaround shall have a frontage on the turnaround of not less than forty-five (45) feet. Lots shall be of a generally symmetrical shape, shall permit construction of a broad range of building shapes and sizes, shall not have a depth greater than three times the width and shall have its buildable width generally face, and directly relate to, the street upon which it fronts.

2. Side lot lines shall be approximately at right angles or radial to street lines.

3. The depth of residential lots shall be not less than one hundred and twenty (120) feet or that specified in the Zoning Ordinance, whichever is greater.

4. The area of residential lots shall be not less than twelve thousand (12,000) square feet or that specified in the Zoning Ordinance, whichever is greater.

5. In subdivisions where commercial and industrial uses are planned, provisions shall be made for adequate street access, off-street parking and loading, varying lot sizes, avoidance of face-to-face relationships with residential lots and shall utilize transitional land use patterns where possible.

G. Building Lines. Building lines along all front and side streets shall be shown on the final plat and shall, as a minimum, comply with yard requirements of the Leawood Zoning Ordinance.

Section 2. LIBERAL CONSTRUCTION. The provisions of this ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare and convenience.

Section 3. SEVERABILITY. Should any sentence, section, clause, part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any

part thereof, other than the part declared to be invalid.

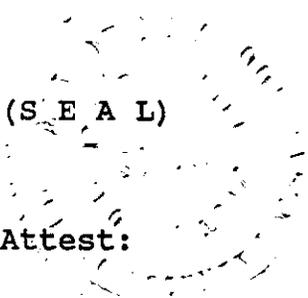
Section 4. REPEAL. Section 17-302 of Ordinance No. 995C and of the "Subdivision Regulations", dated January 16, 1978, and adopted by the "Code of the City of Leawood, 1984", is hereby repealed.

Section 5. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzier

City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 8/22
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager
Subscribed and sworn to
before me this 22 day of
Aug. 1987.

Susan G. Hetherington
Notary Public

My commission expires:
3/30/91

Publication
Fees: \$108.68

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3 30 91

AN ORDINANCE AMENDING SECTION 17-302 OF THE "SUBDIVISION REGULATIONS" OF THE CITY OF LEAWOOD, KANSAS, RELATING TO SUBDIVISION DESIGN STANDARDS, PRIVATE STREETS, AND REPEALING EXISTING SECTION.

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

Section 1. AMENDMENT. Section 17-302 of the "Subdivision Regulations", dated January 16, 1978, and adopted by reference by the "Code of the City of Leawood, 1984", is hereby amended to read as follows:

17-302. SUBDIVISION DESIGN STANDARDS.

A. Streets. The arrangement, character, extent, width, grade and location of all streets shall conform to all of the elements of the Major Street Plan and shall be designed in accordance with the following provisions:

1. Major streets shall be planned to conform with the Major Street Plan.
2. Whenever a subdivision abuts or contains an existing or proposed major street, the Plan Commission may require service streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
3. Local streets shall be laid out so that their use by through traffic will be discouraged.
4. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Plan Commission may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard to the requirements of approach grades and future grade separation structures.
5. Reserve strips controlling access to streets shall be prohibited except where their control is placed in the City under conditions approved by the Plan Commission.
6. Where the plat to be submitted includes only part of the tract owned or intended for development, by the subdivider, a tentative plan of a proposed future street system for the unsubdivided portion shall be prepared and submitted by the subdivider.
7. When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision, with provision for adequate utility easements and connections for such resubdivision.
8. Street jogs with centerline offsets of less than one hundred and fifty (150) feet shall not be permitted.
9. Streets shall intersect at approximately right angles and no street should intersect any other street at an angle of less than seventy-five (75) degrees.
10. Street rights-of-way, pavement widths, maximum and minimum gradients, sight distance requirements, horizontal and vertical alignment, and other design elements shall be in accordance with the Leawood Street Construction Standards based on the street classification shown on the Major Street Plan. Where unusual topographic conditions exist in the opinion of the Plan Commission and the City Engineer, slight modification from these standards may be permitted. New streets not shown on the Major Street Plan shall be designed to local street standards unless the Plan Commission determines that higher design standards are required to serve anticipated traffic demands.
11. A cul-de-sac shall not exceed five hundred (500) feet in length, measured from the entrance to the center of the turnaround. The turnaround shall have an outside property line radius of not less than 50 feet and a curbline radius of 40 feet. There shall be provided in the center of the turnaround an untraveled island improved with grass and landscaping that will not interfere with sight distance. Said untraveled area shall have a radius of not less than twelve (12) feet and shall be curbed.
12. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and provided that the Plan Commission finds it will be practical to obtain the dedication of the other half of the street right-of-way within a reasonable time.
13. The arrangement of streets shall be such as to facilitate the subdividing of adjacent properties. Street stubs shall be platted and paved at intervals in keeping with maximum block length standards, topography and property lines of land adjacent.
14. Street names and numbers shall be assigned by the City of Leawood.

A.1. Scope of Ordinance. This ordinance shall deal exclusively with private streets. Any other reference to streets in this section shall be construed to be a reference to public streets.

1. Private streets shall be allowed only within residential developments as defined and authorized in Article 10 of the Leawood Zoning Regulations.
2. Plats with private streets shall have the private streets clearly and boldly marked on the drawing portion, as well as in the written portion.
3. Any street which has been platted as a private street shall remain as a private street in perpetuity.
4. Any person making application for an occupancy permit for a residence constructed within a subdivision containing a private street, shall certify to the City that he has mailed by restricted certified mail to the initial purchaser of said residence a copy of the declaration of restrictions along with a letter calling particular attention to the fact that the residence may be subject to assessments for the maintenance of private streets within the subdivision or development.
5. The City will install a standard "private street sign" at each private street connection to a public street at the developer's expense.
6. Each private street shall be designed and constructed to handle its and any connecting street's traffic loading.
7. All design factors of a private street shall be considered on an individual basis with the following minimum requirements:
 - a. 28 feet wide, back to back of curb
 - b. 8 inch pavement thickness, conforming to City standards
 - c. 1% minimum and 12% maximum gradients
 - d. 25 miles per hour sight radius
 - e. 65 foot center line radius
8. Lay down type curb and gutter, as approved by the City, shall be constructed along the public street curb line at the intersection of each public and private street, thus forming a ribbon of concrete separating the public and private street.
9. A public safety covenant in a form to be approved by the City shall be filed of record.
10. Street lights and/or sidewalks may be installed at the developer's discretion. In the event street lights and/or sidewalks are installed, their installations and their continued maintenance shall be the responsibility of the developer.
11. Adequate utility easements shall be provided.

B. Easements. Easements not less than fifteen (15) feet wide shall be provided for use by public and private utilities along each rear lot line, and along side lot lines where necessary, in the following manner:

1. A permanent easement not less than seven and one-half (7-1/2) feet wide shall be provided along the rear lot line, or along the side lot line where necessary, of each abutting or adjoining lot.
 2. Where the land owned and being subdivided ends at a rear or side lot line and the subdivider is unable to obtain from the adjoining property owners an easement not less than seven and one-half (7-1/2) feet wide, the Plan Commission upon finding that the easement will be available from the adjoining property owners at a future date, may approve the grant of an easement along each rear lot line, or side lot line where necessary, not less than ten (10) feet.
 3. Easements shall be maintained free of buildings or structures. The Plan Commission may require area easements and easements of greater width for the extension of main storm and sanitary sewers, surface drainageways and other utilities where it is deemed necessary.
- C. Storm Drainage.** All subdivisions shall be provided with storm water disposal systems in compliance with the DESIGN CRITERIA FOR STORM SEWERS AND APPURTENANCES published by the Kansas City Metropolitan Chapter of the American Public Works Association and amendments thereto. Hydrological calculations shall utilize a time of concentration (TC) of ten minutes unless otherwise directed by the City Engineer. All subdivision plats shall include easements for purposes of access to and protection of underground and surface drainageways. Where drainageways serve a sufficiently large area that underground pipe is impractical, the City may require the subdivider to either perform channel improvements or, in the alternative, dedicate an easement of greater width than the drainageway currently requires in order to allow for overflow and sideflow deterioration. In addition, the calculated one hundred year flood elevation, as computed by a registered engineer, shall be depicted on the preliminary plat and submitted to the City Engineer with the Public Works Elements. This calculation and mapped flood line shall be submitted regardless of the presence of any flood plain as shown on the Flood Insurance Rate Maps of the Flood Insurance Agency. In case such flood prone area occurs within the subdivision the subdivider shall provide assurance that any building constructed in the flood

prone area will have its lowest opening at or above the said 100 year flood elevation. Any grading within the flood prone area shall not proceed until review and approval is received from the Kansas Board of Water Resources as set out in K.S.A. 74-2611. In addition, the 100 year Floodway as depicted on the Flood Insurance Map, Department of Housing and Urban Development, shall be shown on the same preliminary plat if applicable to any portion of the subdivision.

Alternative methods of handling surface water may be required or permitted by the Plan Commission and City Council upon recommendation of the City Engineer. Such alternatives may include retention or detention basins, rooftop or parking lot detention, bank stabilization, velocity dissipation techniques and other methods that are shown to be in the long term public interest.

Prior to issuance of a building permit within a subdivision, the City Architect shall review a plot plan submitted by the applicant indicating finished grades for each lot and specifying by proper indications thereon the direction of flow of surface drainage and facilities for its disposition adequately to preclude damage to any adjacent property by virtue of such drainage.

D. Dedication or Reservation of Public Areas, Parkland and Open Space.

1. In subdividing land, due consideration shall be given by the subdivider to the dedication or reservation of land for public parks, playgrounds, school sites, open spaces and other public areas, which shall be provided in accordance with the requirements and standards set forth in the Comprehensive Development Plan, as amended, and in the ordinances relating thereto. Notwithstanding the above, park impact fees may be due at final plat approval for residential development or at building permit issuance for non-residential development pursuant to Ordinance No. 985C.
2. All areas proposed to be reserved or dedicated shall be indicated on the preliminary plat in accordance with Article 2, Section 17-201B of these Subdivision Regulations in order that it may be determined when, in what manner and under what circumstances and conditions such areas will be reserved or dedicated to the City or other appropriate public agency. The Plan Commission shall require that reserved or dedicated lands be of suitable size, location, dimension, topography and general character and shall have proper and adequate road and/or pedestrian access, as may be appropriate, for the particular purpose for which such land is intended to be used. Reserved or dedicated land shall be clearly indicated as such on the preliminary plat.
3. Reservation or dedication of land may be required by the City as a condition of subdivision approval, or the subdivider may voluntarily offer land to the City for reservation or dedication. If the City requires such dedication as a condition of preliminary plat approval, the amount of land required to be dedicated in residential subdivisions shall not exceed ten percent (10%) of the tract being subdivided, exclusive of streets, alleys, easements or other public ways; provided, however, that a subdivider may voluntarily dedicate more than ten percent (10%) of the tract being subdivided.
4. The Plan Commission shall, during the preliminary plat review, determine whether the land proposed to be reserved or dedicated is for parkland or open space and, if so, whether such land is of a size, location, dimension, topography and general character so as to be suitable for such purposes and consistent with the Park and Recreation element of the Master Plan. The Plan Commission may, at its discretion and in accordance with the Master Plan, grant compensating density in exchange for all or a portion of land dedicated pursuant to this provision in order to achieve a balanced project and a fair and equitable result.
5. In its approval of a preliminary plat which proposes reservation or dedication, the Plan Commission may impose such conditions as deemed necessary to ensure that the purposes and intent of this section are satisfied.
6. The final plat of a tract including reservation or dedication of land shall be consistent with the approved preliminary plat and shall incorporate all conditions and requirements imposed by the Plan Commission.
7. A final plat that has been approved by the Plan Commission and which shows dedication of land shall be submitted to the Governing Body for acceptance of the proposed dedication. No dedication shall be deemed approved without express action of the Governing Body in the form of a written "Acceptance of Dedication". Failure of the Governing Body to execute an Acceptance of Dedication shall be deemed to be a refusal of the proposed dedication. A final plat which shows a dedication which has not been accepted by the Governing Body shall not be dated or endorsed by the Plan Commission and shall not be filed with the Register of Deeds.
8. If the Governing Body refuses to accept the dedication, the final plat shall be returned to the subdivider for resubmission to the Plan Commission with the appropriate changes to indicate the use of the portion of the property originally proposed to be dedicated.

E. Blocks.

1. The lengths, widths and shapes of blocks will be determined with due regard to the following:
 - a. Provision shall be made for the use of adequate building sites suitable for the special needs of the type of use contemplated.
 - b. Zoning requirements as to lot sizes and dimensions shall be met.
 - c. The proposed subdivision must be designed to provide the needs for convenient access, circulation, control and street safety.
 - d. The subdivision shall be designed to function adequately within the limitations and opportunities provided by the topography of the site.
2. Blocks for residential use shall not be longer than eighteen hundred (1,800) feet along the center line of the block. When a block exceeds six hundred (600) feet in length, the Plan Commission may require a dedicated and fenced easement containing a paved crosswalk not less than five (5) feet in width to provide pedestrian access across the block.
3. Blocks used for residential purposes shall be of sufficient width to allow for two tiers of lots of appropriate depth. Blocks intended for business and industrial use shall be of a width suitable for the intended use, with due allowance for screening and off-street parking and loading facilities.

F. Lots.

1. Residential lots shall have a width not less than that specified in the Leawood Zoning Ordinance. Lots fronting on a cul-de-sac turnaround shall have a frontage on the turnaround of not less than forty-five (45) feet. Lots shall be of a generally symmetrical shape, shall permit construction of a broad range of building shapes and sizes, shall not have a depth greater than three times the width and shall have its buildable width generally face, and directly relate to, the street upon which it fronts.
 2. Side lot lines shall be approximately at right angles or radial to street lines.
 3. The depth of residential lots shall be not less than one hundred and twenty (120) feet or that specified in the Zoning Ordinance, whichever is greater.
 4. The area of residential lots shall be not less than twelve thousand (12,000) square feet or that specified in the Zoning Ordinance, whichever is greater.
 5. In subdivisions where commercial and industrial uses are planned, provisions shall be made for adequate street access, off-street parking and loading, varying lot sizes, avoidance of face-to-face relationships with residential lots and shall utilize transitional land use patterns where possible.

G. Building Lines. Building lines along all front and side streets shall be shown on the final plat and shall, as a minimum, comply with yard requirements of the Leawood Zoning Ordinance.

Section 2. LIBERAL CONSTRUCTION. The provisions of this ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare and convenience.

Section 3. SEVERABILITY. Should any sentence, section, clause, part or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 4. REPEAL. Section 17-302 of Ordinance No. 995C and the "Subdivision Regulations", dated January 16, 1978, and adopted by the "Code of the City of Leawood, 1984", is hereby repealed.

Section 5. TAKE EFFECT. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L) /s/ Marcia Rinehart
Marcia Rinehart Mayor

/s/ Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler
R.S. Wetzler City Attorney

ORDINANCE NO. 1117

AN ORDINANCE ESTABLISHING THE 1990 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

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

28-311. Section 1. 1990 ANNUAL ASSESSMENT. Pursuant to the terms of Section 15-104 of the "Code of the City of Leawood, 1984", the following shall be the formula to establish the 1990 annual assessment for all users of the Leawood Sewer System:

User Charge = Volume Charge + Customer Service Charge + Replacement Cost Charge;

Volume Charge = \$1.1982 per 1000 gallons of water used. The minimum volume for residential users shall be 33,000 gallons per year; the minimum volume for commercial users shall be 12,000 gallons per year;

Customer Service Charge = \$80.00 per user per unit;

Replacement Cost = \$0.00/account (for 1990);

Special Charge = \$26.02/account; Debt Service, Public Works Facility; 1986 Sewer Repair

28-312. Section 2. PUBLICATION. This ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

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

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler

City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 2 consecutive week(s) as follows:

1st 8/22
2nd 8/29
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager

Subscribed and sworn to before me this 29 day of Aug, 1989.

Susan G. Hetherington
Notary Public

My commission expires: 3/30/91

Publication

Fees: \$29.64

SUSAN G. HETHERINGTON

Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORD. 1117

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Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L)

/s/ Marcia Rinehart

Marcia Rinehart

Mayor

Attest:

/s/ Martha Heizer

Martha-Heizer

City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler

R.S. Wetzler

City Attorney

AN ORDINANCE RELATING TO ZONING OF PROPERTY IN THE CITY OF LEAWOOD,
KANSAS, AND REPEAL OF EXISTING SECTION.

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

18-1209. 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" of April 17, 1978, this property having been previously zoned RP-4, Planned Cluster Residential District:

This is a resurvey and resubdivision of Tract "A", OXFORD PARK, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the N1/2 of Frac. Section 23, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas; thence S 89° 14' 26" E, along the South line of the N1/2 of said Frac. Section 23, a distance of 570.26 feet, to the true point of beginning of subject tract, said point also being on the centerline of Pembroke Lane, as now established; thence N 0° 45' 34" E, along the centerline of said Pembroke Lane, a distance of 115 feet, to a point of curvature; thence Northerly and Northwesterly, along the centerline of said Pembroke Lane, said line being on a curve to the left, having a radius of 300 feet and a central angle of 37° 32' 38", a distance of 196.58 feet, to a point of tangency; thence N 36° 47' 04" W, along the centerline of said Pembroke Lane, a distance of 56.77 feet, to a point of curvature; thence Northwesterly, Northerly, and Northeasterly, along the centerline of said Pembroke Lane, said line being on a curve to the right, having a radius of 400 feet and a central angle of 42° 53' 04", a distance of 299.39 feet, to a point of tangency; thence N 6° 06' E, along the centerline of said Pembroke Lane, a distance of 177 feet, to a point of curvature; thence Northeasterly, along the centerline of said Pembroke Lane and along the centerline of 121st Terrace, as now established, said line being on a curve to the right, having a radius of 300 feet and a central angle of 42° 24', a distance of 222.01 feet, to a point of compound curvature; thence Northeasterly and Easterly, along the centerline of said 121st Terrace, said line being on a curve to the right, having a radius of 500 feet, a central angle of 41° 43' 25", and whose initial tangent bearing is N 48° 30' E, a distance of 364.11 feet, to a point of tangency; thence S 89° 46' 35" E, along the centerline of said 121st Terrace, a distance of 252 feet, to a point on the East line of the N1/2 of said Frac. Section 23, said point also being on the Kansas-Missouri State Line, as now established; thence S 0° 12' 51" W, along the East line of the N1/2 of said Frac. Section 23 and along said Kansas-Missouri State Line, a distance of 1126.47 feet, to the Southeast corner of the N1/2 of said Frac. Section 23; thence N 89° 14' 26" W, along the South line of the N1/2 of said Frac. Section 23, a distance of 529.87 feet, to the true point of beginning of subject tract, containing 13.101 Acres, more or less, of replatted land.

(Leawood Plaza)

18-1005. Section 2. The following described real property is hereby designated as being zoned RP-4, Planned Cluster Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned RP-4:

This is a resurvey and resubdivision of Tract B, OXFORD PARK, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the NE1/4 of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas; thence S 89° 57' 52" W, along the South line of the NE1/4 of said Section 22, a distance of 100 feet, to a point 100 feet West of the East line thereof, said point also being on the Southerly extension of the West line of said Tract B; thence N 0° 27' 47" E, along a line 100 feet West of and parallel to the East line of the NE1/4 of said Section 22, and along the West line and its extension of said Tract B, a distance of 1325.88 feet, to a point on the North line of the SE1/4 of the NE1/4 of said Section 22, said point also being the Northwest corner of said Tract B; thence S 89° 57' 59" E, along the North line of the SE1/4 of the NE1/4 of said Section 22 and along the North line of said Tract B, a distance of 100 feet, to the Northeast corner of the SE1/4 of the NE1/4 of said Section 22; thence S 89° 28' 11" E, along the North line of the S1/2 of the N1/2 of Frac. Section 23, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, and along the North line and its extension of said Tract B, a distance of 1094.33 feet, to the Northeast corner of the S1/2 of the N1/2 of said Frac. Section 23; thence S 0° 12' 51" W, along the East line of the S1/2 of the N1/2 of said Frac. Section 23, a distance of 203.70 feet, to a point on the centerline of 121st Terrace, as now established; thence N 89° 46' 35" W, along the centerline of said 121st Terrace, a distance of 252 feet, to a point of curvature; thence Westerly and Southwesterly, along the centerline of said 121st Terrace and along the centerline of Pembroke Lane, as now established, said line being on a curve to the left, having a radius of 500 feet and a central angle of 41° 43' 25", a distance of 364.11 feet, to a point of compound curvature; thence Southwesterly, along the centerline of said 121st Terrace and along the centerline of said Pembroke Lane, said line being on a curve to the left, having a radius of 300 feet, a central angle of 42° 24', and whose initial tangent bearing is S 48° 30' W, a distance of 222.01 feet, to a point of tangency; thence S 6° 06' W, along the centerline of said Pembroke Lane, a distance of 177 feet, to a point of curvature; thence Southwesterly, Southerly, and Southeasterly, along the centerline of said Pembroke Lane, said line being on a curve to the left, having a radius of 400 feet and a central angle of 42° 53' 04", a distance of 299.39 feet, to a point of tangency; thence

S 36° 47' 04" E, along the centerline of said Pembroke Lane, a distance of 56.77 feet, to a point of curvature; thence Southeasterly and Southerly, along the centerline of said Pembroke Lane, said line being on a curve to the right, having a radius of 300 feet and a central angle of 37° 32' 38", a distance of 196.58 feet, to a point of tangency; thence S 0° 45' 34" W, along the centerline of said Pembroke Lane, a distance of 115 feet, to a point on the South line of the N1/2 of said Frac. Section 23; thence N 89° 14' 26" W, along the South line of the N1/2 of said Frac. Section 23, a distance of 570.26 feet, to the point of beginning, containing 20.640 Acres, more or less, of replatted land. (Pembroke Court)

Section 3. Section 18-1005 of Ordinance No. 764 is hereby repealed.

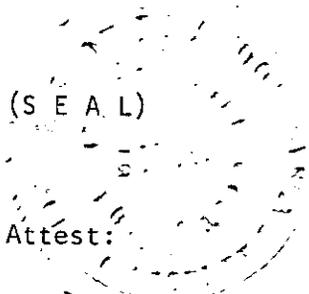
Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L)

Attest:


Marcia Rinehart
Marcia Rinehart Mayor

Martha Heizer
Martha Heizer

City Clerk

APPROVED FOR FORM:

R.S. Wetzler
R.S. Wetzler

City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 8/22
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 22 day of Aug., 1989.

Susan G. Hetherington
Notary Public
My commission expires: 3/30/91

Publication Fees: \$ 34.58

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

August 22, 1989, Page 7

ORD. 1116

ORDINANCE NO. 1116

AN ORDINANCE RELATING TO ZONING OF PROPERTY IN THE CITY OF LEAWOOD, KANSAS, AND REPEAL OF EXISTING SECTION.

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

18-1209. 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" of April 17, 1978, this property having been previously zoned RP-4, Planned Cluster Residential District:

This is a resurvey and resubdivision of Tract "A", OXFORD PARK, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the N1/2 of Frac. Section 23, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas; thence S 89° 14' 26" E, along the South line of the N1/2 of said Frac. Section 23, a distance of 570.26 feet, to the true point of beginning of subject tract, said point also being on the centerline of Pembroke Lane, as now established; thence N 0° 45' 34" E, along the centerline of said Pembroke Lane, a distance of 115 feet, to a point of curvature; thence Northerly and Northwesterly, along the centerline of said Pembroke Lane, said line being on a curve to the left, having a radius of 300 feet and a central angle of 37° 32' 38", a distance of 196.58 feet, to a point of tangency; thence N 36° 47' 04" W, along the centerline of said Pembroke Lane, a distance of 56.77 feet, to a point of curvature; thence Northwesterly, Northerly, and Northeasterly, along the centerline of said Pembroke Lane, said line being on a curve to the right, having a radius of 400 feet and a central angle of 42° 53' 04", a distance of 299.39 feet, to a point of tangency; thence N 6° 06' E, along the centerline of said Pembroke Lane, a distance of 177 feet, to a point of curvature; thence Northeasterly, along the centerline of said Pembroke Lane and along the centerline of 121st Terrace, as now established, said line being on a curve to the right, having a radius of 300 feet and a central angle of 42° 24', a distance of 222.01 feet, to a point of compound curvature; thence Northeasterly and Easterly, along the centerline of said 121st Terrace, said line being on a curve to the right, having a radius of 500 feet, a central angle of 41° 43' 25", and whose initial tangent bearing is N 48° 30' E, a distance of 364.11 feet, to a point of tangency; thence S 89° 46' 35" E, along the centerline of said 121st Terrace, a distance of 252 feet, to a point on the East line of the N1/2 of said Frac. Section 23, said point also being on the Kansas-Missouri State Line, as now established; thence S 0° 12' 51" W, along the East line of the N1/2 of said Frac. Section 23 and along said Kansas-Missouri State Line, a distance of 1126.47 feet, to the Southeast corner of the N1/2 of said Frac. Section 23; thence N 89° 14' 26" W, along the South line of the N1/2 of said Frac. Section 23, a distance of 529.87 feet, to the true point of beginning of subject tract, containing 13.101 Acres, more or less, of replatted land.

(Leawood Plaza)

18-1005. Section 2. The following described real property is hereby designated as being zoned RP-4, Planned Cluster Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned RP-4:

This is a resurvey and resubdivision of Tract B, OXFORD PARK, a subdivision of land now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the NE1/4 of Section 22, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas; thence S 89° 57' 52" W, along the South line of the NE1/4 of said Section 22, a distance of 100 feet, to a point 100 feet West of the East line thereof, said point also being on the Southerly extension of the West line of said Tract B; thence N 0° 27' 47" E, along a line 100 feet West of and parallel to the East line of the NE1/4 of said Section 22, and along the West line and its extension of said Tract B, a distance of 1325.88 feet, to a point on the North line of the SE1/4 of the NE1/4 of said Section 22, said point also being the Northwest corner of said Tract B; thence S 89° 57' 59" E, along the North line of the SE1/4 of the NE1/4 of said Section 22 and along the North line of said Tract B, a distance of 100 feet, to the Northeast corner of the SE1/4 of the NE1/4 of said Section 22; thence S 89° 28' 11" E, along the North line of the S1/2 of the N1/2 of Frac. Section 23, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, and along the North line and its extension of said Tract B, a distance of 1094.33 feet, to the Northeast corner of the S1/2 of the N1/2 of said Frac. Section 23; thence S 0° 12' 51" W, along the East line of the S1/2 of the N1/2 of said Frac. Section 23, a distance of 203.70 feet, to a point on the centerline of 121st Terrace, as now established; thence N 89° 46' 35" W, along the centerline of said 121st Terrace, a distance of 252 feet, to a point of curvature; thence Westerly and Southwesterly, along the centerline of said 121st Terrace and along the centerline of Pembroke Lane, as now established, said line being on a curve to the left, having a radius of 500 feet and a central angle of 41° 43' 25", a distance of 364.11 feet, to a point of compound curvature; thence Southwesterly, along the centerline of said 121st Terrace and along the centerline of said Pembroke Lane, said line being on a curve to the left, having a radius of 300 feet, a central angle of 42° 24', and whose initial tangent bearing is S 48° 30' W, a distance of 222.01 feet, to a point of tangency; thence S 6° 06' W, along the centerline of said Pembroke Lane, a distance of 177 feet, to a point of curvature; thence Southwesterly, Southerly, and Southeasterly, along the centerline of said Pembroke Lane, said line being on a curve to the left, having a radius of 400 feet and a central angle of 42° 53' 04", a distance of 299.39 feet, to a point of tangency; thence S 36° 47' 04" E, along the centerline of said Pembroke Lane, a distance of 56.77 feet, to a point of curvature; thence Southeasterly and Southerly, along the centerline of said Pembroke Lane, said line being on a curve to the right, having a radius of 300 feet and a central angle of 37° 32' 38", a distance of 196.58 feet, to a point of tangency; thence S 0° 45' 34" W, along the centerline of said Pembroke Lane, a distance of 115 feet, to a point on the South line of the N1/2 of said Frac. Section 23; thence N 89° 14' 26" W, along the South line of the N1/2 of said Frac. Section 23, a distance of 570.26 feet, to the point of beginning, containing 20.640 Acres, more or less, of replatted land. (Pembroke Court)

Section 3. Section 18-1005 of Ordinance No. 764 is hereby repealed.

Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 21st day of August, 1989.

Approved by the Mayor the 22nd day of August, 1989.

(S E A L) /s/ Marcia Rinehart
Marcia Rinehart Mayor

Attest: /s/ Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler
R.S. Wetzler City Attorney

ORDINANCE NO. 1115

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, SPECIFICALLY BRISTOL PLACE SUBDIVISION, FOR THE PURPOSE OF PAYING THEIR PROPORTIONATE SHARE OF THE COST OF CONSTRUCTING IMPROVEMENTS TO 127TH STREET BETWEEN ROE AVENUE AND MISSION ROAD, A DISTANCE OF APPROXIMATELY 2,640 FEET (IMPROVEMENT DISTRICT 83-1), ALL AS PROVIDED BY LAW AND PARTICULARLY SECTIONS 12-6a01 TO 12-6a18 INCLUSIVE, K.S.A., AS AMENDED.

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood, Kansas:

The construction and improvements of 127th Street, from the center line of Roe Avenue (the west line of the northeast quarter of Section 28, Township 13, Range 25) to the center line of Mission Road (east line of the northeast quarter, Section 28, Township 13, Range 25), a distance of 2,640 feet more or less. The improvements will be a 36 foot roadway in width, back to back with curb, all improvements to be inclusive of the storm drainage facilities, street lighting and other appurtenances.

and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is \$606,741.71 and that 100% of the total cost thereof be assessed against the improvement district and none to be paid by the City at large in conformance with Resolution No. 617 pertaining to City policy with respect to the improvement district; and

WHEREAS, Resolution No. 617 authorized the deferral of assessments against certain property until subdivided or developed; and

WHEREAS, the deferral was exercised for property owned by A.W. Doepke and Martha Jo Doepke within the boundary of Improvement District 83-1; and

WHEREAS, deferred property was subsequently subdivided and developed and is known as Bristol Place Subdivision; and

WHEREAS, said Governing Body has determined that deferred assessment should be reassessed to the subdivided property in accordance with the provisions of Resolution No. 617; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF

THE CITY OF LEAWOOD, KANSAS:

20-1,490. Section 1. Special assessments, which were deferred in accordance with the provisions of Resolution No. 617, to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots liable for special assessment for said improvement as set out on Exhibit A attached hereto.

20-1,491. Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in ten annual installments. The first installment shall be payable at the time the first payment of general property taxes following the adopting and publication of this ordinance.

20-1,492. Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.

Section 4. This ordinance shall take effect and be in force from and after its publication as provided by law.

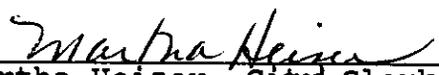
Passed by the Council the 7th day of August, 1989.

Approved by the Mayor the 7th day of August, 1989.

(S.E.A.L.)

ATTEST:


Marcia Rinehart, Mayor


Martha Heizer, City Clerk

Approved for Form:

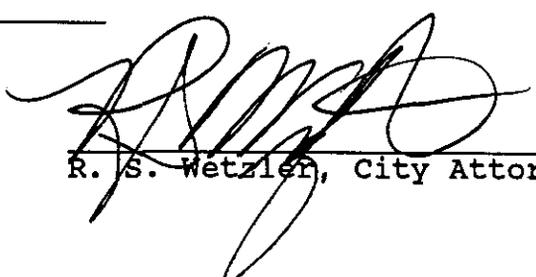

R. S. Wetzler, City Attorney

EXHIBIT A
FINAL ASSESSMENT ROLL

REASSESSMENT OF IMPROVEMENT
DISTRICT 83-1
127TH STREET - ROE AVENUE TO MISSION ROAD
BRISTOL PLACE SUBDIVISION
CITY OF LEAWOOD, KANSAS

1. Lot 1, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Ashner Construction Co., Inc.
%Bodine-Ashner Builders Inc.
9300 W. 110th St., # 225
Overland Park, Kansas 66210 \$1,665.95

2. Lot 2, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Ashner Construction Co., Inc.
%Bodine-Ashner Builders Inc.
9300 W. 110th St., # 225
Overland Park, Kansas 66210 \$1,676.16

3. Lot 3, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Ronald P. and Marilyn Baker
3909 W. 125th Ter.
Leawood, Kansas 66209 \$1,779.56

4. Lot 4, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Bodine-Ashner Builders, Inc.
9300 W. 110th St., # 225
Overland Park, Kansas 66210 \$2,749.51

5. Lot 5, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Stephanie S. and Kathryn B. Stephens
9004 Pawnee Lane
Leawood, Kansas 66206 \$1,864.18

6. Lot 6, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

- William F. and Margaret K. Peters
4101 W. 125th Ter.
Leawood, Kansas 66209 \$1,400.51
7. Lot 7, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- Joseph A. and Elaine C. Rhoney
4105 W. 125th Ter.
Leawood, Kansas 66209 \$1,592.90
8. Lot 8, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- Donald E. and Frances M. Desroches
12517 Catalina St.
Leawood, Kansas 66209 \$1,607.55
9. Lot 9, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- John E. and Mary J. Opel
12518 Catalina St.
Leawood, Kansas 66209 \$1,862.90
10. Lot 10, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- Lloyd and Gaye D. Vonsprecken
12516 Catalina St.
Leawood, Kansas 66209 \$1,811.37
11. Lot 11, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- Leslie Sha and Anne Behrens
* Railroad Savings
110 S. Main St., #2933
Wichita, Kansas 67201 \$1,680.82
12. Lot 12, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- Stephen A. and Rachel G. Pontzer
12508 Catalina St.
Leawood, Kansas 66209 \$1,434.61
13. Lot 13, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Thomas E. and Joyce E. Farmer
12504 Catalina St.
Leawood, Kansas 66210 \$1,409.02
14. Lot 14, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- J. Michael and Christine F Waring
12500 Catalina St.
Leawood, Kansas 66209 \$2,241.16

15. Lot 15, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

James E. and Judith L. Kafka
12501 Catalina St.
Leawood, Kansas 66209 \$2,066.65
16. Lot 16, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Peter P. and Susan M. Gencarelli
12505 Catalina St.
Leawood, Kansas 66211 \$1,449.43
17. Lot 17, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

James M. and Georgina E. Newman
12509 Catalina St.
Leawood, Kansas 66209 \$1,625.20
18. Lot 18, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

B. J. and Lucille M. Kissick
4112 W. 125th Ter.
Leawood, Kansas 66209 \$1,428.70
19. Lot 19, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Larry L. and Terri L. Groce
4108 W. 125th Ter.
Leawood, Kansas 66209 \$1,405.77
20. Lot 20, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Roman S. Jr. and Andrietta L. Enriquez
4104 W. 125th Ter.
Leawood, Kansas 66209 \$1,276.78
21. Lot 21, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Paul Heacock
Frankona America Service Co.
2405 Grand Ave., #900
Kansas City, Missouri 64108 \$1,253.97
22. Lot 22, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

Thomas C. and Sharon S. Usher
12516 Buena Vista St.
Leawood, Kansas 66209 \$3,430.39
23. Lot 23, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

- E. Thomas III and Janet W. Long
12512 Buena Vista St.
Leawood, Kansas 66209 \$1,650.46
24. Lot 24, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Craig L. and Dorothy E. Hamlin
12508 Buena Vista St.
Leawood, Kansas 66209 \$1,956.07
25. Lot 25, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Terron L. Jackson
c/o Johnson County Bank
6940 Mission Rd.
Prairie Village, Kansas 66208 \$1,717.48
26. Lot 26, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Dean D. III and Nancy C. Richards
12500 Buena Vista St.
Leawood, Kansas 66209 \$1,671.39
27. Lot 27, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- John Jr. and Jane Wurzer
12501 Buena Vista St.
Leawood, Kansas 66209 \$1,964.43
28. Lot 28, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- James L. Osborn
12505 Buena Vista St.
Leawood, Kansas 66209 \$1,266.34
29. Lot 29, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Bradford K. and Pamela S. Moore
12509 Buena Vista St.
Leawood, Kansas 66209 \$1,682.01
30. Lot 30, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Lawrence A. and Katherine M. Swain
12516 Alhambra St.
Leawood, Kansas 66209 \$2,191.58
31. Lot 31, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

- John R. and Marlene Waltz
12512 Alhambra St.
Leawood, Kansas 66209 \$1,730.66
32. Lot 32, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Mark and Carol Chaykin
12508 Alhambra St.
Leawood, Kansas 66209 \$1,472.40
33. Lot 33, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Stephen C. and Joanne E. Eisold
12504 Alhambra St.
Leawood, Kansas 66209 \$2,058.04
34. Lot 34, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Ashner Construction Co., Inc.
Bodine-Ashner Bldrs. Inc.
9300 W. 110th St. # 225
Overland Park, Kansas 66210 \$2,047.99
35. Lot 35, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Ashner Construction Co., Inc.
Bodine-Ashner Bldrs. Inc.
9300 W. 110th St. # 225
Overland Park, Kansas 66210 \$1,902.25
36. Lot 36, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- James P. and Tina M. Mullinix
11659 Grant Drive.
Overland Park, Kansas 66210 \$1,521.81
37. Lot 37, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Bristol Place Homes Assoc., Inc.
C/O Larry Swain
12516 Alhambra Street
Leawood, Kansas 66209 \$1,801.99
38. Lot 38, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Ashner Construction Co., Inc.
Bodine-Ashner Builders, Inc.
9300 W. 110th Street, #225
Overland Park, Kansas 66210 \$1,356.70
39. Lot 39, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

Dennis M. and Donna E. Wilcox
3904 W. 125th Terrace
Leawood, Kansas 66209

\$1,347.06

40. Lot 40, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

Ashner Construction Co., Inc.
Bodine-Ashner Builders, Inc.
9300 W. 110th Street, #225
Overland Park, Kansas 66210

\$1,477.45

Total Reassessment Cost \$69,529.20

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

1886978

1989 AUG -9 A 11: 23.6

ORDINANCE NO. 1115

2200

SARA F. ULLMANN
REGISTER OF DEEDS

BY _____ DEP.

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, SPECIFICALLY BRISTOL PLACE SUBDIVISION, FOR THE PURPOSE OF PAYING THEIR PROPORTIONATE SHARE OF THE COST OF CONSTRUCTING IMPROVEMENTS TO 127TH STREET BETWEEN ROE AVENUE AND MISSION ROAD, A DISTANCE OF APPROXIMATELY 2,640 FEET (IMPROVEMENT DISTRICT 83-1), ALL AS PROVIDED BY LAW AND PARTICULARLY SECTIONS 12-6a01 TO 12-6a18 INCLUSIVE, K.S.A., AS AMENDED.

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood, Kansas:

The construction and improvements of 127th Street, from the center line of Roe Avenue (the west line of the northeast quarter of Section 28, Township 13, Range 25) to the center line of Mission Road (east line of the northeast quarter, Section 28, Township 13, Range 25), a distance of 2,640 feet more or less. The improvements will be a 36 foot roadway in width, back to back with curb, all improvements to be inclusive of the storm drainage facilities, street lighting and other appurtenances.

and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is \$606,741.71 and that 100% of the total cost thereof be assessed against the improvement district and none to be paid by the City at large in conformance with Resolution No. 617 pertaining to City policy with respect to the improvement district; and

WHEREAS, Resolution No. 617 authorized the deferral of assessments against certain property until subdivided or developed; and

WHEREAS, the deferral was exercised for property owned by A.W. Doepke and Martha Jo Doepke within the boundary of Improvement District 83-1; and

WHEREAS, deferred property was subsequently subdivided and developed and is known as Bristol Place Subdivision; and

WHEREAS, said Governing Body has determined that deferred assessment should be reassessed to the subdivided property in accordance with the provisions of Resolution No. 617; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF

2200
k

THE CITY OF LEAWOOD, KANSAS:

20-1,490. Section 1. Special assessments, which were deferred in accordance with the provisions of Resolution No. 617, to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots liable for special assessment for said improvement as set out on Exhibit A attached hereto.

20-1,491. Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in ten annual installments. The first installment shall be payable at the time the first payment of general property taxes following the adopting and publication of this ordinance.

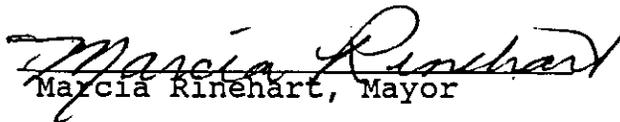
20-1,492. Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.

Section 4. This ordinance shall take effect and be in force from and after its publication as provided by law.

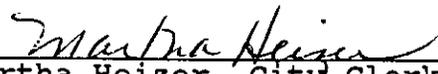
Passed by the Council the 7th day of August, 1989.

Approved by the Mayor the 7th day of August, 1989.

(S E A L)


Marcia Rinehart, Mayor

ATTEST:


Martha Heizer, City Clerk

Approved for Form:

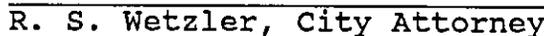

R. S. Wetzler, City Attorney

EXHIBIT A
FINAL ASSESSMENT ROLL

REASSESSMENT OF IMPROVEMENT
DISTRICT 83-1
127TH STREET - ROE AVENUE TO MISSION ROAD
BRISTOL PLACE SUBDIVISION
CITY OF LEAWOOD, KANSAS

1. Lot 1, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Ashner Construction Co., Inc.
‡Bodine-Ashner Builders Inc.
9300 W. 110th St., # 225
Overland Park, Kansas 66210 \$1,665.95

2. Lot 2, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Ashner Construction Co., Inc.
‡Bodine-Ashner Builders Inc.
9300 W. 110th St., # 225
Overland Park, Kansas 66210 \$1,676.16

3. Lot 3, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Ronald P. and Marilyn Baker
3909 W. 125th Ter.
Leawood, Kansas 66209 \$1,779.56

4. Lot 4, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Bodine-Ashner Builders, Inc.
9300 W. 110th St., # 225
Overland Park, Kansas 66210 \$2,749.51

5. Lot 5, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Stephanie S. and Kathryn B. Stephens
9004 Pawnee Lane
Leawood, Kansas 66206 \$1,864.18

6. Lot 6, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

- William F. and Margaret K. Peters
4101 W. 125th Ter.
Leawood, Kansas 66209 \$1,400.51
7. Lot 7, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- Joseph A. and Elaine C. Rhoney
4105 W. 125th Ter.
Leawood, Kansas 66209 \$1,592.90
8. Lot 8, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- Donald E. and Frances M. Desroches
12517 Catalina St.
Leawood, Kansas 66209 \$1,607.55
9. Lot 9, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- John E. and Mary J. Opel
12518 Catalina St.
Leawood, Kansas 66209 \$1,862.90
10. Lot 10, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- Lloyd and Gaye D. Vonsprecken
12516 Catalina St.
Leawood, Kansas 66209 \$1,811.37
11. Lot 11, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- Leslie Sha and Anne Behrens
& Railroad Savings
110 S. Main St., #2933
Wichita, Kansas 67201 \$1,680.82
12. Lot 12, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas.
- Stephen A. and Rachel G. Pontzer
12508 Catalina St.
Leawood, Kansas 66209 \$1,434.61
13. Lot 13, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Thomas E. and Joyce E. Farmer
12504 Catalina St.
Leawood, Kansas 66210 \$1,409.02
14. Lot 14, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- J. Michael and Christine F Waring
12500 Catalina St.
Leawood, Kansas 66209 \$2,241.16

15. Lot 15, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
- James E. and Judith L. Kafka
12501 Catalina St.
Leawood, Kansas 66209 \$2,066.65
16. Lot 16, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
- Peter P. and Susan M. Gencarelli
12505 Catalina St.
Leawood, Kansas 66211 \$1,449.43
17. Lot 17, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
- James M. and Georgina E. Newman
12509 Catalina St.
Leawood, Kansas 66209 \$1,625.20
18. Lot 18, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
- B. J. and Lucille M. Kissick
4112 W. 125th Ter.
Leawood, Kansas 66209 \$1,428.70
19. Lot 19, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
- Larry L. and Terri L. Groce
4108 W. 125th Ter.
Leawood, Kansas 66209 \$1,405.77
20. Lot 20, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
- Roman S. Jr. and Andrietta L. Enriquez
4104 W. 125th Ter.
Leawood, Kansas 66209 \$1,276.78
21. Lot 21, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
- Paul Heacock
Frankona America Service Co.
2405 Grand Ave., #900
Kansas City, Missouri 64108 \$1,253.97
22. Lot 22, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas
- Thomas C. and Sharon S. Usher
12516 Buena Vista St.
Leawood, Kansas 66209 \$3,430.39
23. Lot 23, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas

- E. Thomas III and Janet W. Long
12512 Buena Vista St.
Leawood, Kansas 66209 \$1,650.46
24. Lot 24, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

Craig L. and Dorothy E. Hamlin
12508 Buena Vista St.
Leawood, Kansas 66209 \$1,956.07
25. Lot 25, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

Terron L. Jackson
c/o Johnson County Bank
6940 Mission Rd.
Prairie Village, Kansas 66208 \$1,717.48
26. Lot 26, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

Dean D. III and Nancy C. Richards
12500 Buena Vista St.
Leawood, Kansas 66209 \$1,671.39
27. Lot 27, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

John Jr. and Jane Wurzer
12501 Buena Vista St.
Leawood, Kansas 66209 \$1,964.43
28. Lot 28, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

James L. Osborn
12505 Buena Vista St.
Leawood, Kansas 66209 \$1,266.34
29. Lot 29, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

Bradford K. and Pamela S. Moore
12509 Buena Vista St.
Leawood, Kansas 66209 \$1,682.01
30. Lot 30, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

Lawrence A. and Katherine M. Swain
12516 Alhambra St.
Leawood, Kansas 66209 \$2,191.58
31. Lot 31, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

- John R. and Marlene Waltz
12512 Alhambra St.
Leawood, Kansas 66209 \$1,730.66
32. Lot 32, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Mark and Carol Chaykin
12508 Alhambra St.
Leawood, Kansas 66209 \$1,472.40
33. Lot 33, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Stephen C. and Joanne E. Eisold
12504 Alhambra St.
Leawood, Kansas 66209 \$2,058.04
34. Lot 34, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Ashner Construction Co., Inc.
Bodine-Ashner Bldrs. Inc.
9300 W. 110th St. # 225
Overland Park, Kansas 66210 \$2,047.99
35. Lot 35, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Ashner Construction Co., Inc.
Bodine-Ashner Bldrs. Inc.
9300 W. 110th St. # 225
Overland Park, Kansas 66210 \$1,902.25
36. Lot 36, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- James P. and Tina M. Mullinix
11659 Grant Drive.
Overland Park, Kansas 66210 \$1,521.81
37. Lot 37, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Bristol Place Homes Assoc., Inc.
C/O Larry Swain
12516 Alhambra Street
Leawood, Kansas 66209 \$1,801.99
38. Lot 38, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas
- Ashner Construction Co., Inc.
Bodine-Ashner Builders, Inc.
9300 W. 110th Street, #225
Overland Park, Kansas 66210 \$1,356.70
39. Lot 39, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

Dennis M. and Donna E. Wilcox
3904 W. 125th Terrace
Leawood, Kansas 66209

\$1,347.06

40. Lot 40, BRISTOL PLACE, a subdivision in the City of
Leawood, Johnson County, Kansas

Ashner Construction Co., Inc.
Bodine-Ashner Builders, Inc.
9300 W. 110th Street, #225
Overland Park, Kansas 66210

\$1,477.45

Total Reassessment Cost

\$69,529.20

CERTIFICATE

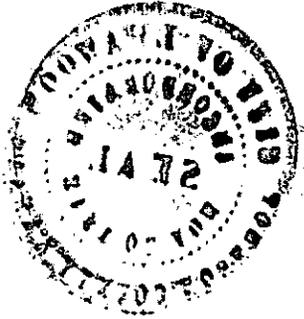
State of Kansas)
County of Johnson)
City of Leawood)

I, Martha Heizer, City Clerk of the City of Leawood, Kansas, hereby certify that the attached is a true and correct copy of Ordinance No. 1115 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said city this 8th day of August, 1989.



Martha Heizer



City of Hayward
94114 Ave Blvd
Hayward, CA. 94606

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 8/8/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis

Business Manager

Subscribed and sworn to before me this 8 day of

Aug., 1989.

Susan G. Hetherington
Notary Public

My commission expires:

3/30/91

Publication

Fees: \$ 99.29

SUSAN G. HETHERINGTON

Notary Public - State of Kansas

My Appt. Exp. 3-30-91

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, SPECIFICALLY BRISTOL PLACE SUBDIVISION, FOR THE PURPOSE OF PAYING THEIR PROPORTIONATE SHARE OF THE COST OF CONSTRUCTING IMPROVEMENTS TO 127TH STREET BETWEEN ROE AVENUE AND MISSION ROAD, A DISTANCE OF APPROXIMATELY 2,640 FEET (IMPROVEMENT DISTRICT 83-1), ALL AS PROVIDED BY LAW AND PARTICULARLY SECTIONS 12-6a01 TO 12-6a18 INCLUSIVE, K.S.A., AS AMENDED.

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood, Kansas:

The construction and improvements of 127th Street, from the center line of Roe Avenue (the west line of the northeast quarter of Section 28, Township 13, Range 25) to the center line of Mission Road (east line of the northeast quarter, Section 28, Township 13, Range 25), a distance of 2,640 feet more or less. The improvements will be a 36 foot roadway in width, back to back with curb, all improvements to be inclusive of the storm drainage facilities, street lighting and other appurtenances.

and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is \$606,741.71 and that 100% of the total cost thereof be assessed against the improvement district and none to be paid by the City at large in conformance with Resolution No. 617 pertaining to City policy with respect to the improvement district; and

WHEREAS, Resolution No. 617 authorized the deferral of assessments against certain property until subdivided or developed; and

WHEREAS, the deferral was exercised for property owned by A.W. Doepke and Martha Jo Doepke within the boundary of Improvement District 83-1; and

WHEREAS, deferred property was subsequently subdivided and developed and is known as Bristol Place Subdivision; and

WHEREAS, said Governing Body has determined that deferred assessment should be reassessed to the subdivided property in accordance with the provisions of Resolution No. 617; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

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

20-1,490. Section 1. Special assessments, which were deferred in accordance with the provisions of Resolution No. 617, to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots liable for special assessment for said improvement as set out on Exhibit A attached hereto.

20-1,491. Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in ten annual installments. The first installment shall be payable at the time the first payment of general property taxes following the adopting and publication of this ordinance.

20-1,492. Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.

Section 4. This ordinance shall take effect and be in force from and after its publication as provided by law.

Passed by the Council the 7th day of August, 1989.

Approved by the Mayor the 7th day of August, 1989.

(SEAL)

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

Approved for Form: /s/ R.S. Wetzler, R.S. Wetzler, City Attorney

EXHIBIT A FINAL ASSESSMENT ROLL REASSESSMENT OF IMPROVEMENT DISTRICT 83-1 127TH STREET - ROE AVENUE TO MISSION ROAD BRISTOL PLACE SUBDIVISION CITY OF LEAWOOD, KANSAS

- 1. Lot 1, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Ashner Construction Co., Inc. #Bodine-Ashner Builders Inc. 9300 W. 110th St., # 225 Overland Park, Kansas 66210 \$1,665.95
2. Lot 2, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Ashner Construction Co., Inc. #Bodine-Ashner Builders Inc. 9300 W. 110th St., # 225 Overland Park, Kansas 66210 \$1,676.16
3. Lot 3, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Ronald P. and Marilyn Baker 3909 W. 125th Ter. Leawood, Kansas 66209 \$1,779.56
4. Lot 4, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Bodine-Ashner Builders, Inc. 9300 W. 110th St., # 225 Overland Park, Kansas 66210 \$2,749.51
5. Lot 5, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Stephanie S. and Kathryn B. Stephens 9004 Pawnee Lane Leawood, Kansas 66206 \$1,864.18
6. Lot 6, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. William F. and Margaret K. Peters 4101 W. 125th Ter. Leawood, Kansas 66209 \$1,400.51
7. Lot 7, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Joseph A. and Elaine C. Rhoney 4105 W. 125th Ter. Leawood, Kansas 66209 \$1,592.90
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9. Lot 9, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. John E. and Mary J. Opel 12518 Catalina St. Leawood, Kansas 66209 \$1,862.90
10. Lot 10, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Lloyd and Gaye D. Vonspreckan 12516 Catalina St. Leawood, Kansas 66209 \$1,811.37
11. Lot 11, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Leslie Sha and Anne Behrens # Railroad Savings 110 S. Main St., #2933 Wichita, Kansas 67201 \$1,680.82
12. Lot 12, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Stephen A. and Rachel C. Pontzer 12508 Catalina St. Leawood, Kansas 66209 \$1,434.61

- 13. Lot 13, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Thomas E. and Joyce E. Farmer 12504 Catalina St. Leawood, Kansas 66210 \$1,409.02
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19. Lot 19, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Larry L. and Terri L. Groce 4108 W. 125th Ter. Leawood, Kansas 66209 \$1,405.77
20. Lot 20, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Roman S. Jr. and Andrietta L. Enriquez 4104 W. 125th Ter. Leawood, Kansas 66209 \$1,276.78
21. Lot 21, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Paul Heacock Frankona America Service Co. 2405 Grand Ave., #900 Kansas City, Missouri 64108 \$1,253.97
22. Lot 22, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Thomas C. and Sharon S. Usher 12516 Buena Vista St. Leawood, Kansas 66209 \$3,430.39
23. Lot 23, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. E. Thomas III and Janet W. Long 12512 Buena Vista St. Leawood, Kansas 66209 \$1,650.46
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25. Lot 25, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Terron L. Jackson c/o Johnson County Bank 6940 Mission Rd. Prairie Village, Kansas 66208 \$1,717.48
26. Lot 26, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Dean D. III and Nancy C. Richards 12500 Buena Vista St. Leawood, Kansas 66209 \$1,671.39
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30. Lot 30, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Lawrence A. and Katherine M. Swain 12516 Alhambra St. Leawood, Kansas 66209 \$2,191.58
31. Lot 31, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. John R. and Marlene Waltz 12512 Alhambra St. Leawood, Kansas 66209 \$1,730.66
32. Lot 32, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Mark and Carol Chaykin 12508 Alhambra St. Leawood, Kansas 66209 \$1,472.40
33. Lot 33, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Stephen G. and Joanne E. Eisold 12504 Alhambra St. Leawood, Kansas 66209 \$2,058.04
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36. Lot 36, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. James P. and Tina M. Mullinix 11659 Grant Drive. Overland Park, Kansas 66210 \$1,321.81
37. Lot 37, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Bristol Place Homes Assoc., Inc. C/O Larry Swain 12516 Alhambra Street Leawood, Kansas 66209 \$1,801.99
38. Lot 38, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Ashner Construction Co., Inc. Bodine-Ashner Builders, Inc. 9300 W. 110th Street, #225 Overland Park, Kansas 66210 \$1,356.70
39. Lot 39, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas. Dennis M. and Donna E. Wilcox 3904 W. 125th Terrace Leawood, Kansas 66209 \$1,347.06
40. Lot 40, BRISTOL PLACE, a subdivision in the City of Leawood, Johnson County, Kansas.

Ashner Construction Co., Inc. Bodine-Ashner Builders, Inc. 9300 W. 110th Street, #225 Overland Park, Kansas 66210 \$1,477.45 Total Reassessment Cost \$69,529.20

AN ORDINANCE RELATING TO ZONING OF PROPERTY (HALLBROOK FARMS) IN THE CITY OF LEAWOOD, KANSAS, AND REPEAL OF EXISTING SECTION.

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

18-1414. Section 1. The following described real property is hereby designated as being zoned RP-1, Planned Single Family Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned RP-4, Planned Cluster Residential District:

This is a subdivision and survey of part of the south 1/2 of Fractional Section 14 and part of the southeast 1/4 of Section 15, all in Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the southeast corner of the southeast 1/4 of said Section 15; thence south $87^{\circ}-47'-56''$ West, along the south line of said southeast 1/4, a distance of 25.00 feet to the southwest corner of Hallbrook Farms, First Plat, a subdivision of land in said City, County and State; thence northerly along the easterly line of said Hallbrook Farms, First Plat, the following bearings and distances: North $1^{\circ}-20'-08''$ West, a distance of 580.00 feet; thence North $11^{\circ}-30'-00''$ West, a distance of 220.30 feet; thence south $84^{\circ}-53'-35''$ West, a distance of 122.48 feet; thence North $82^{\circ}-45'-09''$ West, a distance of 114.25 feet; thence North $69^{\circ}-57'-06''$ West, a distance of 128.39 feet; thence North $61^{\circ}-45'-10''$ West, a distance of 123.24 feet; thence North $15^{\circ}-22'-28''$ East, a distance of 264.82 feet; thence North $2^{\circ}-03'-18''$ West, a distance of 292.66 feet; thence North $10^{\circ}-00'-00''$ East, a distance of 311.25 feet; thence departing the easterly line of said Hallbrook Farms, First Plat, south $46^{\circ}-18'-07''$ East, a distance of 139.42 feet; thence North $77^{\circ}-28'-16''$ East, a distance of 216.57 feet; thence south $30^{\circ}-36'-44''$ East, a distance of 154.86 feet; thence south $7^{\circ}-47'-17''$ West, a distance of 324.10 feet; thence south $63^{\circ}-34'-35''$ East, a distance of 596.68 feet; thence north-easterly along a curve to the left having an initial tangent bearing of north $26^{\circ}-25'-25''$ East, with a radius of 682.50 feet, a central angle of $2^{\circ}-11'-55''$, and an arc distance of 26.19 feet; thence south $65^{\circ}-46'-30''$ East, a distance of 85.00 feet; thence southwesterly along a curve to the right having an initial tangent bearing of south $24^{\circ}-13'-30''$ West, with a radius of 767.50 feet, a central angle of $2^{\circ}-11'-55''$ and an arc distance of 29.45 feet; thence south $63^{\circ}-34'-35''$ East, a distance of 160.00 feet; thence north $87^{\circ}-41'-58''$ East, a distance of 386.38 feet to a point on the east line of the aforesaid south 1/2 of Fractional Section 14; thence south $2^{\circ}-21'-12''$ East, along said east line, a distance of 582.34 feet to the southwest corner of the northwest 1/4 of Fractional Section 7, Township 47 North, Range 33 West, in Kansas City, Jackson County, Missouri; thence south $2^{\circ}-05'-34''$

East along said east line, a distance of 272.37 feet to the southeast corner of said south 1/2; thence south $87^{\circ}-59'-25''$ West along the south line of said south 1/2, a distance of 1088.34 feet to the point of beginning. Except that part previously dedicated for street right-of-way. Containing 33.691 acres, more or less.

18-1008. Section 2. The following described real property is hereby designated as being zoned RP-4, Planned Cluster Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned RP-4:

All that part of Fractional Section 14 and all that part of the east 1/2 of Section 15, all in Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southeast corner of the north 1/2 of said Fractional Section 14; thence south $87^{\circ}-53'-23''$ West along the south line of the north 1/2 of said Fractional Section 14, a distance of 420.35 feet; thence north $2^{\circ}-36'-36''$ West, a distance of 288.01 feet; thence north $87^{\circ}-53'-23''$ East, a distance of 421.50 feet to a point on the east line of said north 1/2; thence north $2^{\circ}-22'-55''$ West, along said east line, a distance of 328.00 feet; thence south $87^{\circ}-53'-23''$ West, a distance of 632.80 feet; thence north $53^{\circ}-44'-52''$ West, a distance of 377.13 feet; thence south $15^{\circ}-11'-09''$ West, a distance of 725.33 feet; thence south $2^{\circ}-21'-24''$ West, a distance of 590.66 feet; thence south $4^{\circ}-40'-46''$ East, a distance of 147.63 feet; thence south $23^{\circ}-39'-57''$ East, a distance of 127.24 feet; thence south $3^{\circ}-29'-26''$ East, a distance of 93.68 feet; thence south $8^{\circ}-20'-51''$ East, a distance of 88.69 feet; thence south $5^{\circ}-02'-39''$ West, a distance of 68.19 feet; thence south $30^{\circ}-36'-44''$ East, a distance of 154.86 feet; thence south $7^{\circ}-47'-17''$ West, a distance of 324.10 feet; thence south $63^{\circ}-34'-35''$ East, a distance of 596.68 feet; thence north-easterly along a curve to the left having an initial tangent bearing of north $26^{\circ}-25'-25''$ East, with a radius of 682.50 feet, a central angle of $2^{\circ}-11'-55''$ and an arc distance of 26.19 feet; thence south $65^{\circ}-46'-30''$ East, a distance of 85.00 feet; thence southwesterly along a curve to the right having an initial tangent bearing of south $24^{\circ}-13'-30''$ West, with a radius of 767.50 feet, a central angle of $2^{\circ}-11'-55''$ and an arc distance of 29.45 feet; thence south $63^{\circ}-34'-35''$ East, a distance of 160.00 feet; thence north $87^{\circ}-41'-53''$ East, a distance of 386.38 feet to a point on the east line of the aforesaid south 1/2 of Fractional Section 14; thence north $2^{\circ}-21'-12''$ West along said east line, a distance of 1675.36 feet to the southwest corner of the southwest 1/4 of Fractional Section 6, Township 47 North, Range 33 West,

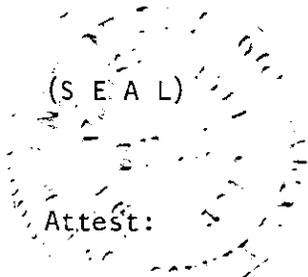
in Kansas City, Jackson County, Missouri; thence north 2°-22'-55" West along the east line of said south 1/2, a distance of 127.40 feet to the point of beginning. Containing 57.449 acres, more or less.

Section 3. Section 18-1008 of Ordinance No. 993 is hereby repealed.

Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 7th day of August, 1989.

Approved by the Mayor the 7th day of August, 1989.



Marcia Rinehart
Marcia Rinehart Mayor

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: [Signature]
R.S. Wetzel City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 8/8/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager

Subscribed and sworn to before me this 8 day of August, 1989.

Susan G. Hetherington
Notary Public

My commission expires: 3/30/91

Publication Fees: \$ 37.05

SUSAN G. HETHERINGTON

Notary Public - State of Kansas
My Appt. Exp. 3-30-91

August 8, 1989, Page 8

ORD. 1114

ORDINANCE NO. 1114

AN ORDINANCE RELATING TO ZONING OF PROPERTY (HALLBROOK FARMS) IN THE CITY OF LEAWOOD, KANSAS, AND REPEAL OF EXISTING SECTION.

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

18-1414. Section 1. The following described real property is hereby designated as being zoned RP-1, Planned Single Family Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned RP-4, Planned Cluster Residential District:

This is a subdivision and survey of part of the south 1/2 of Fractional Section 14 and part of the southeast 1/4 of Section 15, all in Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the southeast corner of the southeast 1/4 of said Section 15; thence south 87°-47'-56" West, along the south line of said southeast 1/4, a distance of 25.00 feet to the southwest corner of Hallbrook Farms, First Plat, a subdivision of land in said City, County and State; thence northerly along the easterly line of said Hallbrook Farms, First Plat, the following bearings and distances; North 1°-20'-08" West, a distance of 580.00 feet; thence North 11°-30'-00" West, a distance of 220.30 feet; thence south 84°-53'-35" West, a distance of 122.48 feet; thence North 82°-45'-09" West, a distance of 114.25 feet; thence North 69°-57'-06" West, a distance of 128.39 feet; thence North 61°-45'-10" West, a distance of 123.24 feet; thence North 15°-22'-28" East; a distance of 264.82 feet; thence North 2°-03'-18" West; a distance of 292.66 feet; thence North 10°-00'-00" East, a distance of 311.25 feet; thence departing the easterly line of said Hallbrook Farms, First Plat, south 46°-18'-07" East, a distance of 139.42 feet; thence North 77°-28'-16" East, a distance of 216.57 feet; thence south 30°-36'-44" East, a distance of 154.86 feet; thence south 7°-47'-17" West, a distance of 324.10 feet; thence south 63°-34'-35" East, a distance of 596.68 feet; thence north-easterly along a curve to the left having an initial tangent bearing of north 26°-25'-25" East, with a radius of 682.50 feet, a central angle of 2°-11'-55", and an arc distance of 26.19 feet; thence south 65°-46'-30" East, a distance of 85.00 feet; thence southwesterly along a curve to the right having an initial tangent bearing of south 24°-13'-30" West, with a radius of 767.50 feet, a central angle of 2°-11'-55" and an arc distance of 29.45 feet; thence south 63°-34'-35" East, a distance of 160.00 feet; thence north 87°-41'-58" East, a distance of 386.38 feet to a point on the east line of the aforesaid south 1/2 of Fractional Section 14; thence south 2°-21'-12" East, along said east line, a distance of 582.34 feet to the southwest corner of the northwest 1/4 of Fractional Section 7, Township 47 North, Range 33 West, in Kansas City, Jackson County, Missouri; thence south 2°-05'-34" East along said east line, a distance of 272.37 feet to the southeast corner of said south 1/2; thence south 87°-59'-25" West along the south line of said south 1/2, a distance of 1088.34 feet to the point of beginning. Except that part previously dedicated for street right-of-way. Containing 33.691 acres, more or less.

18-1008. Section 2. The following described real property is hereby designated as being zoned RP-4, Planned Cluster Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned RP-4:

All that part of Fractional Section 14 and all that part of the east 1/2 of Section 15, all in Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the southeast corner of the north 1/2 of said Fractional Section 14; thence south 87°-53'-23" West along the south line of the north 1/2 of said Fractional Section 14, a distance of 420.35 feet; thence north 2°-36'-36" West, a distance of 288.01 feet; thence north 87°-53'-23" East, a distance of 421.50 feet to a point on the east line of said north 1/2; thence north 2°-22'-55" West, along said east line, a distance of 328.00 feet; thence south 87°-53'-23" West, a distance of 632.80 feet; thence north 53°-44'-52" West, a distance of 377.13 feet; thence south 15°-11'-09" West, a distance of 725.33 feet; thence south 2°-21'-24" West, a distance of 590.66 feet; thence south 4°-40'-46" East, a distance of 147.63 feet; thence south 23°-39'-57" East, a distance of 127.24 feet; thence south 3°-29'-26" East, a distance of 93.68 feet; thence south 8°-20'-51" East, a distance of 88.69 feet; thence south 5°-02'-39" West, a distance of 68.19 feet; thence south 30°-36'-44" East, a distance of 154.86 feet; thence south 7°-47'-17" West, a distance of 324.10 feet; thence south 63°-34'-35" East, a distance of 596.68 feet; thence north-easterly along a curve to the left having an initial tangent bearing of north 26°-25'-25" East, with a radius of 682.50 feet, a central angle of 2°-11'-55" and an arc distance of 26.19 feet; thence south 65°-46'-30" East, a distance of 85.00 feet; thence southwesterly along a curve to the right having an initial tangent bearing of south 24°-13'-30" West, with a radius of 767.50 feet, a central angle of 2°-11'-55" and an arc distance of 29.45 feet; thence south 63°-34'-35" East, a distance of 160.00 feet; thence north 87°-41'-53" East, a distance of 386.38 feet to a point on the east line of the aforesaid south 1/2 of Fractional Section 14; thence north 2°-21'-12" West along said east line, a distance of 1675.36 feet to the southwest corner of the southwest 1/4 of Fractional Section 6, Township 47 North, Range 33 West, in Kansas City, Jackson County, Missouri; thence north 2°-22'-55" West along the east line of said south 1/2, a distance of 127.40 feet to the point of beginning. Containing 57.449 acres, more or less.

Section 3. Section 18-1008 of Ordinance No. 993 is hereby repealed.

Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 7th day of August, 1989.

Approved by the Mayor the 7th day of August, 1989.

(S E A L)

Maria Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler
R.S. Wetzler

City Attorney

ORDINANCE NO. 1113

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF RE-NEWAL TEMPORARY NOTES, SERIES L.I.D. 86-1-89G, PROJECT 107, (ROE AVENUE, 112TH TO 121ST STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$260,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF ROE AVENUE (112TH TO 121ST STREET) INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER APPURTENANCES THERETO.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the Governing Body of the City of Leawood entered into a joint agreement, dated February 4, 1985, with the City of Overland Park and Johnson County, Kansas, to make improvements to Roe Avenue from 112th to 121st Street in the total estimated cost of \$1,500,000.00 with each entity to pay a portion of said costs; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,484. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Renewal Temporary Notes, Series L.I.D. 86-1-89G, Project 107 (Roe Avenue, 112th to 121st Street), in the aggregate principal amount of Two Hundred and Sixty Thousand Dollars (\$260,000), which amount does not exceed the total estimated costs of said improvements.

20-1,485. Section Two: Said issue of Temporary Notes, Series L.I.D. 86-1-89G, Project 107, shall consist of bearer notes numbered from 1 through 3 inclusive, with numbers 1 and 2 each in the denomination of \$100,000.00 and number 3 in the

denomination of \$60,000.00. Each of said notes shall be dated July 25, 1989, and shall have the stated maturity date of January 24, 1990. The notes shall bear interest from their date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.23% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,486. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,487. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,488. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of

the Tax Reform Act of 1986.

20-1,489. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.


Marcia Rinehart
Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

R. S. Wetzler

R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

- 1st 7/18
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

John Lewis
Business Manager

Subscribed and sworn to before me this 18 day of July, 1987.

Susan G. Hetherington
Notary Public

My commission expires: 3/30/91

Publication Fees: 50.73

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,486. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,487. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,488. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;
2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,489. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.

(S E A L)

/s/ Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

/s/ Martha Heizer

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

/s/ R.S. Wetzler

R. S. Wetzler, City Attorney

ORDINANCE NO. 1113

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF RE-NEWAL TEMPORARY NOTES, SERIES L.I.D. 86-1-89C, PROJECT 107, (ROE AVENUE, 112TH TO 121ST STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$260,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF ROE AVENUE (112TH TO 121ST STREET) INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDE-WALKS, PAVEMENT MARKINGS AND OTHER APPURTENANCES THERETO.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a16 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the Governing Body of the City of Leawood entered into a joint agreement, dated February 4, 1985, with the City of Overland Park and Johnson County, Kansas, to make improvements to Roe Avenue from 112th to 121st Street in the total estimated cost of \$1,500,000.00 with each entity to pay a portion of said costs; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a16 and all acts amendatory thereto.

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

20-1,484. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Renewal Temporary Notes, Series L.I.D. 86-1-89C, Project 107 (Roe Avenue, 112th to 121st Street), in the aggregate principal amount of Two Hundred and Sixty Thousand Dollars (\$260,000), which amount does not exceed the total estimated costs of said improvements.

20-1,485. Section Two: Said issue of Temporary Notes, Series L.I.D. 86-1-89C, Project 107, shall consist of bearer notes numbered from 1 through 3 inclusive, with numbers 1 and 2 each in the denomination of \$100,000.00 and number 3 in the denomination of \$60,000.00. Each of said notes shall be dated July 25, 1989, and shall have the stated maturity date of January 24, 1990. The notes shall bear interest from their date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.23% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a16 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last

ORDINANCE NO. 1112

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89J, PROJECT 118 (POLICE/COURT BLDG. & FIRE STATION #1 RE-MODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$400,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF REMODELING, ADDITION AND EQUIPPING OF THE POLICE/COURTS BUILDING AND FIRE STATION #1.

WHEREAS, the Governing Body authorized the improvement or remodel of the Police/Courts Building and Fire Station #1 by the approval of Resolution No. 937 on December 5, 1988; and

WHEREAS, total cost of improvement and remodeling is estimated to be \$1,200,000.00; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-1737 and all acts amendatory thereto and by Resolution No. 937.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD:
24-307. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary design, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89J, Project 118 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of Four Hundred Thousand Dollars (\$400,000.00) which amount does not exceed the total estimated costs of said improvements.

24-308. Section Two: Said issue of Temporary Notes, Series 89J, Project 118 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 4 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated July 25, 1989, and shall have the stated maturity date of July 24, 1990. The note shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 6.24% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-1737 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

24-309. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

24-310. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

24-311. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax-Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the pro-

visions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

24-312. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day
of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.



ATTEST:

Marcia Rinehart

Marcia Rinehart, Mayor

Martha Heizer

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler

R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 7/18
2nd _____
3rd _____
4th _____
5th _____
6th _____

[Signature]
Business Manager

Subscribed and sworn to before me this 18 day of July, 1989.

[Signature]
Notary Public

My commission expires: 3/30/91

Publication

Fees: 45.79

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89J, PROJECT 116 (POLICE/COURT BLDG. & FIRE STATION #1 REMODEL), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$400,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF REMODELING, ADDITION AND EQUIPPING OF THE POLICE/COURTS BUILDING AND FIRE STATION #1.

WHEREAS, the Governing Body authorized the improvement or remodel of the Police/Courts Building and Fire Station #1 by the approval of Resolution No. 937 on December 5, 1988; and

WHEREAS, total cost of improvement and remodeling is estimated to be \$1,200,000.00; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-1737 and all acts amendatory thereto and by Resolution No. 937.

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

24-307. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary design, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89J, Project 116 (Police/Courts Building & Fire Station #1 Remodel), in the aggregate principal amount of Four Hundred Thousand Dollars (\$400,000.00) which amount does not exceed the total estimated costs of said improvements.

24-308. Section Two: Said issue of Temporary Notes, Series 89J, Project 116 (Police/Courts Bldg. & Fire Station #1 Remodel), shall consist of bearer notes numbered 1 through 4 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated July 25, 1989, and shall have the stated maturity date of July 24, 1990. The note shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 6.24% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-1737 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

24-309. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

24-310. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

24-311. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; ~~provided,~~ however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

See page 6

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

24-312. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.

(S E A L) /s/ Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

/s/ Martha Heizer

Martha Heizer, City Clerk

APPROVED AS TO FORM:

ORDINANCE NO. 1111

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89I, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$300,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be \$1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,478. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89I, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of Three Hundred Thousand Dollars (\$300,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1,479. Section Two: Said issue of Temporary Notes, Series 89I, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 3 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated July 25, 1989, and shall have the stated maturity date of July 24, 1990. The note shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 6.28% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,480. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,481. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,482- Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,483. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.



ATTEST:

Martha Heizer
Martha Heizer, City Clerk

Marcia Rinehart
Marcia Rinehart, Mayor

APPROVED AS TO FORM:

R. S. Wetzler
R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 7/18
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager

Subscribed and sworn to before me this 18 day of

July, 1989.

A. M. D. Delbert
Notary Public

My commission expires:
3/30/91

Publication

Fees: 51.49

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORDINANCE NO. 1111

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 891, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$300,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be \$1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes

See page 3

Both principal and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,480. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,481. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,482. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.
2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,483. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.

(S E A L)

/s/ Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

/s/ Martha Heizer

Martha Heizer, City Clerk

APPROVED AS TO FORM:

/s/ R.S. Wetzler

R. S. Wetzler, City Attorney

Page 6

provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

1,478. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89I, Project 116 (95th Street, State Line Road to Wanonga), in the aggregate principal amount of Three Hundred Thousand Dollars (\$300,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1,479. Section Two: Said issue of Temporary Notes, Series 89I, Project 116 (95th Street, State Line to Wanonga), shall consist of bearer notes numbered 1 through 3 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated July 25, 1989, and shall have the stated maturity date of July 24, 1990. The note shall bear interest from its date of delivery to the purchaser thereof payable at maturity or upon redemption prior thereto at a rate of interest of 6.28% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

ORDINANCE NO. 1110

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89H, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be \$3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,472. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 88-1-89H, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000), which amount does not exceed the total estimated costs of said improvements.

20-1,473. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89H, Project 113, shall consist of bearer notes numbered from 1 through 5 inclusive, each in the denomination of \$100,000. Each of said notes shall be dated July 25, 1989, and shall have the stated maturity date of July 24, 1990. The notes shall bear interest from their date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.31% per

annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,474. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,475. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,476. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade

or business of any person, firm or corporation other than a governmental entity.

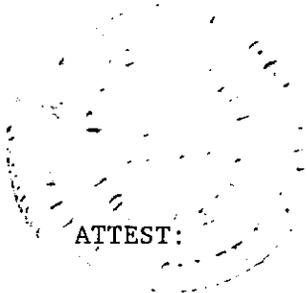
The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,477. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

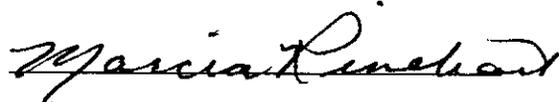
Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

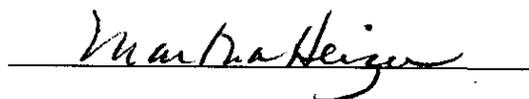
PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.

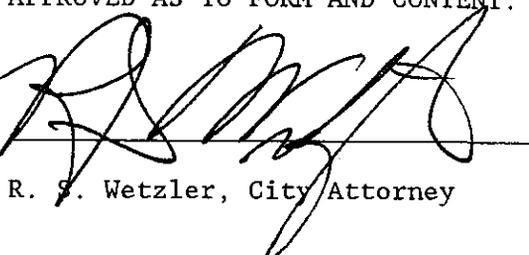


ATTEST:


Marcia Rinehart, Mayor


Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:


R. S. Wetzler, City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 7/18
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager

Subscribed and sworn to before me this 18 day of

July, 1989.

Susan G. Hetherington
Notary Public

My commission expires:
3/30/91

Publication

Fees: 51.87

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORDINANCE NO. 1110

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89H, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be \$3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

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

20-1,472. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 88-1-89H, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000), which amount does not exceed the total estimated costs of said improvements.

20-1,473. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89H, Project 113, shall consist of bearer notes numbered from 1 through 5 inclusive, each in the denomination of \$100,000. Each of said notes shall be dated July 25, 1989, and shall have the stated maturity date of July 24, 1990. The notes shall bear interest from their date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto, at a rate of interest of 6.31% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Each principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,474. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,475. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,476. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;
2. Since January 1, 1989, the City has not issued any bonds or obligations other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(a) Temporary Notes Series 89D, Project 116, 95th Street	April 21, 1989	\$500,000
(b) Temporary Notes Series L.I.D. 88-1-89E Project 113 Tomahawk Creek Parkway	April 21, 1989	\$300,000
(c) Temporary Notes Series 89F, Project 117 Lee Boulevard	April 21, 1989	\$100,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

3. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

4. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade

or business of any person, firm or corporation other than a governmental entity;

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,477. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of July, 1989.

SIGNED by the Mayor this 18th day of July, 1989.

(S E A L)

/s/ Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

/s/ Martha Heizer

Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:

/s/ R.S. Wetzler

R. S. Wetzler, City Attorney

ORDINANCE NO. 1109C

Repealed by:
ORDINANCE NO. 1137C
Adopted: 11/20/89
Effective: _____

AN ORDINANCE AMENDING SECTION 15-101 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE LEAWOOD SANITARY SEWER SYSTEM, AND REPEAL OF EXISTING SECTION.

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

Section 1. Section 15-101 of the Code of the City of Leawood is hereby amended to read as follows:

15-101. APPLICATION. (a) The provisions of this article shall apply to all property within the City limits which lies north of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 226, passed by the Governing Body on January 20, 1964.

(b) The provisions of this article shall also apply to all property within the City limits which lies south of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 1108, passed by the Governing Body on July 17, 1989.

(c) For purposes of administering the Leawood Sewer System, the System shall be divided into sewer districts. Each district shall be comprised of the sanitary sewer network for a natural drainage area. The existing System is hereby divided into the Dykes Branch Sewer District and the James Branch Sewer District as shown on that certain map of the Leawood Sewer System adopted by the Governing Body, and the Hallbrook Farms Sewer District as described in Ordinance No. 1108, passed by the Governing Body on July 17, 1989.

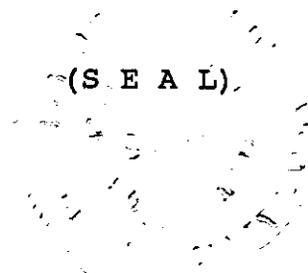
Section 2. Section 15-101 of the Code of the City of Leawood is hereby repealed.

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

Passed by the Council the 17th day of July, 1989.

Approved by the Mayor the 18th day of July, 1989.

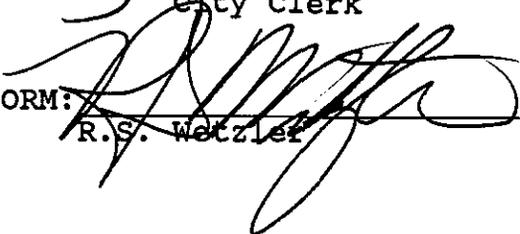
(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:



Martha Heizer City Clerk

APPROVED FOR FORM: 

R.S. Wetzler City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

- 1st 7/25/89
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

John Lewis
Business Manager

Subscribed and sworn to before me this 25 day of

July, 1989.

Susan G. Hetherington
Notary Public

My commission expires:
3/30/91

Publication

Fees: \$ 1368

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORD. 1109C
Code Amendment & Repeal-Sewer System
 First published in The Weekly Johnson County Legal Record, Tuesday, July 25, 1989.
 ORDINANCE NO. 1109C
 AN ORDINANCE AMENDING SECTION 15-101 OF THE CODE OF THE CITY OF LEAWOOD, RELATING TO THE LEAWOOD SANITARY SEWER SYSTEM, AND REPEAL OF EXISTING SECTION.
 Be it ordained by the Governing Body of the City of Leawood:
 Section 1. Section 15-101 of the Code of the City of Leawood is hereby amended to read as follows:
 15-101. APPLICATION. (a) The provisions of this article shall apply to all property within the City limits which lies north of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 226, passed by the Governing body on January 20, 1964.
 (b) The provisions of this article shall also apply to all property within the City limits which lies south of I-435, not within the Johnson County Wastewater District, and which also lies within that property described in Ordinance No. 1108, passed by the Governing Body on July 17, 1989.
 (c) For purposes of administering the Leawood Sewer System, the System shall be divided into sewer districts. Each district shall be comprised of the sanitary sewer network for a natural drainage area. The existing System is hereby divided into the Dykes Branch Sewer District and the James Branch Sewer District as shown on that certain map of the Leawood Sewer System adopted by the Governing Body, and the Hallbrook Farms Sewer District as described in Ordinance No. 1108, passed by the Governing Body on July 17, 1989.
 Section 2. Section 15-101 of the Code of the City of Leawood is hereby repealed.
 Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.
 Passed by the Council the 17th day of July, 1989.
 Approved by the Mayor the 18th day of July, 1989.
 /s/ Marcia Rinehart, Mayor
 (SEAL)
 Attest:
 /s/ Martha Helzer, City Clerk
 APPROVED FOR FORM: /s/ R.S. Wetzler, City Attorney
 7/25

*repealed by Ord. 1136,
11/20/89*

ORDINANCE NO. 1108

AN ORDINANCE ENLARGING THE LEAWOOD SEWER SYSTEM TO PROVIDE SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS, A SUBDIVISION WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the City of Leawood has previously approved final plans and plats for certain portions of a mixed-use development within the City of Leawood known as Hallbrook Farms; and

WHEREAS, prior to filing of final plats, the owners and developers of said subdivision constructed a sewer system to serve said subdivision; and

WHEREAS, prior to construction of said sewer system, the owners and developers agreed to construct said system according to the standards of the Leawood Sewer System; and

WHEREAS, the City of Leawood has previously agreed that upon completion of said sewer system in accordance with the standards of the Leawood Sewer System, the City would accept conveyance of said system from the owners and developers of Hallbrook Farms; and

WHEREAS, any expansion of the Leawood Sewer System requires the approval and acceptance of the City of Kansas City, Missouri; and

WHEREAS, the City of Kansas City, Missouri has agreed to permit expansion of the Leawood Sewer System to serve the area known as Hallbrook Farms, and has further agreed to accept such additional flows of sewerage as may be generated by said development; and

WHEREAS, a portion of the subdivision known as Hallbrook Farms, the precise description of which is set forth hereinafter, should now be included within the Leawood Sewer System in accordance with the foregoing;

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

Section 1. SEWER DISTRICT ENLARGED. The City of Leawood does hereby accept into the Leawood Sewer System the property described in Exhibit A attached hereto.

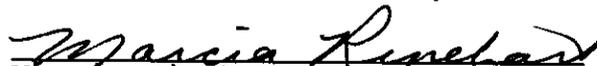
Section 2. RECORDING OF ORDINANCE. The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Johnson County, Kansas.

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

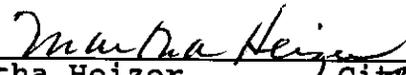
Passed by the Council the 17th day of July, 1989.

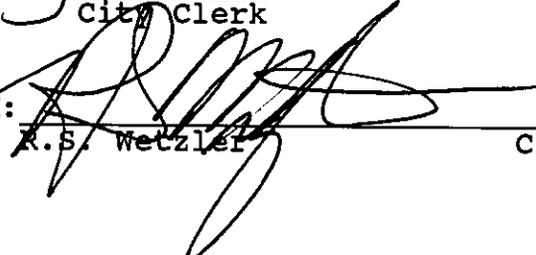
Approved by the Mayor the 18th day of July, 1989.

(S - E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

APPROVED FOR FORM: 
R.S. Wetzler City Attorney

LEAWOOD SEWER DISTRICT

DESCRIPTION: ALL THAT PART OF FRACTIONAL SECTION 11, FRACTIONAL SECTION 14, SECTION 15, AND SECTION 10, ALL IN TOWNSHIP 13, RANGE 25, IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14; THENCE NORTH 2°-05'-34" WEST ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 272.37 FEET; THENCE NORTH 2°-21'-12" WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 77.63 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 60°-06'-04" WEST ALONG THE NORTHERLY LINE OF THE STATE LINE (121ST STREET) MAIN SEWER DISTRICT, A DISTANCE OF 709.47 FEET TO A POINT THAT IS 725.00 FEET NORTH AND 600.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID FRACTIONAL SECTION 14, AS MEASURED AT RIGHT ANGLES TO THE SOUTH AND EAST LINES THEREOF; THENCE SOUTH 44°-20'-44" WEST ALONG SAID NORTHERLY LINE AND ALONG A LINE THAT IF EXTENDED WOULD PASS THROUGH A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, THAT IS 275.88 FEET WEST OF THE SOUTHEAST CORNER THEREOF, A DISTANCE OF 701.16 FEET TO A POINT ON A LINE DRAWN 25.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, SAID POINT ALSO BEING ON THE EASTERLY LINE OF LOT 22, BLOCK 2, "HALLBROOK FARMS, FIRST PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE, AND SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6; THENCE IN A NORTHERLY DIRECTION ALONG THE EASTERLY LINE OF SAID SEWER SUB-DISTRICT THE FOLLOWING BEARINGS AND DISTANCES; NORTH 1°-20'-08" WEST ALONG THE EASTERLY LINE OF LOT 22, A DISTANCE OF 128.21 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 88°-39'-52" WEST ALONG THE SOUTHERLY LINE OF LOT 28, IN SAID BLOCK 2, A DISTANCE OF 153.39 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 83°-22'-44" WEST ALONG THE SOUTHERLY LINE OF LOT 27, IN SAID BLOCK 2, A DISTANCE OF 165.40 FEET TO THE THE SOUTHWEST CORNER THEREOF; THENCE NORTH 72°-49'-24" WEST ALONG THE SOUTHERLY LINE OF LOT 26, IN SAID BLOCK 2, A DISTANCE OF 174.94 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 59°-36'-34" WEST, A DISTANCE OF 85.35 FEET TO THE SOUTHEAST CORNER OF LOT 8, IN SAID BLOCK 2; THENCE NORTH 64°-45'-50" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 8, A DISTANCE OF 140.54 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 66°-53'-19" WEST ALONG THE SOUTHERLY LINE OF LOT 7, IN SAID BLOCK 2, A DISTANCE OF 123.81 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 71°-52'-17" WEST ALONG THE SOUTHERLY LINE OF LOT 6, IN SAID BLOCK 2, A DISTANCE OF 130.89 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE 17°-18'-42" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 200.00 FEET TO A POINT ON THE CENTERLINE OF 118TH STREET; THENCE NORTH 72°-41'-18" ALONG SAID CENTERLINE, A DISTANCE OF 232.65 FEET TO THE INTERSECTION OF THE CENTERLINE OF SAID 118TH STREET WITH THE CENTERLINE OF BROOKWOOD; THENCE NORTH 82°-43'-43" WEST ALONG THE CENTERLINE OF SAID 118TH STREET, A DISTANCE OF 103.55 FEET; THENCE WESTERLY ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 4°-31'-23" EAST AND AN ARC DISTANCE OF 78.95 FEET; THENCE NORTH 2°-44'-53" EAST, A DISTANCE OF 42.50 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 4, IN SAID "HALLBROOK FARM, FIRST PLAT"; THENCE CONTINUING NORTH 2°-44'-53" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, A DISTANCE OF 157.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 73°-14'-57" EAST ALONG THE NORTHERLY LINE OF SAID LOT 6, A DISTANCE OF 31.47 FEET TO THE SOUTHWEST CORNER OF LOT 7, IN SAID BLOCK 4; THENCE NORTH 2°-02'-08" EAST ALONG THE WESTERLY LINE OF SAID LOT 7, A DISTANCE OF 135.90 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 9°-26'-04" WEST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 21°-55'-02" WEST ALONG THE WESTERLY LINE OF LOT 9, IN SAID BLOCK 4, A DISTANCE OF 127.47 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 42°-37'-23" WEST ALONG THE WESTERLY LINE OF LOT 10, IN SAID BLOCK 4, A DISTANCE OF 120.28 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 32°-24'-17" WEST, A DISTANCE OF 86.37 FEET TO THE NORTHEAST CORNER OF LOT 25, IN BLOCK 4; THENCE NORTH 42°-37'-23" WEST ALONG THE NORTHERLY LINE OF SAID LOT 25, A DISTANCE OF 61.41 FEET TO AN ANGLE POINT THEREIN; THENCE NORTH 60°-25'-23" WEST ALONG THE NORTHERLY LINE OF LOT 25, 24 AND 23, A DISTANCE OF 317.79 FEET TO AN ANGLE POINT IN THE NORTHERLY LINE OF SAID LOT 23; THENCE NORTH 81°-49'-41" WEST, A DISTANCE OF 91.10 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 8°-10'-18" EAST ALONG THE WESTERLY LINE OF LOT 28, IN SAID BLOCK 4, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 269.32 FEET TO A POINT IN THE CENTERLINE OF AFORESAID BROOKWOOD; THENCE SOUTH 60°-25'-20" EAST ALONG SAID CENTERLINE, A DISTANCE OF 184.53 FEET; THENCE NORTH 43°-59'-05" EAST, A DISTANCE OF 2.43 FEET TO A POINT ON A LINE DRAWN FROM A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, THAT IS 275.88 FEET WEST OF THE SOUTHEAST CORNER THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 15, THAT IS 700.00 FEET EAST OF THE WEST LINE OF SAID NORTHEAST 1/4, AS MEASURED AT RIGHT ANGLES THERETO; THENCE NORTH 33°-54'-05" WEST ALONG THE LAST DESCRIBED LINE, A DISTANCE OF 384.06 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1, BLOCK 2, "HALLBROOK FARMS, SECOND PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE NORTH 8°-07'-25" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 48.86 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 74°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 167.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 4°-26'-02" WEST ALONG THE EASTERLY LINE OF LOT 2, IN SAID BLOCK 2, A DISTANCE OF 152.20 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 87°-42'-39" WEST ALONG THE NORTHERLY LINE OF SAID LOT 2, A DISTANCE OF 75.95 FEET TO THE SOUTHWEST CORNER OF LOT 11, IN SAID BLOCK 2; THENCE NORTH 12°-09'-34" WEST ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 166.16 FEET TO THE NORTHEAST CORNER OF LOT 3, IN SAID BLOCK 2; THENCE NORTH 9°-29'-16" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 132.41 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 16°-27'-55" EAST ALONG THE WESTERLY LINE

OF LOT 10 AND LOT 9, IN SAID BLOCK 2, A DISTANCE OF 321.31 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE NORTH 9°-57'-40" EAST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 2 AND THE NORTHERLY EXTENSION OF THEREOF, A DISTANCE OF 173.22 FEET TO A POINT IN THE CENTERLINE OF 114TH STREET, THENCE NORTH 83°-25'-56" WEST ALONG SAID CENTERLINE AND ALONG THE CENTERLINE OF CANTERBURY CIRCLE, A DISTANCE OF 525.65 FEET TO A POINT ON THE WESTERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 6°-34'-04" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 212.65 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 87°-27'-50" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 196.53 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 85°-17'-35" EAST ALONG THE NORTHERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT", A DISTANCE OF 95.00 FEET TO THE NORTHWEST CORNER OF LOT 3, BLOCK 3, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE SOUTH 76°-04'-47" EAST ALONG THE NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 176.27 FEET TO A POINT ON A LINE DRAWN 700.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 15; THENCE NORTH 1°-30'-12" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 178.61 FEET; THENCE NORTH 24°-17'-07" WEST, A DISTANCE OF 1032.99 FEET TO A POINT 500.00 FEET SOUTH OF AND 300.00 FEET EAST OF THE NORTHWEST CORNER THEREOF, AS MEASURED PARALLEL TO THE NORTH AND WEST LINES THEREOF; THENCE NORTH 1°-30'-12" WEST PARALLEL TO THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 500.00 FEET TO THE NORTH LINE OF SAID NORTHEAST 1/4; THENCE SOUTH 88°-02'-19" WEST ALONG SAID NORTH LINE, A DISTANCE OF 300.00 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 87°-50'-04" WEST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 15, A DISTANCE OF 391.82 FEET TO A POINT ON THE EASTERLY LINE OF TRACT "A" OF "LEAWOOD GREENWAY AND PARKS", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE LEAVING THE AFORESAID EASTERLY LINE OF TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6 AND IN A NORTHEASTERLY AND EASTERLY DIRECTION ALONG THE EASTERLY LINE AND SOUTHERLY LINE OF SAID TRACT "A", THE FOLLOWING BEARINGS AND DISTANCES; NORTH 16°-35'-17" EAST, A DISTANCE OF 256.53 FEET; THENCE NORTH 19°-03'-17" EAST, A DISTANCE OF 150.00 FEET; THENCE NORTH 14°-31'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH 19°-49'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH 27°-27'-17" EAST, A DISTANCE OF 309.30 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 65°-31'-23" EAST, A DISTANCE OF 401.84 FEET; THENCE SOUTH 35°-03'-34" EAST, A DISTANCE OF 100.67 FEET; THENCE SOUTH 26°-55'-27" EAST, A DISTANCE OF 75.48 FEET; THENCE SOUTH 36°-44'-46" EAST, A DISTANCE OF 81.99 FEET; THENCE SOUTH 56°-17'-16" EAST, A DISTANCE OF 103.73 FEET; THENCE SOUTH 81°-50'-55" EAST, A DISTANCE OF 51.15 FEET; THENCE NORTH 82°-28'-47" EAST, A DISTANCE OF 204.26 FEET; THENCE NORTH 67°-50'-32" EAST, A DISTANCE OF 310.21 FEET; THENCE NORTH 60°-54'-10" EAST, A DISTANCE OF 136.13 FEET; THENCE NORTH 58°-06'-27" EAST, A DISTANCE OF 83.32 FEET; THENCE NORTH 57°-49'-25" EAST, A DISTANCE OF 59.22 FEET; THENCE NORTH 74°-43'-33" EAST, A DISTANCE OF 75.54 FEET; THENCE NORTH 65°-46'-07" EAST, A DISTANCE OF 325.22 FEET; THENCE NORTH 72°-48'-48" EAST, A DISTANCE OF 46.56 FEET; THENCE NORTH 87°-37'-46" EAST, A DISTANCE OF 74.49 FEET; THENCE NORTH 79°-48'-20" EAST, A DISTANCE OF 125.05 FEET; THENCE SOUTH 84°-36'-56" EAST, A DISTANCE OF 25.76 FEET; THENCE NORTH 69°-52'-11" EAST, A DISTANCE OF 40.83 FEET; THENCE NORTH 51°-06'-10" EAST, A DISTANCE OF 77.57 FEET; THENCE NORTH 35°-54'-50" EAST, A DISTANCE OF 125.76 FEET; THENCE NORTH 19°-51'-53" EAST, A DISTANCE OF 81.50 FEET; THENCE NORTH 16°-09'-08" WEST, A DISTANCE OF 54.29 FEET; THENCE NORTH 87°-58'-57" EAST, A DISTANCE OF 202.07 FEET; THENCE NORTH 1°-56'-43" WEST, A DISTANCE OF 854.83 FEET; THENCE NORTH 43°-42'-59" EAST, A DISTANCE OF 327.25 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 2°-00'-46" WEST ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE NORTH 2°-06'-10" WEST ALONG THE WEST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 11, A DISTANCE OF 194.61 FEET TO THE NORTHEAST CORNER OF AFORESAID TRACT "A", LEAWOOD GREENWAY AND PARKS, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 435 AS NOW ESTABLISHED; THENCE LEAVING THE EASTERLY LINE OF SAID TRACT "A", NORTH 24°-23'-33" WEST, A DISTANCE OF 150.00 FEET TO A POINT ON THE CENTERLINE OF SAID INTERSTATE HIGHWAY NO. 435; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF INTERSTATE HIGHWAY NO. 435 TO A POINT ON THE EAST LINE OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG SAID EAST LINE, A DISTANCE OF 967.45 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 11, A DISTANCE OF 27.56 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF FRACTIONAL SECTION 6, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY, MISSOURI; THENCE SOUTH 2°-10'-14" EAST ALONG SAID EAST LINE AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2625.10 FEET TO THE SOUTHEAST CORNER OF SAID SOUTH 1/2; THENCE SOUTH 2°-10'-14" EAST ALONG THE EAST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 14 AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 79.07 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE SOUTH 2°-22'-55" EAST ALONG THE EAST LINE OF SAID NORTH 1/2 AND ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2576.77 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE SOUTH 2°-22'-55" EAST ALONG SAID WEST LINE AND ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 127.40 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 6; THENCE SOUTH 2°-21'-12" EAST ALONG SAID EAST LINE AND ALONG THE WEST FRACTIONAL SECTION 7, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY, MISSOURI, A DISTANCE OF 2180.07 TO THE POINT OF BEGINNING. CONTAINING 471.63 ACRES, MORE OR LESS.

1882777 ✓

ORIGINAL COMPARED WITH RECORD

ORDINANCE NO. 1108

AN ORDINANCE ENLARGING THE LEAWOOD SEWER SYSTEM TO PROVIDE SEWER SERVICE FOR PORTIONS OF HALLBROOK FARMS, A SUBDIVISION WITHIN THE CITY OF LEAWOOD, KANSAS.

WHEREAS, the City of Leawood has previously approved final plans and plats for certain portions of a mixed-use development within the City of Leawood known as Hallbrook Farms; and

WHEREAS, prior to filing of final plats, the owners and developers of said subdivision constructed a sewer system to serve said subdivision; and

WHEREAS, prior to construction of said sewer system, the owners and developers agreed to construct said system according to the standards of the Leawood Sewer System; and

WHEREAS, the City of Leawood has previously agreed that upon completion of said sewer system in accordance with the standards of the Leawood Sewer System, the City would accept conveyance of said system from the owners and developers of Hallbrook Farms; and

WHEREAS, any expansion of the Leawood Sewer System requires the approval and acceptance of the City of Kansas City, Missouri; and

WHEREAS, the City of Kansas City, Missouri has agreed to permit expansion of the Leawood Sewer System to serve the area known as Hallbrook Farms, and has further agreed to accept such additional flows of sewerage as may be generated by said development; and

WHEREAS, a portion of the subdivision known as Hallbrook Farms, the precise description of which is set forth hereinafter, should now be included within the Leawood Sewer System in accordance with the foregoing;

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

Section 1. SEWER DISTRICT ENLARGED. The City of Leawood does hereby accept into the Leawood Sewer System the property described in Exhibit A attached hereto.

Section 2. RECORDING OF ORDINANCE. The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Johnson County, Kansas.

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1400
1989 JUL 21 AM 10:9

SARA FULLMANN
REGISTER OF DEEDS

VOL 3020 PAGE 819

1400
ck

Page 2
ORDINANCE NO. 1108
re Enlargement of the Leawood Sewer System

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

Passed by the Council the 17th day of July, 1989.

Approved by the Mayor the 18th day of July, 1989.



Marcia Rinehart

Marcia Rinehart Mayor

Martha Heizer

Martha Heizer City Clerk

APPROVED FOR FORM: _____
R.S. Wetzler City Attorney

DESCRIPTION: ALL THAT PART OF FRACTIONAL SECTION 11, FRACTIONAL SECTION 14, SECTION 15, AND SECTION 10, ALL IN TOWNSHIP 13, RANGE 25, IN LEAWOOD, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14; THENCE NORTH 2°-05'-34" WEST ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 272.37 FEET; THENCE NORTH 2°-21'-12" WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 77.83 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 60°-06'-04" WEST ALONG THE NORTHERLY LINE OF THE STATE LINE (121ST STREET) MAIN SEWER DISTRICT, A DISTANCE OF 709.47 FEET TO A POINT THAT IS 725.00 FEET NORTH AND 600.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID FRACTIONAL SECTION 14, AS MEASURED AT RIGHT ANGLES TO THE SOUTH AND EAST LINES THEREOF; THENCE SOUTH 44°-20'-44" WEST ALONG SAID NORTHERLY LINE AND ALONG A LINE THAT IF EXTENDED WOULD PASS THROUGH A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, THAT IS 275.88 FEET WEST OF THE SOUTHEAST CORNER THEREOF, A DISTANCE OF 701.16 FEET TO A POINT ON A LINE DRAWN 25.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15, SAID POINT ALSO BEING ON THE EASTERLY LINE OF LOT 22, BLOCK 2, "HALLBROOK FARMS, FIRST PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE, AND SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6; THENCE IN A NORTHERLY DIRECTION ALONG THE EASTERLY LINE OF SAID SEWER SUB-DISTRICT THE FOLLOWING BEARINGS AND DISTANCES; NORTH 1°-20'-08" WEST ALONG THE EASTERLY LINE OF LOT 22, A DISTANCE OF 128.21 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 88°-39'-52" WEST ALONG THE SOUTHERLY LINE OF LOT 28, IN SAID BLOCK 2, A DISTANCE OF 153.39 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 83°-22'-44" WEST ALONG THE SOUTHERLY LINE OF LOT 27, IN SAID BLOCK 2, A DISTANCE OF 165.40 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 72°-49'-24" WEST ALONG THE SOUTHERLY LINE OF LOT 26, IN SAID BLOCK 2, A DISTANCE OF 174.94 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 59°-36'-34" WEST, A DISTANCE OF 85.35 FEET TO THE SOUTHEAST CORNER OF LOT 8, IN SAID BLOCK 2; THENCE NORTH 64°-45'-50" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 8, A DISTANCE OF 140.54 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 66°-53'-19" WEST ALONG THE SOUTHERLY LINE OF LOT 7, IN SAID BLOCK 2, A DISTANCE OF 123.81 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 71°-52'-17" WEST ALONG THE SOUTHERLY LINE OF LOT 6, IN SAID BLOCK 2, A DISTANCE OF 130.89 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE 17°-18'-42" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 200.00 FEET TO A POINT ON THE CENTERLINE OF 118TH STREET; THENCE NORTH 72°-41'-18" ALONG SAID CENTERLINE, A DISTANCE OF 232.65 FEET TO THE INTERSECTION OF THE CENTERLINE OF SAID 118TH STREET WITH THE CENTERLINE OF BROOKWOOD; THENCE NORTH 82°-43'-43" WEST ALONG THE CENTERLINE OF SAID 118TH STREET, A DISTANCE OF 103.55 FEET; THENCE WESTERLY ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 4°-31'-23" EAST AND AN ARC DISTANCE OF 78.95 FEET; THENCE NORTH 2°-44'-53" EAST, A DISTANCE OF 42.50 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 4, IN SAID "HALLBROOK FARM, FIRST PLAT"; THENCE CONTINUING NORTH 2°-44'-53" EAST ALONG THE WESTERLY LINE OF SAID LOT 6, A DISTANCE OF 157.50 FEET TO THE NORTHWEST CORNER THEREOF; 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THENCE NORTH 74°-45'-05" WEST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 167.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 4°-26'-02" WEST ALONG THE EASTERLY LINE OF LOT 2, IN SAID BLOCK 2, A DISTANCE OF 152.20 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 87°-42'-39" WEST ALONG THE NORTHERLY LINE OF SAID LOT 2, A DISTANCE OF 75.95 FEET TO THE SOUTHWEST CORNER OF LOT 11, IN SAID BLOCK 2; THENCE NORTH 12°-09'-34" WEST ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 166.16 FEET TO THE NORTHEAST CORNER OF LOT 3, IN SAID BLOCK 2; THENCE NORTH 9°-29'-16" EAST CONTINUING ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 132.41 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 16°-27'-55" EAST ALONG THE WESTERLY LINE

EXHIBIT A (page 1 of 2)

OF LOT 10 AND LOT 9, IN SAID BLOCK 2, A DISTANCE OF 321.31 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE NORTH 9°-57'-40" EAST ALONG THE WESTERLY LINE OF LOT 8, IN SAID BLOCK 2 AND THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 173.22 FEET TO A POINT IN THE CENTERLINE OF 114TH STREET, THENCE NORTH 83°-25'-56" WEST ALONG SAID CENTERLINE AND ALONG THE CENTERLINE OF CANTERBURY CIRCLE, A DISTANCE OF 525.65 FEET TO A POINT ON THE WESTERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 6°-34'-04" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 212.65 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 4, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE NORTH 87°-27'-50" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 196.53 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 85°-17'-35" EAST ALONG THE NORTHERLY LINE OF SAID "HALLBROOK FARMS, SECOND PLAT", A DISTANCE OF 95.00 FEET TO THE NORTHWEST CORNER OF LOT 3, BLOCK 3, IN SAID "HALLBROOK FARMS, SECOND PLAT"; THENCE SOUTH 76°-04'-47" EAST ALONG THE NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 176.27 FEET TO A POINT ON A LINE DRAWN 700.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF AFORESAID SECTION 15; THENCE NORTH 1°-30'-12" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 178.61 FEET; THENCE NORTH 24°-17'-07" WEST, A DISTANCE OF 1032.99 FEET TO A POINT 500.00 FEET SOUTH OF AND 300.00 FEET EAST OF THE NORTHWEST CORNER THEREOF, AS MEASURED PARALLEL TO THE NORTH AND WEST LINES THEREOF; THENCE NORTH 1°-30'-12" WEST PARALLEL TO THE WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 500.00 FEET TO THE NORTH LINE OF SAID NORTHEAST 1/4; THENCE SOUTH 88°-02'-19" WEST ALONG SAID NORTH LINE, A DISTANCE OF 300.00 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE SOUTH 87°-50'-04" WEST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 15, A DISTANCE OF 391.82 FEET TO A POINT ON THE EASTERLY LINE OF TRACT "A" OF "LEAWOOD GREENWAY AND PARKS", A SUBDIVISION OF LAND IN SAID CITY, COUNTY, AND STATE; THENCE LEAVING THE AFORESAID EASTERLY LINE OF TOMAHAWK CREEK SEWER SUB-DISTRICT NO. 4, LATERAL DISTRICT NO. 6 AND IN A NORTHEASTERLY AND EASTERLY DIRECTION ALONG THE EASTERLY LINE AND SOUTHERLY LINE OF SAID TRACT "A", THE FOLLOWING BEARINGS AND DISTANCES; NORTH 16°-35'-17" EAST, A DISTANCE OF 256.53 FEET; THENCE NORTH 19°-03'-17" EAST, A DISTANCE OF 150.00 FEET; THENCE NORTH 14°-31'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH 19°-49'-17" EAST, A DISTANCE OF 160.00 FEET; THENCE NORTH 27°-27'-17" EAST, A DISTANCE OF 309.30 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 65°-31'-23" EAST, A DISTANCE OF 401.84 FEET; THENCE SOUTH 35°-03'-34" EAST, A DISTANCE OF 100.67 FEET; THENCE SOUTH 26°-55'-27" EAST, A DISTANCE OF 75.48 FEET; THENCE SOUTH 36°-44'-46" EAST, A DISTANCE OF 81.99 FEET; THENCE SOUTH 56°-17'-16" EAST, A DISTANCE OF 103.73 FEET; THENCE SOUTH 81°-50'-55" EAST, A DISTANCE OF 51.15 FEET; THENCE NORTH 82°-28'-47" EAST, A DISTANCE OF 204.26 FEET; THENCE NORTH 67°-50'-32" EAST, A DISTANCE OF 310.21 FEET; THENCE NORTH 60°-54'-10" EAST, A DISTANCE OF 136.13 FEET; THENCE NORTH 58°-06'-27" EAST, A DISTANCE OF 83.32 FEET; THENCE NORTH 57°-49'-25" EAST, A DISTANCE OF 59.22 FEET; THENCE NORTH 74°-43'-33" EAST, A DISTANCE OF 75.54 FEET; THENCE NORTH 65°-46'-07" EAST, A DISTANCE OF 325.22 FEET; THENCE NORTH 72°-48'-48" EAST, A DISTANCE OF 46.56 FEET; THENCE NORTH 87°-37'-46" EAST, A DISTANCE OF 74.49 FEET; THENCE NORTH 79°-48'-20" EAST, A DISTANCE OF 125.05 FEET; THENCE SOUTH 84°-36'-56" EAST, A DISTANCE OF 25.76 FEET; THENCE NORTH 69°-52'-11" EAST, A DISTANCE OF 40.83 FEET; THENCE NORTH 51°-06'-10" EAST, A DISTANCE OF 77.57 FEET; THENCE NORTH 35°-54'-50" EAST, A DISTANCE OF 125.76 FEET; THENCE NORTH 19°-51'-53" EAST, A DISTANCE OF 81.50 FEET; THENCE NORTH 16°-09'-08" WEST, A DISTANCE OF 54.29 FEET; THENCE NORTH 87°-58'-57" EAST, A DISTANCE OF 202.07 FEET; THENCE NORTH 1°-56'-43" WEST, A DISTANCE OF 854.83 FEET; THENCE NORTH 43°-42'-59" EAST, A DISTANCE OF 327.25 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 10; THENCE NORTH 2°-00'-46" WEST ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE NORTH 2°-06'-10" WEST ALONG THE WEST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 11, A DISTANCE OF 194.61 FEET TO THE NORTHEAST CORNER OF AFORESAID TRACT "A", LEAWOOD GREENWAY AND PARKS, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 435 AS NOW ESTABLISHED; THENCE LEAVING THE EASTERLY LINE OF SAID TRACT "A", NORTH 24°-23'-33" WEST, A DISTANCE OF 150.00 FEET TO A POINT ON THE CENTERLINE OF SAID INTERSTATE HIGHWAY NO. 435; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF INTERSTATE HIGHWAY NO. 435 TO A POINT ON THE EAST LINE OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG SAID EAST LINE, A DISTANCE OF 967.45 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF SAID FRACTIONAL SECTION 11; THENCE SOUTH 2°-25'-06" EAST ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 11, A DISTANCE OF 27.56 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF FRACTIONAL SECTION 6, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY, MISSOURI; THENCE SOUTH 2°-10'-14" EAST ALONG SAID EAST LINE AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2625.10 FEET TO THE SOUTHEAST CORNER OF SAID SOUTH 1/2; THENCE SOUTH 2°-10'-14" EAST ALONG THE EAST LINE OF THE NORTH 1/2 OF AFORESAID FRACTIONAL SECTION 14 AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 79.07 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE SOUTH 2°-22'-55" EAST ALONG THE EAST LINE OF SAID NORTH 1/2 AND ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID FRACTIONAL SECTION 6, A DISTANCE OF 2576.77 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE SOUTH 2°-22'-55" EAST ALONG SAID WEST LINE AND ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID FRACTIONAL SECTION 14, A DISTANCE OF 127.40 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 6; THENCE SOUTH 2°-21'-12" EAST ALONG SAID EAST LINE AND ALONG THE WEST FRACTIONAL SECTION 7, TOWNSHIP 47, RANGE 33 IN KANSAS CITY, JACKSON COUNTY, MISSOURI, A DISTANCE OF 2180.07 TO THE POINT OF BEGINNING. CONTAINING 471.63 ACRES, MORE OR LESS.

EXHIBIT A (page 2 of 2)

CERTIFICATE

I, Martha Heizer, City Clerk of the City of Leawood, Kansas, hereby certify that the attached is a true and correct copy of Ordinance No. 1108, as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the Seal of said City this 20th day of July, 1989.



Martha Heizer

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

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

18-130. Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural:

Beginning at a point on the South line of the Southeast Quarter of Section 34, Township 13, Range 25, Johnson County, Kansas, said point being 982.83 feet East of the Southwest corner of said Southeast Quarter; thence North 0 degrees 00 minutes 56 seconds West a distance of 493.05 feet; thence North 73 degrees 54 minutes 11 seconds East a distance of 35.85 feet; thence South 53 degrees 28 minutes 26 seconds East a distance of 99.75 feet; thence North 89 degrees 47 minutes 15 seconds East a distance of 858.70 feet; thence South 0 degrees 00 minutes 56 seconds East a distance of 443.14 feet to a point on the South line of said Southeast Quarter; thence South 89 degrees 47 minutes 03 seconds West a distance of 973.29 feet to the Point of Beginning, except that part in streets or roads.

(143rd St. west of Kenneth Rd.; Willow Lake Estates)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 17th day of July, 1989.

Approved by the Mayor the 18th day of July, 1989.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: [Signature]
R.S. Metzler City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 7/25/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager

Subscribed and sworn to before me this 25 day of

July, 1989.

Susan G. Hetherington
Notary Public

My commission expires
3/30/91

Publication

Fees: \$11.57

ORD. 1107

143rd St. W. of
Kenneth Rd.

First published in The Weekly Johnson County Legal Record, Tuesday, July 25, 1989.

ORDINANCE NO. 1107

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

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

18-130. Section 1. The following described real property is hereby designated as being zoned R-1, Single Family Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural:

Beginning at a point on the South line of the Southeast Quarter of Section 34, Township 13, Range 25, Johnson County, Kansas, said point being 982.83 feet East of the Southwest corner of said Southeast Quarter; thence North 0 degrees 00 minutes 56 seconds West a distance of 493.05 feet; thence North 73 degrees 54 minutes 11 seconds East a distance of 35.85 feet; thence South 53 degrees 28 minutes 26 seconds East a distance of 99.75 feet; thence North 89 degrees 47 minutes 15 seconds East a distance of 858.70 feet; thence South 0 degrees 00 minutes 56 seconds East a distance of 443.14 feet to a point on the South line of said Southeast Quarter; thence South 89 degrees 47 minutes 03 seconds West a distance of 973.29 feet to the Point of Beginning, except that part in streets or roads. (143rd St. west of Kenneth Rd.; Willow Lake Estates)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 17th day of July, 1989.

Approved by the Mayor the 18th day of July, 1989.

/s/ Marcia Rinehart, Mayor
(SEAL)

Attest:

/s/ Martha Helzer, City Clerk

APPROVED FOR FORM: /s/ R.S. Wetzler, City Attorney

7/25

SUSAN G. HETHERINGTON

Notary Public - State of Kansas
My Appt. Exp. 3-30-91

AN ORDINANCE ACCEPTING DEEDS FOR STREET PURPOSES; PROVIDING FOR THE CORRECTION OF A LEGAL DESCRIPTION; AND REPEAL OF EXISTING ORDINANCE.

WHEREAS, the Leawood City Council passed Ordinance No. 915 on July 7, 1986, accepting three deeds for land to be used for improvements to Kenneth Road; and

WHEREAS, two deeds from Bi-State Development Co., and one deed from G. & K. Allen and W. & P. Fohey were recorded in the Office of the Register of Deeds of Johnson County, Kansas; and

WHEREAS, in December, 1988, staff determined that the legal description attached to and a part of the deed from Allen/Fohey was incorrect; and

WHEREAS, Allen/Fohey have given the City a recorded "corrected" deed; and

WHEREAS, it is necessary to accept the "corrected" deed by ordinance to correct the record;

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

19-577. ACCEPTANCE OF DEEDS. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept three deeds for land to be used for street purposes, the legal descriptions of which are as follows:

From G. & K. Allen and W. & P. Fohey - All that part of Frac. Section 35, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the N 1/2 of said Frac. Section 35; thence N 1° 59'26" W, along the West line of the N 1/2 of said Frac. Section 35, a distance of 604.13 feet; thence S 88° 58'01" E, a distance of 41.71 feet; thence S 0° 00'56" E, a distance of 48.04 feet, to a point 40 feet East of the West line of the N 1/2 of said Frac. Section 35; thence S 1° 59'26" E, along a line 40 feet East of and parallel to the West line of the N 1/2 of said Frac. Section 35, a distance of 555.97 feet, to a point on the North line of the S 1/2 of said Frac. Section 35; thence S 2° 01' 08" E, along a line 40 feet East of and parallel to the West line of the S 1/2 of said Frac. Section 35, a distance of 268.67 feet, to a point of curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 460 feet and a central angle of 11° 28'42", a distance of 92.15 feet, to a point of reverse curvature; thence Southeasterly and Southerly, along a curve to the right, having a radius of 540 feet, a central angle of 11° 28'42", and whose initial tangent bearing is S 13° 29'50" E, a distance of 108.18 feet, to a point of tangency; thence S 2° 01'08" E, a distance of 198.89 feet; thence N 88° 42'47" W, a distance of 60.10 feet, to a point on the West line of the S 1/2 of said Frac. Section 35; thence N 2° 01'08" W, along the

West line of the S 1/2 of said Frac. Section 35, a distance of 665.17 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes. (31,438 sq. ft., more or less).

From Bi-State Development Co. -

All that part of the N 1/2 of Section 2, Township 14, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the N 1/2 of said Frac. Section 2; thence S 2° 18'12" E, along the West line of the N 1/2 of said Frac. Section 2, a distance of 862.81 feet; thence N 87° 47'27" E, a distance of 40 feet, to a point 40 feet East of the West line of the N 1/2 of said Frac. Section 2; thence N 2° 18'12" E, along a line 40 feet East of and parallel to the West line of the N 1/2 of said Frac. Section 2, a distance of 862.76 feet, to a point on the North line thereof; thence S 87° 52'01" W, along the North line of the N 1/2 of said Frac. Section 2, a distance of 40 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes (16,855 sq. ft., more or less).

From Bi-State Development Co. - All that part of the S 1/2- of Frac. Section 35, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the S 1/2 of said Frac. Section 35; thence N 2° 01'08" W, along the West line of the S 1/2 of said Frac. Section 35, a distance of 1994.09 feet; thence S 88° 42'47" E, a distance of 60.10 feet; thence S 2° 01'08" E, a distance of 950.62 feet, to a point of curvature; thence Southerly and Southwesterly, along a curve to the right, having a radius of 540 feet and a central angle of 11° 28'42", a distance of 108.18 feet, to a point of reverse curvature; thence Southwesterly and Southerly, along a curve to the left, having a radius of 460 feet, a central angle of 11° 28'42", and whose initial tangent bearing is S 9° 27'34" W, a distance of 92.15 feet, to a point of tangency; thence S 2° 01'08" E, a distance of 840.92 feet, to a point on the South line of the N 1/2 of said Frac. Section 35; thence S 87° 52'01" W, along the South line of the S 1/2 of said Frac. Section 35, a distance of 40 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes (60,513 sq. ft., more or less).

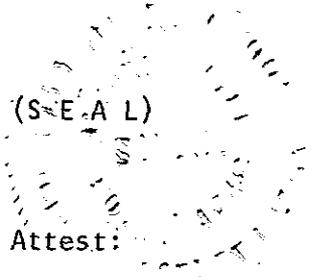
19-578. INCORPORATION BY REFERENCE. Section 2. Copies of said deeds are attached hereto and thereby incorporated by reference.

REPEAL OF ORDINANCE. Section 3. Ordinance No. 915, passed by the Leawood City Council July 7, 1986, is hereby repealed.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 3rd day of July, 1989.

Approved by the Mayor the 5th day of July, 1989.



(S-E-A-L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler
R.S. Wetzler

JCX: 9444
COMMERCIAL TITLE INSURANCE INC.
7101 COLLEGE BLVD. SU. # 200
OVERLAND PARK, MO 66111

1841632
"CORRECTED"
DEED OF DEDICATION

ORIGINAL COMPARED WITH RECORD
3

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this
____ day of _____, 19____, by and between G. Rex Allen and Kay Allen a/k/
Kay A. Allen, husband and wife, as to an undivided one-half interest and William L. Fohey, Jr. and
Patricia Fohey a/k/a Patricia D. Fohey, husband and wife, as to an undivided one-half interest.

of Johnson County, State of Kansas, Parties _____ of the First Part,
and the CITY OF LEAWOOD, Johnson County, State of Kansas, Party of the Second Part,

WITNESSETH:

That Parties _____ of the First Part, In consideration of the sum of _____
One Dollar (\$1.00) _____ Dollars

to \$1.00 in hand paid by Party of the Second Part, receipt whereof is hereby acknow-
ledged, by these presents do _____ GRANT, BARGAIN, SELL AND CONVEY unto the Party of
the Second Part forever all _____ right, title and interest in and to the following
described real estate lying and situate in the County of Johnson, State of Kansas, to
wit:

See Attached Legal Description for Tract No. 2.

This corrected Deed of Dedication is being filed to correct the legal
Description on Deed of Dedication filed on May 12, 1986 in Book 2335 at
Page 809.

STATE OF KANSAS }
COUNTY OF JOHNSON } ss.
FILED FOR RECORD
17⁰⁰ 1988 DEC 23 P 12: 47 0
RUBIE M. SCOTT
REGISTER OF DEEDS

Entered in Transfer Record
23 day of Dec AD 1988
Deverly L. Baker
Johnson County Clerk

TO HAVE AND TO HOLD ~~THE~~ ^{they} same together with all and singular the tenements, heredita-
ments, and appurtenances thereto belonging or in any wise appertaining, forever. It
is understood and agreed that the Party of the Second Part shall use said real estate
in the construction, improvement, reconstruction and maintenance of a public right-of-
way and should said right-of-way, any part thereof be vacated, the same shall revert
to Parties _____ of the First Part, their heirs, executors, administrators, success-
ors, or assigns.

And the Parties _____ of the First Part for their heirs, executors, administra-
tors, successors and assigns, do _____ hereby convenient, promise, and agree to and with
said Party of the Second Part that at the delivery of these presents they are
lawfully seized of the interest hereby conveyed in all and singular the above granted
and described premises with the appurtenances thereto; that the same are free and clear
of and from all and every incumbrance whatsoever, except those of record.

and that First Parties _____ will forever warrant and defend the same unto the Party of the
Second Part or its assigns forever, against all and any lawful claim of all and any
persons whomsoever. Parties _____ of the First part, for their heirs, executors, adminis-
trators, successors, or assigns, hereby waive _____ and release to Second Party, any and
all claims for damages or compensation, either now or in the future arising by reason
of the use of said real estate for the purposes herein described. First parties _____
hereby agree _____ that First Parties _____ shall pay any special assessments or installments
thereof, matured or unmatured, on said premises hereby granted, and that Second Party
shall not be liable in any way for the payment thereof. First Parties _____ further agrees
that the proper Governing Body may release the premises hereby granted from any special
assessment and spread and attach such special assessment to the remainder of the prop-
erty adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Parties _____ of the First Part have hereunto set their
and seal _____ the day and year first above written.

William L. Fohey, Jr.
William L. Fohey, Jr.
Patricia Fohey
Patricia Fohey

G. Rex Allen
G. Rex Allen
Kay Allen
Kay Allen

VOL 2916 PA

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas :
SS.

COUNTY OF Johnson :

BE IT REMEMBERED, That on the 22 day December, 19 88,
before me, the undersigned, a Notary Public in and for said County and State,

came G. Rex Allen and Kay Allen a/k/a Kay A. Allen, husband and wife AND William J. Fohey, Jr. and Patricia Fohey a/k/a Patricia D. Fohey, 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 same.

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

Carol A. Stephenson
Notary Public
Carol A. Stephenson

My Commission Expires:

CAROL A. STEPHENSON
Notary Public - State of Kansas
My Appt. Exp. 7/25/91

208 1000 1000
1000 1000 1000
1000 1000 1000
1000 1000 1000

VOL 2916 PAGE 846

CORPORATE ACKNOWLEDGEMENT

STATE OF _____ :
SS.

COUNTY OF _____ :

BE IT REMEMBERED that on this _____ day of _____, 19 _____,
before me, the undersigned, a Notary Public in and for the County and State afore-
said, came _____, President of _____

_____, a corporation duly organized, incorporated
and existing under and by virtue of the laws of _____;

and _____, 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.

Notary Public

My Commission Expires

Tract No. 2

Owner: G. Rex Allen & Kay A. Allen, H/W
William L. Fohey & Patricia D. Fohey, H/W

Right-of-Way Grant

All that part of Frac. Section 35, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the N $\frac{1}{2}$ of said Frac. Section 35; thence N 1° 59' 26" W, along the West line of the N $\frac{1}{2}$ of said Frac. Section 35, a distance of 604.13 feet; thence S 88° 58' 01" E, a distance of 41.71 feet; thence S 0° 00' 56" E, a distance of 48.04 feet, to a point 40 feet East of the West line of the N $\frac{1}{2}$ of said Frac. Section 35; thence S 1° 59' 26" E, along a line 40 feet East of and parallel to the West line of the N $\frac{1}{2}$ of said Frac. Section 35, a distance of 555.97 feet, to a point on the North line of the S $\frac{1}{2}$ of said Frac. Section 35; thence S 2° 01' 08" E, along a line 40 feet East of and parallel to the West line of the S $\frac{1}{2}$ of said Frac. Section 35, a distance of 268.67 feet, to a point of curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 460 feet and a central angle of 11° 28' 42", a distance of 92.15 feet, to a point of reverse curvature; thence Southeasterly and Southerly, along a curve to the right, having a radius of 540 feet, a central angle of 11° 28' 42", and whose initial tangent bearing is S 13° 29' 50" E, a distance of 108.18 feet, to a point of tangency; thence S 2° 01' 08" E, a distance of 198.89 feet; thence N 88° 42' 47" W, a distance of 60.10 feet, to a point on the West line of the S $\frac{1}{2}$ of said Frac. Section 35; thence N 2° 01' 08" W, along the West line of the S $\frac{1}{2}$ of said Frac. Section 35, a distance of 665.17 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

The above described tract of land contains 31,438 Square Feet, more or less.

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas)
COUNTY OF Johnson)
SS)

BE IT REMEMBERED, THAT on this 1st day of May, 1986,
before me, the undersigned Notary Public, personally came Richard L. Shaw
who is personally known to me to be
the same person who executed the foregoing instrument of writing and duly
acknowledged the execution of same.

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

Jo Ellen Tierney
Notary Public
My Appointment Expires: Jan 3, 1987

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Kansas)
COUNTY OF Johnson)
SS)

BE IT REMEMBERED, THAT on this 1st day of May, 1986,
before me, the undersigned Notary Public, personally came John A. Meier
who is personally known to me to be the
same person who executed the foregoing instrument of writing and duly
acknowledged the execution of the same.

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

Jo Ellen Tierney
Notary Public
My Appointment Expires: Jan 3, 1987

CORPORATE ACKNOWLEDGMENT

STATE OF)
COUNTY OF)
SS)

BE IT REMEMBERED, THAT on this _____ day of _____, 1986,
before me, the undersigned Notary Public in and for the County and State
of _____, came _____
and the same person who executed the
within instrument of writing and who duly acknowledges 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 day and year last above written.

Notary Public

My Appointment Expires: _____

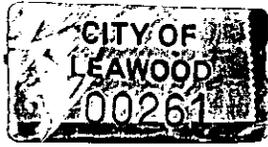
Tract No. 4 - B

Owner: Bi-State Development Company, a Kansas General Partnership

Right-of-Way Grant

All that part of the $N\frac{1}{2}$ of Section 2, Township 14, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the $N\frac{1}{2}$ of said Frac. Section 2; thence $S 2^{\circ} 18' 12'' E$, along the West line of the $N\frac{1}{2}$ of said Frac. Section 2, a distance of 862.81 feet; thence $N 87^{\circ} 47' 27'' E$, a distance of 40 feet, to a point 40 feet East of the West line of the $N\frac{1}{2}$ of said Frac. Section 2; thence $N 2^{\circ} 18' 12'' E$, along a line 40 feet East of and parallel to the West line of the $N\frac{1}{2}$ of said Frac. Section 2, a distance of 862.76 feet, to a point on the North line thereof; thence $S 87^{\circ} 52' 01'' W$, along the North line of the $N\frac{1}{2}$ of said Frac. Section 2, a distance of 40 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

The above described tract of land contains 16,855 Square Feet, more or less.



1693385 DEED OF DEDICATION

Tract No. 4-A *Kennita Rd 85-4*
ORIGINAL COMPARED WITH RECORD

KNOW ALL MEN BY THESE PRESENTS, That this Deed, made and entered into this

1st day of May, 1986, by and between Bi-State Development Co., a
Kansas General Partnership of Johnson County, State of Kansas,

Party of the First Part, and the CITY OF LEAWOOD, Johnson County, State of Kansas,

Party of the Second Part,

WITNESSETH:

That Party of the First Part, in consideration of the sum of One Dollars (\$1.00) paid in hand to Party of the First Part by Party of the Second Part, receipt whereof is hereby acknowledged, by these presents does GRANT, BARGAIN, SELL AND CONVEY unto the Party of the Second Part forever all its right, title and interest in and to the following described real estate lying and situate in the County of Johnson, State of Kansas, to-wit:

See attached legal description for Tract No. 4-A

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

1986 MAY 12 P 1:35 8

RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEF

Entered in Transfer Record
12 Day of May AD 1986
BONALD J. CURRY
Johnson County Clerk

TO HAVE AND TO HOLD THE same together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, forever. It is understood and agreed that the Party of the Second Part shall use said real estate in the construction, improvement, reconstruction and maintenance of a public right-of-way, and should said right-of-way or any part thereof be vacated, the same shall revert to Party of the First Part, its heirs, executors, administrators, successors or assigns.

And the Party of the First Part for its heirs, executors, administrators, successors and assigns, does hereby covenant, promise and agree to and with said Party of the Second Part that, at the delivery of these presents, it is lawfully seized of the interest hereby conveyed in all and singular the above-granted and described premises with the appurtenances thereto; that the same are free and clear of and from all and every encumbrance whatsoever, except those of record, and that First Party will forever warrant and defend the same unto the Party of the Second Part or its assigns forever, against all and any lawful claim of all and any persons whomsoever. Party of the First Part, for its heirs, executors, administrators, successors or assigns, hereby waives and releases to Second Party any and all claims for damages or compensation, either now or in the future, arising by reason of the use of said real estate for the purposes herein described. First Party hereby agrees that First Party shall pay any special assessments or installments thereof, matured or unmatured, on said premises hereby granted, and that Second Party shall not be liable in any way for the payment thereof. First Party further agrees that the proper Governing Body may release the premise granted from any special assessment and spread and attach such special assessment to the remainder of the property adjacent to the premises hereby granted and which are owned by First Party.

IN WITNESS WHEREOF, said Party of the First Part has hereunto set hand and seal the day and year first above written.

Bi-State Development Company,
a Kansas General Partnership

By: Richard L. Shaw
Richard L. Shaw

By: John A. Meier
John A. Meier

INDIVIDUAL ACKNOWLEDGMENT

BE IT REMEMBERED, THAT on this 1st day of May, 1986, before me, the undersigned Notary Public, personally came Richard L. Shaw who is personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

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

Ellen Tierney
Notary Public
My Appointment Expires: Jan. 3, 1987

STATE OF Kansas)
COUNTY OF Johnson)
SS)

INDIVIDUAL ACKNOWLEDGMENT

BE IT REMEMBERED, THAT on this 1st day of May, 1986, before me, the undersigned Notary Public, personally came John A. Meier who is personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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

Ellen Tierney
Notary Public
My Appointment Expires: Jan. 3, 1987

STATE OF Kansas)
COUNTY OF Johnson)
SS)

CORPORATE ACKNOWLEDGMENT

BE IT REMEMBERED, THAT on this _____ day of _____, 1986, before me, the undersigned Notary Public in and for the County and State of _____, came _____ who is personally known to me to be the _____ and the same person who executed the within instrument of writing and who duly acknowledges 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 day and year last above written.

Notary Public
My Appointment Expires: _____

Tract No. 4-A

Owner: Bi-State Development Company, a Kansas General Partnership

Right-of-Way Grant

All that part of the S $\frac{1}{2}$ of Frac. Section 35, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the S $\frac{1}{2}$ of said Frac. Section 35; thence N 2° 01' 08" W, along the West line of the S $\frac{1}{2}$ of said Frac. Section 35, a distance of 1994.09 feet; thence S 88° 42' 47" E, a distance of 60.10 feet; thence S 2° 01' 08" E, a distance of 950.62 feet, to a point of curvature; thence Southerly and Southwesterly, along a curve to the right, having a radius of 540 feet and a central angle of 11° 28' 42", a distance of 108.18 feet, to a point of reverse curvature; thence Southwesterly and Southerly, along a curve to the left, having a radius of 460 feet, a central angle of 11° 28' 42", and whose initial tangent bearing is S 9° 27' 34" W, a distance of 92.15 feet, to a point of tangency; thence S 2° 01' 08" E, a distance of 840.92 feet, to a point on the South line of the N $\frac{1}{2}$ of said Frac. Section 35; thence S 87° 52' 01" W, along the South line of the S $\frac{1}{2}$ of said Frac. Section 35, a distance of 40 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes.

The above described tract of land contains 60,513 Square Feet, more or less.

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 7/11/89
 2nd _____
 3rd _____
 4th _____
 5th _____
 6th _____

John Lewis
 Business Manager

Subscribed and sworn to before me this 11 day of

July, 1989.

Susan G. Hetherington
 Notary Public

My commission expires:
 3/30/91

Publication _____
 Fees: \$ 40.42

SUSAN G. HETHERINGTON
 Notary Public - State of Kansas
 My Appt. Exp. 3-30-91

ORD. 1106

First published in The Weekly Johnson County Legal Record, Tuesday, July 11, 1989.
 ORDINANCE NO. 1106

AN ORDINANCE ACCEPTING DEEDS FOR STREET PURPOSES; PROVIDING FOR THE CORRECTION OF A LEGAL DESCRIPTION; AND REPEAL OF EXISTING ORDINANCE.

WHEREAS, the Leawood City Council passed Ordinance No. 915 on July 7, 1988, accepting three deeds for land to be used for improvements to Kenneth Road; and

WHEREAS, two deeds from Bi-State Development Co., and one deed from G. & K. Allen and W. & P. Fohey were recorded in the Office of the Register of Deeds of Johnson County, Kansas; and

WHEREAS, in December, 1988, staff determined that the legal description attached to and a part of the deeds from Allen/Fohey was incorrect; and

WHEREAS, Allen/Fohey have given the City a recorded "corrected" deed; and

WHEREAS, it is necessary to accept the "corrected" deed by ordinance to correct the record;

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

19-577. ACCEPTANCE OF DEEDS. Section 1. That the Governing Body of the City of Leawood, Kansas, does hereby accept three deeds for land to be used for street purposes, the legal descriptions of which are as follows:

From G. & K. Allen and W. & P. Fohey - All that part of Frac. Section 35, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows:

Beginning at the Southwest corner of the N 1/2 of said Frac. Section 35; thence N 1 degree 59'26" W, along the West line of the N 1/2 of said Frac. Section 35, a distance of 604.13 feet; thence S 88 degrees 58'01" E, a distance of 41.71 feet; thence S 0 degrees 00'56" E, a distance of 48.04 feet, to a point 40 feet East of the West line of the N 1/2 of said Frac. Section 35; thence S 1 degree 59'26" E, along a line 40 feet East of and parallel to the West line of the N 1/2 of said Frac. Section 35, a distance of 555.97 feet, to a point on the North line of the S 1/2 of said Frac. Section 35; thence S 2 degrees 01'08" E, along a line 40 feet East of and parallel to the West line of the S 1/2 of said Frac. Section 35, a distance of 268.67 feet, to a point of curvature; thence Southerly and Southeasterly, along a curve to the left, having a radius of 460 feet and a central angle of 11 degrees 28'42", a distance of 92.15 feet, to a point of reverse curvature; thence Southeasterly and Southerly, along a curve to the right, having a radius of 640 feet, a central angle of 11 degrees 28'42", and whose initial tangent bearing is S 13 degrees 29'50" E, a distance of 108.18 feet, to a point of tangency; thence S 2 degrees 01'08" E, a distance of 198.89 feet; thence N 88 degrees 42'47" W, a distance of 60.10 feet, to a point on the West line of the S 1/2 of said Frac. Section 35; thence N 2 degrees 01'08" W, along the West line of the S 1/2 of said Frac. Section 35, a distance of 665.17 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes (31,438 sq. ft., more or less).

From Bi-State Development Co. - All that part of the N 1/2 of Section 2, Township 14, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the N 1/2 of said Frac. Section 2; thence S 2 degrees 18'12" E, along the West line of the N 1/2 of said Frac. Section 2, a distance of 862.81 feet; thence N 87 degrees 47'27" E, a distance of 40 feet, to a point 40 feet East of the West line of the N 1/2 of said Frac. Section 2; thence N 2 degrees 18'12" E, along a line 40 feet East of and parallel to the West line of the N 1/2 of said Frac. Section 2, a distance of 862.76 feet, to a point on the North line thereof; thence S 87 degrees 52'01" W, along the North line of the N 1/2 of said Frac. Section 2, a distance of 40 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes (16,855 sq. ft., more or less).

From Bi-State Development Co. - All that part of the S 1/2 of Frac. Section 35, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the S 1/2 of said Frac. Section 35; thence N 2 degrees 01'08" W, along the West line of the S 1/2 of said Frac. Section 35, a distance of 1994.09 feet; thence S 88 degrees 42'47" E, a distance of 60.10 feet; thence S 2 degrees 01'08" E, a distance of 950.62 feet, to a point of curvature; thence Southerly and Southwesterly, along a curve to the right, having a radius of 540 feet and a central angle of 11 degrees 28'42", a distance of 108.18 feet, to a point of reverse curvature; thence Southwesterly and Southerly, along a curve to the left, having a radius of 460 feet, a central angle of 11 degrees 28'42", and whose initial tangent bearing is S 9 degrees 27'34" W, a distance of 92.15 feet, to a point of tangency; thence S 2 degrees 01'08" E, a distance of 840.92 feet, to a point on the South line of the N 1/2 of said Frac. Section 35; thence S 87 degrees 52'01" W, along the South line of the S 1/2 of said Frac. Section 35, a distance of 40 feet, to the point of beginning, all subject to that part thereof dedicated for street purposes (80,513 sq. ft., more or less).

19-578. INCORPORATION BY REFERENCE. Section 2. Copies of said deeds are attached hereto and thereby incorporated by reference.

REPEAL OF ORDINANCE. Section 3. Ordinance No. 915, passed by the Leawood City Council July 7, 1988, is hereby repealed.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 3rd day of July, 1989.

Approved by the Mayor the 5th day of July, 1989.

/s/ Marcia Rinehart
 Mayor

(SEAL)
 Attest:
 /s/ Martha Helzer
 City Clerk
 APPROVED FOR FORM: /s/ R.S. Wetziel
 7/11

Repealed by:
ORDINANCE NO. 1280C
Adopted: 3/2/92
Effective:

ORDINANCE NO. 1105 C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD BY ADDING ARTICLE 9 TO CHAPTER 4 (BUILDINGS AND CONSTRUCTION) TO ADOPT THE 1988 EDITION OF THE "UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE".

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

Section 1. The Code of the City of Leawood is hereby amended by adding an article which reads as follows:

ARTICLE 9. UNIFORM SWIMMING POOL, SPA & HOT TUB CODE

4-901. UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE INCORPORATED. The "Uniform Swimming Pool, Spa and Hot Tub Code", 1988 Edition, as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted and incorporated in this chapter as fully as if set forth herein, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Code shall be marked or stamped "Official Copy", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

4-902. UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE AMENDED; SEC. 1.7 VIOLATION AND PENALTIES. Sec. 1.7 Violation and Penalties is hereby changed to read as follows: Any person, firm or corporation violating any provision of this Code shall be deemed guilty of a public offense, punishable by a fine of not more than \$500 or by imprisonment not exceeding 30 days or both such fine and imprisonment. Each day that violation continues shall be deemed a separate offense.

4-903. SAME; SEC. 1.11 COST OF PERMIT. Sec. 1.11 Cost of Permit is hereby deleted.

Section 2. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Governing Body of the City of Leawood hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared

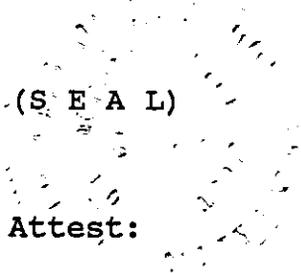
unconstitutional.

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

Passed by the Council the 3rd day of July, 1989.

Approved by the Mayor the 5th day of July, 1989.

(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzer
R.S. Wetzer City Attorney

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

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

18-1703. Section 1. The following described real property is hereby designated as being zoned RP-3, Planned Garden Apartment District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the W 1/2 of the NW 1/4 of Section 34, Township 13s, Range 25e, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the NW corner of the NW 1/4 of said Section 34; thence Southerly, along the West line of the N 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, to the SW corner thereof; thence Easterly, along the North line of the S 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, a distance of 450 feet, to the True Point of Beginning of subject tract; thence Southerly, along a line parallel to the West line of the NW 1/4 of said Section 34, a distance of 70 feet; thence Southerly, along a line that deflects 6° 06' 20" to the right from the last described course, a distance of 235 feet; thence Southeasterly, along a line that deflects, 24° 49' 14" to the left from the last described course, a distance of 129.26 feet; thence Northeasterly, along a line that deflects 86° 34' 03" to the left from the last described course, a distance of 130 feet; thence Southeasterly, along a line that deflects 93° to the right from the last described course, a distance of 119.39 feet; thence Southeasterly, along a line that deflects 8° 03' 22" to the left from the last described course, a distance of 400 feet; thence Southeasterly, along a line that deflects 45° 33' 02" to the left from the last described course, a distance of 145 feet; thence Northeasterly, along a line that deflects 90° to the left from the last described course, a distance of 205 feet; thence Southeasterly, along a line that deflects 90° to the right from the last described course, a distance of 65 feet; thence Southeasterly, along a line that deflects 42° 30' 36" to the right of the last described course, a distance of 90.53 feet; thence Easterly, along a line that deflects 54° 32' 57" to the left from the last described course, a distance of 264 feet, to a point of the East line of the W 1/2 of the NW 1/4 of said Section 34 and 925 feet South of the Northeast corner of the S 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, as measured along the East line of the W 1/2 of the NW 1/4 of said Section 34; thence Northerly, along the East line of the W 1/2 of the NW 1/4 of said Section 34, a distance of 925 feet, to the Northeast corner of the S 1/2 of the NW 1/4 of the NW 1/4 of said Section 34; thence Westerly, along the North line of the S 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, to the True Point of Beginning of subject tract, containing 15.38 acres, more or less.

(137th & Mission; Pine Lake Apartments)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 3rd day of July, 1989.

Approved by the Mayor the 5th day of July, 1989.

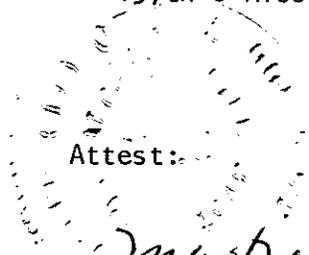


Marcia Rinehart
Marcia Rinehart Mayor

Page 2

ORDINANCE NO. 1104

re rezoning A to RP-3, Pine Lake Apartments,
137th & Mission Rd.



Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler
R.S. Wetzler

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

- 1st 7/11/89
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 11 day of July, 1989.

Susan G. Hetherington
Notary Public
My commission expires: 3/30/91

Publication Fees: \$ 23.56

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Aapt. Exp. 3-30-91

ORD. 1104

First published in The Weekly Johnson County Legal Record, Tuesday, July 11, 1989.
ORDINANCE NO. 1104

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

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

18-1703. Section 1. The following described real property is hereby designated as being zoned RP-3, Planned Garden Apartment District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the W 1/2 of the NW 1/4 of Section 34, Township 13s, Range 25e, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the NW corner of the NW 1/4 of said Section 34; thence Southerly, along the West line of the N 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, to the SW corner thereof, thence Easterly, along the North line of the S 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, a distance of 450 feet, to the True Point of Beginning of subject tract; thence Southerly, along a line parallel to the West line of the NW 1/4 of said Section 34, a distance of 70 feet; thence Southerly, along a line that deflects 6 degrees 06' 20" to the right from the last described course, a distance of 235 feet; thence Southeasterly, along a line that deflects 24 degrees 49' 14" to the left from the last described course, a distance of 129.26 feet; thence Northeasterly, along a line that deflects 86 degrees 34' 03" to the left from the last described course, a distance of 130 feet; thence Southeasterly, along a line that deflects 93 degrees to the right from the last described course, a distance of 119.39 feet; thence Southeasterly, along a line that deflects 8 degrees 03' 22" to the left from the last described course, a distance of 400 feet; thence Southeasterly, along a line that deflects 45 degrees 33' 02" to the left from the last described course, a distance of 145 feet; thence Northeasterly, along a line that deflects 90 degrees to the left from the last described course, a distance of 205 feet; thence Southeasterly, along a line that deflects 90 degrees to the right from the last described course, a distance of 65 feet; thence Southeasterly, along a line that deflects 42 degrees 30' 36" to the right of the last described course, a distance of 90.53 feet; thence Easterly, along a line that deflects 54 degrees 32' 57" to the left from the last described course, a distance of 264 feet, to a point of the East line of the W 1/2 of the NW 1/4 of said Section 34 and 925 feet South of the Northeast corner of the S 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, as measured along the East line of the W 1/2 of the NW 1/4 of said Section 34; thence Northerly, along the East line of the W 1/2 of the NW 1/4 of said Section 34, a distance of 925 feet, to the Northeast corner of the S 1/2 of the NW 1/4 of the NW 1/4 of said Section 34; thence Westerly, along the North line of the S 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, to the True Point of Beginning of subject tract, containing 15.38 acres, more or less.
(137th & Mission; Pine Lake Apartments)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 3rd day of July, 1989.

Approved by the Mayor the 5th day of July, 1989.

/s/ Marcia Rinehart
Mayor
(SEAL)

Attest: /s/ Martha Helzer
City Clerk
APPROVED FOR FORM:
/s/ R.S. Wetziar

AN ORDINANCE RELATING TO ZONING OF PROPERTY IN THE CITY OF LEAWOOD,
KANSAS.Be it ordained by the Governing Body of the City of Leawood:

18-1305. Section 1. The following described real property is hereby designated as being zoned RP-2, Planned Two Family Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the $\frac{W}{2}$ of the $\frac{NW}{4}$ of Section 34, Township 13s, Range 25e, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the NW corner of the $\frac{NW}{4}$ of said Section 34; thence Southerly, along the West line of the $\frac{N}{2}$ of the $\frac{NW}{4}$ of the $\frac{NW}{4}$ of said Section 34, to the SW corner thereof, said point being the True Point of Beginning of subject tract; thence Easterly, along the North line of the $\frac{S}{2}$ of the $\frac{NW}{4}$ of the $\frac{NW}{4}$ of said Section 34, a distance of 450 feet; thence Southerly, along a line parallel to the West line of the $\frac{NW}{4}$ of said Section 34, a distance of 70 feet; thence Southerly, along a line that deflects $6^{\circ} 06' 20''$ to the right from the last described course, a distance of 235 feet; thence thence Southeasterly along a line that deflects $24^{\circ} 49' 14''$ to the left from the last described course, a distance of 129.26 feet; thence Northeasterly, along a line that deflects $86^{\circ} 34' 03''$ to the left from the last described course a distance of 130 feet; thence Southeasterly, along a line that deflects 93° to the right from the last described course, a distance of 119.39 feet; thence Southeasterly, along a line that deflects $8^{\circ} 03' 22''$ to the left from the last described course, a distance of 400 feet; thence Southeasterly, along a line that deflects $45^{\circ} 33' 02''$ to the left from the last described course, a distance of 145 feet; thence Northeasterly, along a line that deflects 90° to the left from the last described course, a distance of 205 feet; thence Southeasterly, along a line that deflects 90° to the right from the last described course, a distance of 65 feet; thence Southeasterly, along a line that deflects $42^{\circ} 30' 36''$ to the right of the last described course, a distance of 90.53 feet; thence Southwesterly, along a line that deflects $49^{\circ} 32' 07''$ to the right from the last described course, a distance of 270 feet; thence Northwesterly, along a line that deflects $87^{\circ} 57' 17''$ to the right from the last described course, a distance of 320 feet; thence Northwesterly, along a line that deflects $45^{\circ} 33' 02''$ to the right from the last described course, a distance of 308.60 feet, to a point 25.12 feet South of, as measured perpendicular to, the North line of the $\frac{SW}{4}$ of the $\frac{NW}{4}$ of said Section 34; thence Westerly, along a line 25.12 feet South of and parallel to the North line of the $\frac{SW}{4}$ of the $\frac{NW}{4}$ of said Section 34, a distance of 549.30 feet, to a point on the West line of the $\frac{NW}{4}$ of said Section 34; thence Northerly, along the West line of the $\frac{NW}{4}$ of said Section 34, a distance of 688 feet, to the True Point of Beginning of subject tract, containing 10.37 acres of land, more or less.

(137th & Mission Rd.; Pine Lake Apartments)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 3rd day of July, 1989.

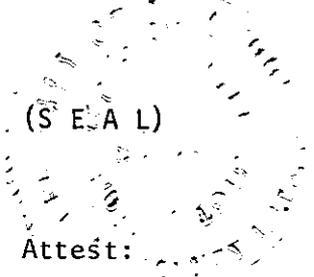
Approved by the Mayor the 5th day of July, 1989.

Page 2

ORDINANCE NO. 1103

re rezoning A to RP-2, Pine Lake Apartments,
137th & Mission Rd.

(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

K.S. Wetzel

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for consecutive week(s) as follows:

1st 7/11/89
2nd _____
3rd _____
4th _____
5th _____
6th _____

John Lewis
Business Manager
Subscribed and sworn to before me this 11 day of July, 1989.
Susan G. Hetherington
Notary Public
My commission expires: 3/30/91

Publication Fees: \$ 24.13

SUSAN G. HETHERINGTON
Notary Public - State of Kansas
My Appt. Exp. 3-30-91

ORD. 1103

First published in The Weekly Johnson County Legal Record, Tuesday, July 11, 1989.
ORDINANCE NO. 1103

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

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

18-1305. Section 1. The following described real property is hereby designated as being zoned RP-2, Planned Two Family Residential District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural:

All that part of the W 1/2 of the NW 1/4 of Section 34, Township 13s, Range 25e, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the NW corner of the NW 1/4 of said Section 34; thence Southerly, along the West line of the N 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, to the SW corner thereof, said point being the True Point of Beginning of subject tract; thence Easterly, along the North line of the S 1/2 of the NW 1/4 of the NW 1/4 of said Section 34, a distance of 450 feet; thence Southerly, along a line parallel to the West line of the NW 1/4 of said Section 34, a distance of 70 feet; thence Southerly, along a line that deflects 6 degrees 06' 20" to the right from the last described course, a distance of 235 feet; thence Southeastery along a line that deflects 24 degrees 49' 14" to the left from the last described course, a distance of 129.26 feet; thence Northeastery, along a line that deflects 86 degrees 34' 03" to the left from the last described course a distance of 130 feet; thence Southeastery, along a line that deflects 93 degrees to the right from the last described course, a distance of 119.39 feet; thence Southeastery, along a line that deflects 8 degrees 03' 22" to the left from the last described course, a distance of 400 feet; thence Southeastery, along a line that deflects 45 degrees 33' 02" to the left from the last described course, a distance of 145 feet; thence Northeastery, along a line that deflects 90 degrees to the left from the last described course, a distance of 205 feet; thence Southeastery, along a line that deflects 90 degrees to the right from the last described course, a distance of 65 feet; thence Southeastery, along a line that deflects 42 degrees 30' 36" to the right of the last described course, a distance of 90.53 feet; thence Southwesterly, along a line that deflects 49 degrees 32' 07" to the right from the last described course, a distance of 270 feet; thence Northwesterly, along a line that deflects 87 degrees 57' 17" to the right from the last described course, a distance of 320 feet; thence Northwesterly, along a line that deflects 45 degrees 33' 02" to the right from the last described course, a distance of 308.60 feet, to a point 25.12 feet South of, as measured perpendicular to, the North line of the SW 1/4 of the NW 1/4 of said Section 34; thence Westerly, along a line 25.12 feet South of and parallel to the North line of the SW 1/4 of the NW 1/4 of said Section 34, a distance of 549.30 feet, to a point on the West line of the NW 1/4 of said Section 34; thence Northerly, along the West line of the NW 1/4 of said Section 34, a distance of 688 feet, to the True Point of Beginning of subject tract, containing 10.37 acres of land, more or less. (137th & Mission Rd.; Pine Lake Apartments)

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 3rd day of July, 1989.

Approved by the Mayor the 5th day of July, 1989.

/s/ Marcia Rinohart
Mayor
(SEAL)

Attest: /s/ Martha Heizer
City Clerk
APPROVED FOR FORM:
/s/ R.S. Weizler

ORDINANCE NO. 1102 C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD BY ADDING ARTICLE 4 (COST RECOVERY FROM ENVIRONMENTAL RELEASES) TO CHAPTER 8 (HEALTH AND WELFARE) TO PROVIDE FOR RECOVERY OF EXPENSES OF THE CITY OF LEAWOOD INCURRED IN EMERGENCY ACTIONS IN RESPONSE TO RELEASES OR THREATENED RELEASES OF MATERIAL INTO OR UPON THE ENVIRONMENT.

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

Section 1. The Code of the City of Leawood is hereby amended by adding an article which reads as follows:

ARTICLE 4. COST RECOVERY FROM ENVIRONMENTAL RELEASES

8-401. DEFINITIONS. (a) Emergency action. Emergency action shall mean all exigent activities conducted in order to prevent or mitigate harm to the public health and safety and the environment from a release or threatened release of any material into or upon land, water or air.

(b) Person. Person shall include any individual, corporation, association, partnership, firm, trustee, legal representative, or any combination thereof.

(c) Recoverable expenses. Recoverable expenses shall include those expenses of the City of Leawood that are reasonable, necessary and allocable to an emergency action. Recoverable expenses shall not include normal budgeted expenditures that are incurred in the course of providing what are traditionally city services and responsibilities, such as routine firefighting protection. Expenses allowable for recovery may include, but are not limited to:

- (1) Disposable materials and supplies consumed and expended specifically for the purpose of the emergency action.
- (2) Compensation of employees for the time and efforts devoted specifically to the emergency action.
- (3) Rental or leasing of equipment used specifically for the emergency action (e.g., protective equipment or clothing, scientific and technical equipment).
- (4) Replacement costs for equipment owned by the City that is contaminated beyond reuse or repair, if the equipment was a total loss and the loss occurred during the emergency action (e.g., self-contained breathing apparatus irretrievably contaminated during the response).
- (5) Decontamination of equipment contaminated during the response.
- (6) Special technical services specifically required

for the response (e.g., costs associated with the time and efforts of technical experts or specialists not otherwise provided for by the City).

- (7) Other special services specifically required for the emergency action.
- (8) Laboratory costs of analyzing samples taken during the emergency action.
- (9) Any costs of cleanup, storage, or disposal of the released material.
- (10) Costs associated with the services, supplies and equipment procured for a specific evacuation of persons or property.
- (11) Medical expenses incurred as a result of response activities.
- (12) Legal expenses that may be incurred as a result of the emergency action, including efforts to recover expenses pursuant to this ordinance.

(d) Release. Release shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into or upon land, water or air, of any material.

(e) Threatened Release. Threatened release shall mean any imminent or impending event potentially causing but not resulting in a release, but causing the City to undertake an emergency action.

8-402. STRICT LIABILITY. Any person causing or responsible for a release or threatened release resulting in an emergency action shall be strictly liable to the City for the recoverable expenses resulting from the emergency action. There shall be a rebuttable presumption that any person owning or controlling property causing a release or threatened release is responsible for such release or threatened release.

8-403. RECOVERY OF EXPENSES. (a) Itemization of Recoverable Expenses. City personnel and departments involved in an emergency action shall keep an itemized record of recoverable expenses resulting from an emergency action. Promptly after completion of an emergency action, the appropriate City department shall certify those expenses to the City Administrator.

(b) Submission of Claim. The City shall submit a written itemized claim for the total expenses incurred by the City for the emergency action to the responsible person and a written notice that unless the amounts are paid in full to the City within thirty (30) days after the date of the mailing of the claim and notice, the City will file a civil action seeking recovery for the stated amount.

(c) Lien on Property. The City may cause a lien in the

amount of the recoverable expenses to be placed on any real property located with the City owned by the person causing or responsible for the emergency action.

(d) Civil Suit. The City may bring a civil action for recovery of the recoverable expenses against any and all persons causing or responsible for the emergency action.

Section 2. Nothing in this ordinance shall be construed to conflict with state or federal laws requiring persons causing or responsible for releases or threatened releases from engaging in remediation activities and/or paying the costs thereof.

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

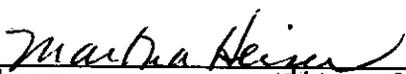
Passed by the Council the 19th day of June, 1989.

Approved by the Mayor the 20th day of June, 1989.

(S E A L)

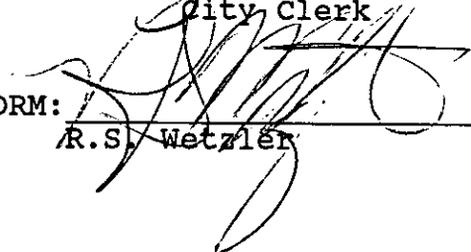

Marcia Rinehart Mayor

Attest:


Martha Heizer

City Clerk

APPROVED FOR FORM:


R.S. Wetzi

City Attorney

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;

John Lewis, of lawful age, being first duly sworn, deposes and says that he is Business Manager of The Weekly (THE JOHNSON COUNTY LEGAL RECORD), a newspaper printed in the State of Kansas, and published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive week(s) as follows:

1st 4/20
 2nd _____
 3rd _____
 4th _____
 5th _____
 6th _____

John Lewis
 Business Manager

Subscribed and sworn to before me this 20 day of

June, 1989.

Susan G. Hetherington
 Notary Public

My commission expires:
 3/30/91

Publication

Fees: \$ 32.48

SUSAN G. HETHERINGTON
 Notary Public - State of Kansas
 My Appt. Exp. 3-30-91

ORD. 1102 C

First published in The Weekly Johnson County Legal Record, Tuesday, June 20, 1989.

ORDINANCE NO. 1102 C
 AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD BY ADDING ARTICLE 4 (COST RECOVERY FROM ENVIRONMENTAL RELEASES) TO CHAPTER 8 (HEALTH AND WELFARE) TO PROVIDE FOR RECOVERY OF EXPENSES OF THE CITY OF LEAWOOD INCURRED IN EMERGENCY ACTIONS IN RESPONSE TO RELEASES OR THREATENED RELEASES OF MATERIAL INTO OR UPON THE ENVIRONMENT.

Be it ordained by the Governing Body of the City of Leawood: Section 1. The Code of the City of Leawood is hereby amended by adding an article which reads as follows:

ARTICLE 4. COST RECOVERY FROM ENVIRONMENTAL RELEASES

8-401. DEFINITIONS. (a) Emergency action. Emergency action shall mean all exigent activities conducted in order to prevent or mitigate harm to the public health and safety and the environment from a release or threatened release of any material into or upon land, water or air.

(b) Person. Person shall include any individual, corporation, association, partnership, firm, trustee, legal representative, or any combination thereof.

(c) Recoverable expenses. Recoverable expenses shall include those expenses of the City of Leawood that are reasonable, necessary and allocable to an emergency action. Recoverable expenses shall not include normal budgeted expenditures that are incurred in the course of providing what are traditionally city services and responsibilities, such as routine firefighting protection. Expenses allowable for recovery may include, but are not limited to:

(1) Disposable materials and supplies consumed and expended specifically for the purpose of the emergency action.

(2) Compensation of employees for the time and efforts devoted specifically to the emergency action.

(3) Rental or leasing of

equipment used specifically for the emergency action (e.g., protective equipment or clothing, scientific and technical equipment).

(4) Replacement costs for equipment owned by the City that is contaminated beyond reuse or repair, if the equipment was a total loss and the loss occurred during the emergency action (e.g., self-contained breathing apparatus irretrievably contaminated during the response).

(5) Decontamination of equipment contaminated during the response.

(6) Special technical services specifically required for the response (e.g., costs associated with the time and efforts of technical experts or specialists not otherwise provided for by the City).

(7) Other special services specifically required for the emergency action.

(8) Laboratory costs of analyzing samples taken during the emergency action.

(9) Any costs of cleanup, storage, or disposal of the released material.

(10) Costs associated with the services, supplies and equipment procured for a specific evacuation of persons or property.

(11) Medical expenses incurred as a result of response activities.

(12) Legal expenses that may be incurred as a result of the emergency action, including efforts to recover expenses pursuant to this ordinance.

(d) Release. Release shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into or upon land, water or air, of any material.

(e) Threatened Release. Threatened release shall mean any imminent or impending event potentially causing but not resulting in a release, but causing the City to undertake an emergency action.

8-402. STRICT LIABILITY. Any person causing or responsible for a release or threatened release resulting in an emergency action shall be strictly liable to the City for the recoverable expenses resulting from the emergency action. There shall be a rebuttable presumption that any person

owning or controlling property causing a release or threatened release is responsible for such release or threatened release.

8-403. RECOVERY OF EXPENSES. (a) Itemization of Recoverable Expenses. City personnel and departments involved in an emergency action shall keep an itemized record of recoverable expenses resulting from an emergency action. Promptly after completion of an emergency action, the appropriate City department shall certify those expenses to the City Administrator.

(b) Submission of Claim. The City shall submit a written itemized claim for the total expenses incurred by the City for the emergency action to the responsible person and a written notice that unless the amounts are paid in full to the City within thirty (30) days after the date of the mailing of the claim and notice, the City will file a civil action seeking recovery for the stated amount.

(c) Lien on Property. The City may cause a lien in the amount of the recoverable expenses to be placed on any real property located with the City owned by the person causing or responsible for the emergency action.

(d) Civil Suit. The City may bring a civil action for recovery of the recoverable expenses against any and all persons causing or responsible for the emergency action.

Section 2. Nothing in this ordinance shall be construed to conflict with state or federal laws requiring persons causing or responsible for releases or threatened releases from engaging in remediation activities and/or paying the costs thereof.

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

Passed by the Council the 19th day of June, 1989.

Approved by the Mayor the 20th day of June, 1989.

/s/ Marcia Rinehart

Mayor

(SEAL)

Attest:

/s/ Martha Heizer

City Clerk

APPROVED FOR FORM:

/s/ R.S. Wetzlar

City Attorney

6/20

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

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

18-1808. Section 1. The following described real property is hereby designated as being zoned CP-0, Planned Office Building District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural:

A tract of land situated in the East half of the Northwest quarter of Section 34, Township 13 South, Range 25 East of the 6th Principal Meridian, in Johnson County, Kansas, more particularly described as follows:

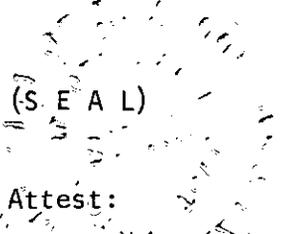
Commencing at the Northeast corner of said East half of the Northwest quarter; thence on a bearing of South 00° 20' 52" West, along the East line of said East half of the Northwest quarter, a distance of 60.00 feet to a point on the South right-of-way line of Kansas Highway No. 150 and the POINT OF BEGINNING; thence continuing on a bearing of South 00° 20' 52" West, along said East line, a distance of 871.22 feet; thence on a bearing of South 90° 00' 00" West, parallel with the North line of said East half of the Northwest quarter, a distance of 550.00 feet; thence on a bearing of North 00° 20' 52" East, parallel with the East line of said East half of the Northwest quarter, a distance of 871.22 feet to a point on the South right-of-way line of Kansas Highway No. 150; thence on a bearing of North 90° 00' 00" East, along said South right-of-way line and parallel with the North line of said East half of the Northwest quarter, a distance of 550.00 feet to the POINT OF BEGINNING.

The above described tract of land contains 11.000 acres, more or less; approximately 135th & Aberdeen; Lord of Life Lutheran Church.

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 5th day of June, 1989.

Approved by the Mayor the 6th day of June, 1989.



Marcia Rinehart
Marcia Rinehart Mayor

Attest:
Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Weitzler
R.S. Weitzler City Attorney

First Published in The Johnson County Sun, Friday, June 9, 1989.

ORDINANCE NO. 1101
AN ORDINANCE RELATING TO ZONING OF PROPERTY IN THE CITY OF LEAWOOD, KANSAS.

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

18-1808. Section 1. The following described real property is hereby designated as being zoned CP-O, Planned Office Building District, in accordance with the terms of the "Zoning Ordinance" of April 17, 1978, this property having been previously zoned A, Agricultural.

A tract of land situated in the East half of the Northwest quarter of Section 34, Township 13 South, Range 25 East of the 6th Principal Meridian, in Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast corner of said East half of the Northwest quarter; thence on a bearing of South 00° 20' 52" West, along the East line of said East half of the Northwest quarter, a distance of 60.00 feet to a point on the South right-of-way line of Kansas Highway No. 150 and the POINT OF BEGINNING; thence continuing on a bearing of South 00° 20' 52" West, along said East line, a distance of 871.22 feet; thence on a bearing of South 90° 00' 00" West, parallel with the North line of said East half of the Northwest quarter, a distance of 550.00 feet; thence on a bearing of North 00° 20' 52" East, parallel with the East line of said East half of the Northwest quarter, a distance of 871.22 feet to a point on the South right-of-way line of Kansas Highway No. 150; thence on a bearing of North 90° 00' 00" East, along said South right-of-way line and parallel with the North line of said East half of the Northwest quarter, a distance of 550.00 feet to the POINT OF BEGINNING.

The above described tract of land contains 11.000 acres, more or less; approximately 135th & Aberdeen; Lord of Life Lutheran Church.

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 5th day of June, 1989.
Approved by the Mayor the 6th day of June, 1989.

(s) Marcia Rinehart
Mayor
(SEAL)
Attest:
(s) Martha Heizer
City Clerk
APPROVED FOR FORM:
/s/ R.S. Wetzler
City Attorney

(5879 1F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martesen being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 9th day of June 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Deanna Martesen

Subscribe and sworn to before me this 9th day of June 1989

Marguerite E. Baker
NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 3-15-92

My Commission expires: 3-15-92
Printer's Fee \$ 48.50
Additional copies \$ -----

AN ORDINANCE GRANTING AN EASEMENT TO JOHNSON COUNTY WASTEWATER DISTRICT FOR CONSTRUCTION OF SANITARY SEWERS; HALLBROOK SUB-DIVISION, PHASE 2; AND REPEAL OF ORDINANCE NO. 1089.

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

19-6,205. Section 1. The City of Leawood, Kansas, does hereby grant a sanitary sewer easement to Johnson County Wastewater District on property described as follows:

A strip of land 20.00 feet in width for a sanitary sewer easement, in the Northwest 1/4 of Section 15, Township 13, Range 25, in Leawood, Johnson County, Kansas, lying 10.00 feet on each side of the following described centerline: Commencing at the Northwest corner of Lot 19, Block 1, "Hallbrook Farms, Second Plat", a subdivision of land in said City, County, and State; thence South 14°-00'-00" East along the West line of said Lot 19, a distance of 18.89 feet to the point of beginning of the easement herein described; thence South 77°-43'-45" West, a distance of 127.03 feet; thence South 79°-54'-53" West, a distance of 20.00 feet to the point of termination of said easement.

(easement crosses the Greenway)

19-6,206. INCORPORATION BY REFERENCE. Section 2. A copy of said easement is attached hereto and thereby incorporated by reference.

REPEAL OF ORDINANCE. Section 3. Ordinance No. 1089, passed by the City Council January 16, 1989, is hereby repealed.

TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 1st day of May, 1989.

Approved by the Mayor the 2nd day of May, 1989.

(S E A L)

Attest:

Marcia Rinehart
Marcia Rinehart Mayor

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.B. Wetzer City Attorney

NOW ALL MEN BY THESE PRESENTS, That The City of Leawood, Johnson County, Kansas
9617 Lee Boulevard

of the Post Office of 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 acknowledged, hereby grant and
convey unto Lateral Sewer District #6 of Tomahawk Creek Sewer Sub-District #4

HEREIN, 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:

SANITARY SEWER EASEMENT

DESCRIPTION: A STRIP OF LAND 20.00 FEET IN WIDTH FOR A SANITARY SEWER
EASEMENT, IN THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 13, RANGE 25,
IN LEAWOOD, JOHNSON COUNTY, KANSAS, LYING 10.00 FEET ON EACH SIDE OF
THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE NORTHWEST CORNER
OF LOT 19, BLOCK 1, "HALLBROOK FARMS, SECOND PLAT", A SUBDIVISION OF
LAND IN SAID CITY, COUNTY AND STATE; THENCE SOUTH 14°-00'-00" EAST ALONG
THE WEST LINE OF SAID LOT 19, A DISTANCE OF 18.89 FEET TO THE POINT OF
BEGINNING OF THE EASEMENT HEREIN DESCRIBED; THENCE SOUTH 77°-43'-45"
WEST, A DISTANCE OF 127.03 FEET; THENCE SOUTH 79°-54'-53" WEST, A DISTANCE
OF 20.00 FEET TO THE POINT OF TERMINATION OF SAID EASEMENT.

STATE OF KANSAS
COUNTY OF JOHNSON } SS
FILED FOR RECORD

1989 MAY -5 A 10:54 3

10⁰⁰ SARA FULLMANN
REGISTER OF DEEDS

BY _____ DEP.

REFILED TO CORRECT THE LEGAL OF A
PREVIOUS DOCUMENT FILED JANUARY
20, 1989, IN VOL. 2929, PAGES 533,
534, AND 535.

This grant is a permanent easement for the purpose aforesated 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 three years 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 plaoing of other improvements on said permanent right-of-way will be done at the
risk of subsequent damage thereto without compensation therefore.

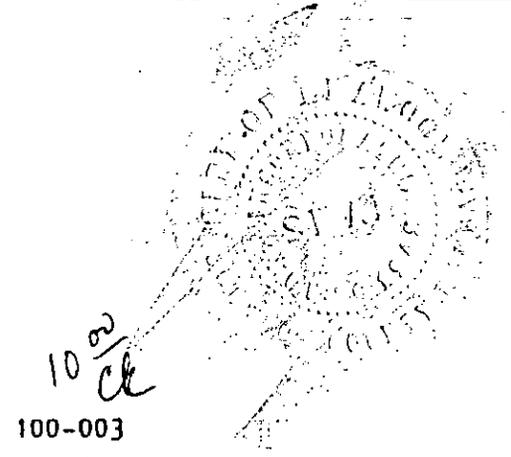
This agreement is binding upon the heirs, executors, administrators, successors and assigns
of the parties hereto, and it is understood that this agreement cannot be changed in any way
except in writing, signed by the grantor and a duly authorized agent of the grantee.

IN WITNESS WHEREOF, the grantor has hereunto set hand and seal on this,
the 1st day of May, 1989.

City of Leawood, Kansas

By: Marcia Rinehart
Marcia Rinehart, Mayor

NOTARIZE ON REVERSE



100-003

INDIVIDUAL ACKNOWLEDGMENT

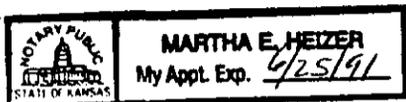
STATE OF KANSAS)
)
County of JOHNSON) SS.

BE IT REMEMBERED, That on this 1st day of May, 1989, before me, the undersigned, a Notary Public In and for said County and State, came

Marcia Rinehart, Mayor, City of Leawood, Kansas

who personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of same.

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



Martha E. Heizer
Notary Public Martha E. Heizer

My Commission Expires: June 25, 1991

CORPORATE ACKNOWLEDGMENT

STATE OF _____)
)
County of _____) SS.

BE IT REMEMBERED that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public In and for the County and State aforesaid, came _____, President of _____, a corporation duly organized, incorporated and existing under and by virtue of the laws of _____; and _____, 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 _____.

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

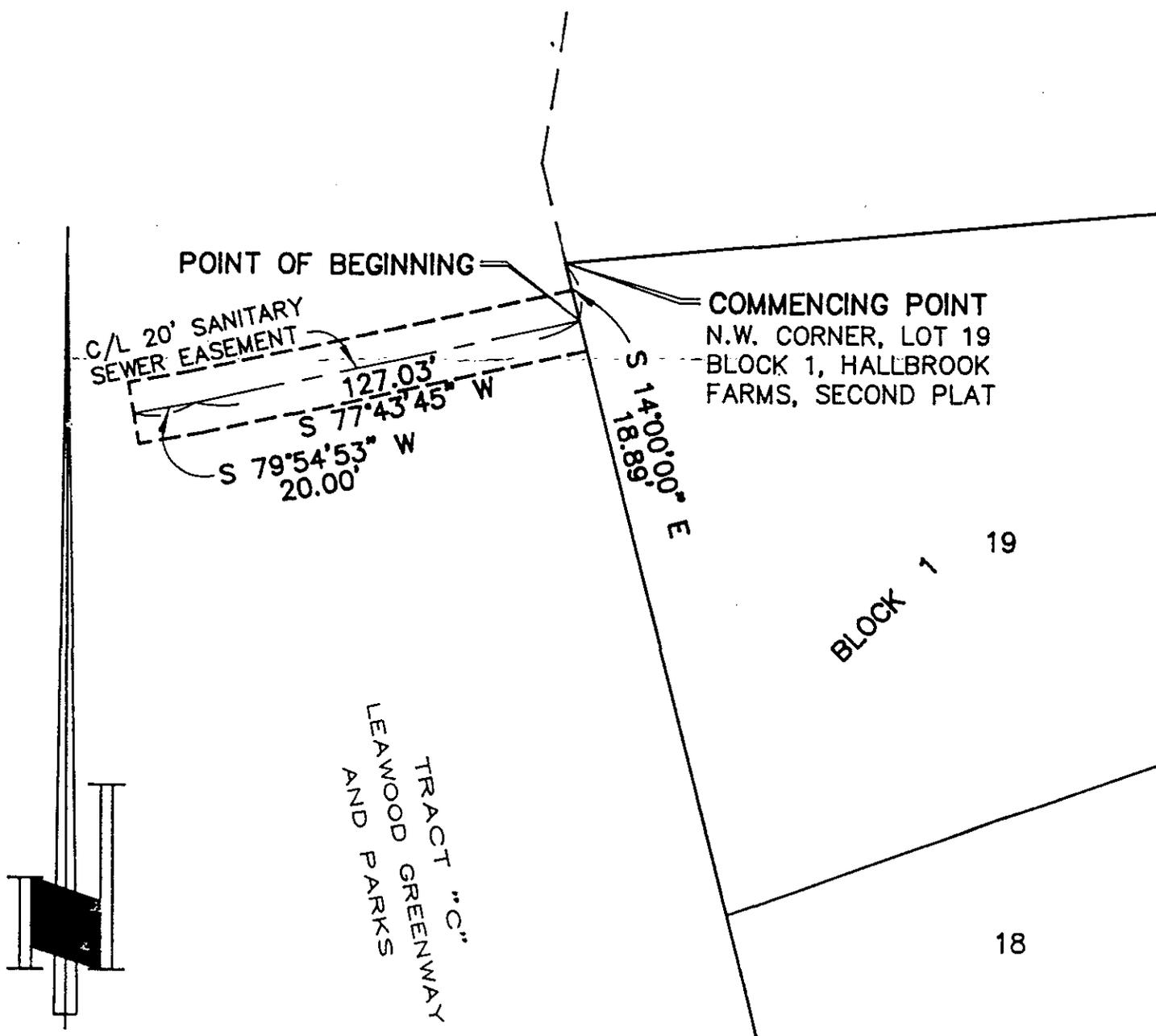
Notary Public

My Commission Expires: _____

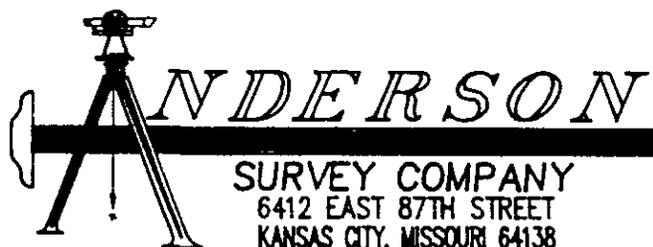
100-004

SANITARY SEWER EASEMENT

DESCRIPTION: A STRIP OF LAND 20.00 FEET IN WIDTH FOR A SANITARY SEWER EASEMENT, IN THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 13, RANGE 25, IN LEAWOOD, JOHNSON COUNTY, KANSAS, LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE NORTHWEST CORNER OF LOT 19, BLOCK 1, "HALLBROOK FARMS, SECOND PLAT", A SUBDIVISION OF LAND IN SAID CITY, COUNTY AND STATE; THENCE SOUTH 14°-00'-00" EAST ALONG THE WEST LINE OF SAID LOT 19, A DISTANCE OF 18.89 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED; THENCE SOUTH 77°-43'-45" WEST, A DISTANCE OF 127.03 FEET; THENCE SOUTH 79°-54'-53" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF TERMINATION OF SAID EASEMENT.



SCALE: 1" = 50'
 DECEMBER 6, 1988
 REVISED: 2-13-89
 (CHA. TO LOT NO.)



FOR: HALLBROCK FARMS ASSOCIATES

88-12-34692-2
 15-13-25

First Published in The Johnson County Sun, Friday, May 5, 1989.
 ORDINANCE NO. 1100
 AN ORDINANCE GRANTING AN EASEMENT TO JOHNSON COUNTY WASTEWATER DISTRICT FOR CONSTRUCTION OF SANITARY SEWERS: HALLBROOK SUB-DIVISION, PHASE 2; AND REPEAL OF ORDINANCE NO. 1089.
 Be it ordained, by the Governing Body of the City of Leawood:
 19-6.205. Section 1. The City of Leawood, Kansas, does hereby grant a sanitary sewer easement to Johnson County Wastewater District on property described as follows:
 A strip of land 20.00 feet in width for a sanitary sewer easement, in the Northwest 1/4 of Section 15, Township 13, Range 25, in Leawood, Johnson County, Kansas, lying 10.00 feet on each side of the following described centerline; Commencing at the Northwest corner of Lot 19, Block 1, "Hallbrook Farms, Second Plat", a subdivision of land in said City, County, and State; thence South 14°-00'-00" East along the West line of said Lot 19, a distance of 18.89 feet to the point of beginning of the easement herein described; thence South 77°-43'-45" West, a distance of 127.03 feet; thence South 79°-54'-53" West, a distance of 20.00 feet to the point of termination of said easement.
 (Easement crosses the Greenway)
 19-6.206. INCORPORATION BY REFERENCE. Section 2. A copy of said easement is attached hereto and thereby incorporated by reference.
 REPEAL OF ORDINANCE. Section 3. Ordinance No. 1089, passed by the City Council January 16, 1989, is hereby repealed.
 TAKE EFFECT. Section 4. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.
 Passed by the Council the 1st day of May, 1989.
 Approved by the Mayor the 2nd day of May, 1989.
 (s) Marcia Rinehart, Mayor (SEAL)
 Attest:
 (s) Martha Heizer, City Clerk
 APPROVED FOR FORM:
 /s/ R. S. Wetzler, City Attorney (5737 1F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martein being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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.

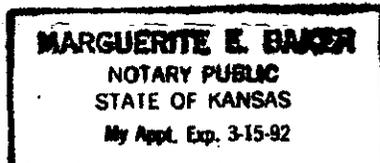
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 5th day of May 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
 -----, 19-----, 19-----

Deanna Martein

Subscribe and sworn to before me this 5th day of May 1989

Marguerite E. Baker
 NOTARY PUBLIC



My Commission expires: 3-15-92
 Printer's Fee \$ 41.22
 Additional copies \$ -----

ORDINANCE NO. 1099 C

AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD BY ADDING SECTION 14-105 TO AMEND THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", 1987 EDITION.

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

Section 1. The Code of the City of Leawood is hereby amended by adding a section which reads as follows:

14-105. SAME; PEDESTRIANS ON HIGHWAYS. Section 68 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Sec. 68. Pedestrians on Highways. (a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk, jog or run along and upon an adjacent roadway.

(b) Where a sidewalk is not available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run only on a shoulder, as far as practicable from the edge of the roadway.

(c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk, jog or run only on the left side of the roadway.

(d) Except as otherwise provided in this ordinance, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 1st day of May, 1989.

Approved by the Mayor the 2nd day of May, 1989.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM: R.S. Wetzler City Attorney

Repealed by:
ORDINANCE NO. 1122
Adopted: 9/5/89
Effective:

First Published in The Johnson County Sun, Friday, May 5, 1989.
 ORDINANCE NO. 1099C
 AN ORDINANCE AMENDING THE CODE OF THE CITY OF LEAWOOD BY ADDING SECTION 14-105 TO AMEND THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", 1987 EDITION.
 Be it ordained by the Governing Body of the City of Leawood:
 Section 1. The Code of the City of Leawood is hereby amended by adding a section which reads as follows:
 14-105. SAME; PEDESTRIANS ON HIGHWAYS. Section 68 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:
 Sec. 68. Pedestrians on Highways. (a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk, jog or run along and upon an adjacent roadway.
 (b) Where a sidewalk is not available, any pedestrian walking, jogging, or running along and upon a highway shall walk, jog or run only on a shoulder, as far as practicable from the edge of the roadway.
 (c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking, jogging or running along and upon a highway shall walk, jog or run as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk, jog or run only on the left side of the roadway.
 (d) Except as otherwise provided in this ordinance, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.
 Section 2. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.
 Passed by the Council the 1st day of May, 1989.
 Approved by the Mayor the 2nd day of May, 1989.
 (s) Marcia Rinehart, Mayor
 (SEAL)
 Attest:
 (s) Martha Heizer, City Clerk
 APPROVED FOR FORM:
 /s/ R.S. Wetzler, City Attorney
 (5736 1F)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martasin being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 5th day of May 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
 -----, 19-----, 19-----

Deanna Martasin

Subscribe and sworn to before me this 5th day of May 1989

Marguerite E. Baker
 NOTARY PUBLIC

MARGUERITE E. BAKER
 NOTARY PUBLIC
 STATE OF KANSAS
 My Appt. Exp. 3-15-92

My Commission expires: 3-15-92
 Printer's Fee \$ 38.42
 Additional copies \$ -----

ORDINANCE NO. 1098 C

AN ORDINANCE AMENDING SECTIONS 1-404, 9-106 AND 9-108 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE APPOINTMENT OF MUNICIPAL JUDGE, AND REPEAL OF EXISTING SECTIONS.

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

Section 1. Section 1-404 of the Code of the City of Leawood is hereby amended to read as follows:

1-404. OFFICERS APPOINTED. The Mayor shall, by and with the consent of the City Council, appoint (a) Municipal Judge(s), City Attorney and Assistant City Attorney. Prior to appointment of the Municipal Judge(s), candidates for that position shall be screened in the manner provided by Section 9-106 of the Code.

Officers so appointed shall hold their office until their successors are appointed and qualified. The City Clerk shall enter every appointment to office and the date thereof on the journal of proceedings.

Section 2. Section 9-106 of the Code of the City of Leawood is hereby amended to read as follows:

9-106. SAME; SELECTION. (a) Prior to the Mayor's appointment of (a) Municipal Judge(s) as provided for in Section 1-404 of the Code, the Mayor, with the consent of the Council, shall appoint a judicial selection committee to screen candidates for the position of Municipal Judge. The committee shall consist of one resident from each ward in the City; the person selected to serve on the committee shall be chosen by the two Councilmembers 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 the Mayor shall appoint, by and with the consent of the City Council, the individual(s) to serve as Municipal Judge(s).

(b) No attorney serving as an advisor to the committee shall be considered for, or be appointed to, the position of Municipal Judge.

Section 3. Section 9-108 of the Code of the City of Leawood is hereby amended to read as follows:

9-108. SAME; VACANCY IN OFFICE. In case of a vacancy in the

office of Municipal Judge, the Mayor shall appoint some suitable and proper person to fill the vacancy as set forth in Section 9-106 above, and the person so appointed shall hold office until a successor is appointed and qualified.

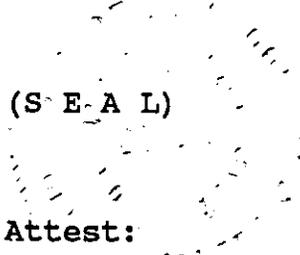
Section 4. Section 1-404 of Ordinance No. 1056C and of the Code of the City of Leawood, and Sections 9-106 and 9-108 of the Code of the City of Leawood are hereby repealed.

Section 5. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 17th day of April, 1989.

Approved by the Mayor the 18th day of April, 1989.

(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler
R.S. Wetzler

City Attorney

First Published in the Johnson County Sun, Wednesday, April 19, 1989.
 ORDINANCE NO. 1098 C
 AN ORDINANCE AMENDING SECTIONS 1-404, 9-106 AND 9-108 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO THE APPOINTMENT OF MUNICIPAL JUDGE, AND REPEAL OF EXISTING SECTIONS.
 Be it ordained by the Governing Body of the City of Leawood:
 Section 1. Section 1-404 of the Code of the City of Leawood is hereby amended to read as follows:
 1-404. OFFICERS APPOINTED. The Mayor shall, by and with the consent of the City Council, appoint (a) Municipal Judge(s), City Attorney and Assistant City Attorney. Prior to appointment of the Municipal Judge(s), candidates for that position shall be screened in the manner provided by Section 9-106 of the Code.
 Officers so appointed shall hold their office until their successors are appointed and qualified. The City Clerk shall enter every appointment to office and the date thereof on the journal of proceedings.
 Section 2. Section 9-106 of the Code of the City of Leawood is hereby amended to read as follows:
 9-106. SAME; SELECTION. (a) Prior to the Mayor's appointment of (a) Municipal Judge(s) as provided for in Section 1-404 of the Code, the Mayor, with the consent of the Council, shall appoint a judicial selection committee to screen candidates for the position of Municipal Judge. The committee shall consist of one resident from each ward in the City; the person selected to serve on the committee shall be chosen by the two Councilmembers, 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 qualifying individuals, from which list the Mayor shall appoint, by and with the consent of the City Council, the individual(s) to serve as Municipal Judge(s).
 (b) No attorney serving as an advisor to the committee shall be considered for, or be appointed to, the position of Municipal Judge.
 Section 3. Section 9-108 of the Code of the City of Leawood is hereby amended to read as follows:
 9-108. SAME; VACANCY IN OFFICE. In case of a vacancy in the office of Municipal Judge, the Mayor shall appoint some suitable and proper person to fill the vacancy as set forth in Section 9-106 above, and the person so appointed shall hold office until a successor is appointed and qualified.
 Section 4. Section 1-404 of Ordinance No. 1056C and of the Code of the City of Leawood, and Sections 9-106 and 9-108 of the Code of the City of Leawood are hereby repealed.
 Section 5. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.
 Passed by the Council the 17th day of April, 1989.
 Approved by the Mayor the 18th day of April, 1989.
 (s) Marcia Rinehart
 Mayor
 (SEAL)
 Attest:
 (s) Martha Heizer
 City Clerk
 APPROVED FOR FORM: (s) R. S. Wetzler, City Attorney
 (5632 1W)

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: **Deanna Martens** being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 19th day of April, 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
 -----, 19-----, 19-----

Deanna Martens

Subscribe and sworn to before me this 19th day of April, 1989

Pearlie A. Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
 NOTARY PUBLIC
 STATE OF KANSAS
 My Appt. Expires Jan. 25, 1992

My Commission expires: -----
 Printer's Fee \$ 64.74
 Additional copies \$ -----

ORDINANCE NO. 1097

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89E, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$300,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be \$3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,466. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 88-1-89E, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Three Hundred Thousand Dollars (\$300,000), which amount does not exceed the total estimated costs of said improvements.

20-1,467. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89E, Project 113, shall consist of bearer notes numbered from 1 through 3 inclusive, each in the denomination of \$100,000. Each of said notes shall be dated April 21, 1989, and shall have the stated maturity date of April 20, 1990. The notes shall bear interest from their date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto, at a rate of interest of 7.22% per

annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,468. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,469. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,470. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

2. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

3. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,471. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day
of April, 1989.

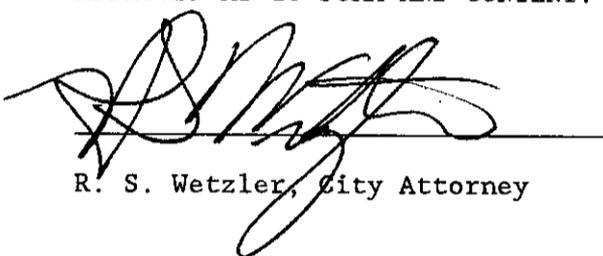
SIGNED by the Mayor this 18th day of April, 1989.


Marcia Rinehart
Marcia Rinehart, Mayor

ATTEST:

Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM AND CONTENT:


R. S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martasin being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

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That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 19th day of April 1989, with subsequent publications being made on the following dates:

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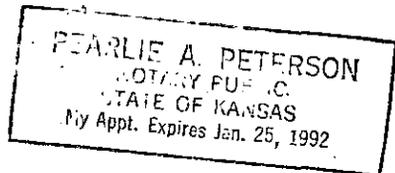
Deanna Martasin

Subscribe and sworn to before me this 19th day of April 1989

Pearlie A. Peterson

NOTARY PUBLIC

My Commission expires: -----
Printer's Fee \$ 155.00
Additional copies \$ -----



First published in the Johnson County Sun, Wednesday, April 19, 1989.

ORDINANCE NO. 1097

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES L.I.D. 88-1-89E, PROJECT 113, (TOMAHAWK CREEK PARKWAY), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$300,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF TOMAHAWK CREEK PARKWAY INCLUDING ASPHALTIC CEMENT CONCRETE LANES, GRASS LANDSCAPED MEDIAN, STORM SEWERS, STREET LIGHTS, CHANNELIZATION, INTERSECTION SIGNALIZATION, SIDEWALKS AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 933 under K.S.A. 12-6a14 and adopted by the Governing Body of the City of Leawood on November 22, 1988; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the total estimated cost of construction is estimated to be \$3,392,017; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, K.S.A. 12-6a14 and all acts amendatory thereto.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,466. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series L.I.D. 88-1-89E, Project 113 (Tomahawk Creek Parkway), in the aggregate principal amount of Three Hundred Thousand Dollars (\$300,000), which amount does not exceed the total estimated costs of said improvements.

20-1,467. Section Two: Said issue of Temporary Notes, Series L.I.D. 88-1-89E, Project 113, shall consist of bearer notes numbered from 1 through 3 inclusive, each in the denomination of \$100,000. Each of said notes shall be dated April 21, 1989, and shall have the stated maturity date of April 20, 1990. The notes shall bear interest from their date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto, at a rate of interest of 7.22% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, 12-6a14 and all acts amendatory thereto.

Both principal of and interest on said notes shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said notes. The principal of each of said notes shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said notes.

The City of Leawood, Kansas, reserves the right to redeem and pay said notes, in whole or in part (but in any event in the full face amount of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,468. Section Three: The date of delivery of said notes shall be and for all purposes constitute their date of issuance notwithstanding the dated date. Each of said notes shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,469. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said notes shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,470. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the notes; provided however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948;

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

2. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

3. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "Qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,471. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of April, 1989.

SIGNED by the Mayor this 17th day of April, 1989.

(s) Martha Reed
City Clerk

APPROVED AS TO FORM AND CONTENT:

(s) R. S. Wetzler,
City Attorney

(5631 1W)

Subscribes and :

ORDINANCE NO. 1096

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89D, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be \$1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,460. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89D, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1,461. Section Two: Said issue of Temporary Notes, Series 89D, Project 116 (95th Street, State Line to Wenonga), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated April 21, 1989, and shall have the stated maturity date of April 20, 1990. The note shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 7.22% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,462. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,463. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,464: Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

2. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

3. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1,465. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of April, 1989.

SIGNED by the Mayor this 18th day of April, 1989.



Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler

R. S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: **Deanna Martosin** being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 19th day of, April 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Deanna Martosin

Subscribe and sworn to before me this 19th day of April 1989

Pearlie A Peterson
NOTARY PUBLIC

PEARLIE A PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Expires Jan. 25, 1992

My Commission expires: -----
Printer's Fee \$ 152.94
Additional copies \$ -----

First Published in The Johnson County Sun, Wednesday, April 19, 1989.

ORDINANCE NO. 1096

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89D, PROJECT 116 (95TH STREET, STATE LINE ROAD TO WENONGA), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$500,000.00 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 95TH STREET, STATE LINE ROAD TO WENONGA, INCLUDING WIDENING, RESURFACING, GRADING, STORM DRAINAGE STRUCTURES AND APPURTENANCES, CURBING, PAVING, STREET LIGHTING, SIDEWALKS, PAVEMENT MARKINGS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of 95th Street which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimpovement of certain sections of said main trafficway by the approval of Ordinance No. 1065 on September 6, 1988; and

WHEREAS, total cost of improvements to 95th Street, State Line to Wenonga, is estimated to be \$1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

20-1.460. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89D, Project 116 (95th Street, State Line Road to Wenonga), in the aggregate principal amount of Five Hundred Thousand Dollars (\$500,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1.461. Section Two: Said issue of Temporary Notes, Series 89D, Project 116 (95th Street, State Line Road to Wenonga), shall consist of bearer notes, numbered 1 through 5 inclusive, each in the denomination of \$100,000.00. Said notes shall be dated April 21, 1989, and shall have the stated maturity date of April 20, 1990. The notes shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 7.22% per annum. The notes shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said notes are authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1.462. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance.

notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1.463. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1.464. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes; including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

2. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

3. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1.465. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of April, 1989.

SIGNED by the Mayor this 18th day of April, 1989.

/s/ Marcia Rinehart, Mayor

ATTEST:

/s/ Martha Heizer, City Clerk

APPROVED ASTO FORM:

/s/ R. S. Wetzler, City Attorney

(5630 1W)

ORDINANCE NO. 1095

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89F, PROJECT 117 (LEE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$100,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF LEE BOULEVARD, INCLUDING GRADING, REGRADING, CURBING, RECURBING, GUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, REMACADAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNDING CORNERS, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECONSTRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES THERETO, VIADUCTS, OVERPASSES, UNDERPASSES, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS OR OTHER IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Lee Boulevard, which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1077 on November 21, 1988; and

WHEREAS, total cost of improvements to Lee Boulevard is estimated to be \$1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD: 20-1,454. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89F, Project 117 (Lee Boulevard), in the aggregate principal amount of One Hundred Thousand Dollars (\$100,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1,455. Section Two: Said issue of Temporary Notes, Series 89F, Project 117 (Lee Boulevard), shall consist of one bearer note, (note number 1) in the denomination of \$100,000. Said note shall be dated April 21, 1989, and shall have the stated maturity date of April 20, 1990. The note shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 7.22% per annum. The note shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said note is authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1,456. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1,457. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1,458. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become applicable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

2. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

3. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of ~~the Tax Reform Act of 1986.~~

20-1,459. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day
of April, 1989.

SIGNED by the Mayor this 18th day of April, 1989.



Marcia Rinehart
Marcia Rinehart, Mayor

ATTEST:

Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM:

R. S. Wetzler
R. S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martasin being first Duly sworn, Depos and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as aforesaid on the 19th day of April 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Deanna Martasin

Subscribe and sworn to before me this 19th day of April 1989

Pearlie Peterson

NOTARY PUBLIC

PEARLIE A. PETERSON
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Expires Jan. 25, 1992

My Commission expires: -----
Printer's Fee \$ 16.25
Additional copies \$ -----

First Published in The Johnson County Sun, Wednesday, April 19, 1989.

ORDINANCE NO. 1095

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 89F, PROJECT 117 (LEE BOULEVARD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF \$100,000.00 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF LEE BOULEVARD, INCLUDING GRADING, REGRADING, CURBING, RECURBING, GUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, REMACADAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, ROUNDING CORNERS, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECONSTRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES THERETO, VIADUCTS, OVERPASSES, UNDERPASSES, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS OR OTHER IMPROVEMENTS AND OTHER INCIDENTAL CONSTRUCTION COSTS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, 1984" designated that portion of Lee Boulevard, which is located within this City as a main trafficway pursuant to the provisions of K.S.A. 12-685; and

WHEREAS, the Governing Body authorized the improvement or reimprovement of certain sections of said main trafficway by the approval of Ordinance No. 1077 on November, 21, 1988; and

WHEREAS, total cost of improvements to Lee Boulevard is estimated to be \$1,200,000.00; and

WHEREAS, the necessary permanent rights-of-way for construction have been acquired by the City; and

WHEREAS, the cost of said improvements is authorized to be paid for in whole or in part by the issuance of temporary notes; and

WHEREAS, the City of Leawood is authorized by law to issue temporary notes as provided by K.S.A. 10-123, and K.S.A. 12-689 and all acts amendatory thereto.

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

20-1.454. Section One: That in order to provide funds to pay the costs and expenses of the aforesaid improvement, now due or to become due in the immediate future, including necessary engineering, legal and incidental costs, there shall be issued and there is hereby authorized and directed to be issued an issue of temporary notes of the City of Leawood, Kansas, designated Temporary Notes, Series 89F, Project 117 (Lee Boulevard), in the aggregate principal amount of One Hundred Thousand Dollars (\$100,000.00) which amount does not exceed the total estimated costs of said improvements.

20-1.455. Section Two: Said issue of Temporary Notes, Series 89F, Project 117 (Lee Boulevard), shall consist of one bearer note, (note number 1) in the denomination of \$100,000. Said note shall be dated April 21, 1989, and shall have the stated maturity date of April 20, 1990. The note shall bear interest from its date of delivery to the purchaser thereof, payable at maturity or upon redemption prior thereto at a rate of interest of 7.22% per annum. The note shall be callable upon 10 days notice as hereinafter provided and shall be redeemed and cancelled before or at the time general obligation improvement bonds are issued in lieu thereof. Said note is authorized by K.S.A. 10-123, and 12-689 and all acts amendatory thereto.

Both principal of and interest on said note shall be payable at the office of the City Treasurer of the City of Leawood, Kansas, upon presentation and surrender of said note. The principal of said note shall be payable at maturity or at such earlier time as funds are available from the issuance of general obligation improvement bonds to redeem and retire said note.

The City of Leawood, Kansas, reserves the right to redeem and pay said note, in whole or in part (but in any event in the full face amount) at any date prior to the stated maturity date of said note by the publication of notice and payment of said note, the last publication of such notice or written notification of redemption to the last known holder to be at least ten days prior to the redemption date fixed in such notice.

20-1.456. Section Three: The date of delivery of said note shall be and for all purposes constitute its date of issuance notwithstanding the dated date. Said note shall be in customary form as provided by law, shall be signed by the Mayor and attested by the City Clerk of the City of Leawood, Kansas, and shall have the seal of said City affixed thereto.

20-1.457. Section Four: The Mayor and City Clerk of Leawood, Kansas, are hereby authorized and directed to prepare and execute said temporary notes herein authorized to be issued in the form and substance hereinbefore described and as provided by law and to procure the proper registration in the office of the City Clerk and in the office of the Treasurer of the State of Kansas, and when so executed and when registered, said note shall be countersigned by the City Clerk and delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than the principal amount thereof.

20-1.458. Section Five: The proceeds of said temporary notes shall be deposited with the City Treasurer in a special fund created for the purpose of paying said costs and expenses of the improvement hereinbefore described.

The City further covenants and agrees that it will comply with each and every provision of the Tax Reform Act of 1986 that is or may become ap-

licable to the notes, including but not limited to any provisions requiring the rebate of excess earnings on funds or accounts created with respect to the note; provided, however, the foregoing provision shall be and become null and void if and to the extent that the City shall receive an opinion from nationally recognized bond counsel which concludes that compliance with the foregoing covenant and the provisions of the Tax Reform Act of 1986 as provided in this section shall not be required to retain and continue the tax exempt status of the interest income on the notes.

The Governing Body hereby finds, determines, represents and warrants, as follows:

1. The City is a duly-created and validly-existing political subdivision in existence since 1948.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1989 in an aggregate amount in excess of \$10,000,000.00;

2. Other than the temporary notes, the City has not issued and does not expect to issue any other notes or obligations the proceeds of which have been or will be used to provide project financing for the improvements, other than temporary notes to be retired with the proceeds of said temporary notes and bonds to retire said temporary notes;

3. No portion of the proceeds of the sale of the notes will be loaned to or will such proceeds or the improvements be in any manner used in the trade or business of any person, firm or corporation other than a governmental entity.

The Governing Body of the City hereby designates the notes to be "qualified tax-exempt obligations" within the meaning and for the purposes of Section 265 of the Tax Reform Act of 1986.

20-1.459. Section Six: The full faith, credit and resources of the City of Leawood, Kansas, shall be and the same are hereby irrevocably pledged for the prompt payment of said notes and the interest thereon.

Section Seven: That this Ordinance shall take effect and be in force after its publication as provided by law.

PASSED by the Governing Body of the City of Leawood, Kansas, this 17th day of April, 1989.

SIGNED by the Mayor
18th day of April 1989
Wetzler, City Attorney
(5629 1W)

ORDINANCE NO. 1094

AN ORDINANCE GRANTING AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR UTILITY PURPOSES.

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

19-6,207. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Kansas City Power & Light Company on property described as follows:

The South twenty (20) feet of the West three hundred (300) feet of TRACT C, LEAWOOD GREENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, lying north of and adjoining the North right of way line of 119th Street as now established.

19-6,208. INCORPORATION BY REFERENCE. Section 2. A copy of said easement is attached hereto 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.

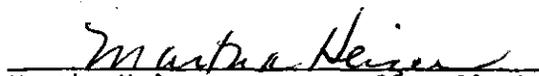
Passed by the Council the 20th day of March, 1989.

Approved by the Mayor the 21st day of March, 1989.

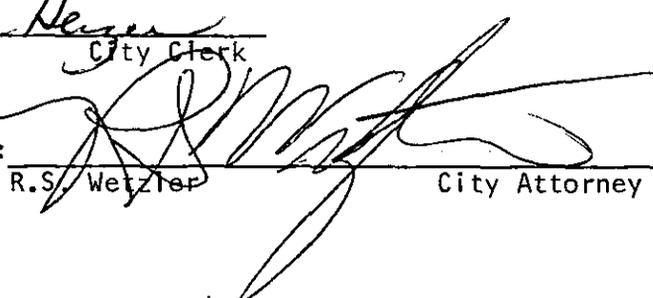
(S E A L)


Marcia Rinehart Mayor

Attest:


Martha Heizer City Clerk

APPROVED FOR FORM:


R.S. Wetzer

City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Deanna Martens being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY-SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a semi-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 one consecutive day (weeks, days) the first publication thereof being made as appraised on the 22nd day of, March 1989, with subsequent publications being made on the following dates:

-----, 19-----, 19-----

-----, 19-----, 19-----

Deanna Martens

Subscribe and sworn to before me this 22nd day of March 1989

Marguerite E. Baker

NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 3-15-92

My Commission expires: 3-15-92
Printer's Fee \$ 29.46
Additional copies \$ -----

First Published in The Johnson County Sun, Wednesday, March 22, 1989.

ORDINANCE NO. 1094

AN ORDINANCE GRANTING AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR UTILITY PURPOSES.

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

19-6,207. Section 1. The City of Leawood, Kansas, does hereby grant an easement for utility purposes to Kansas City Power & Light Company on property described as follows:

The South twenty (20) feet of the West three hundred (300) feet of TRACT C, LEAWOOD GREENWAY AND PARKS, a subdivision of land in the City of Leawood, Johnson County, Kansas, lying north of and adjoining the North right of way line of 119th Street as now established.

19-6,208. INCORPORATION BY REFERENCE. Section 2. A copy of said easement is attached hereto 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.

Passed by the Council, the 20th day of March, 1989.

Approved by the Mayor the 21st day of March, 1989.

(SEAL)

(s) Marcia Rinehart
Mayor

Attest:

(s) Martha Heizer
City Clerk

APPROVED FOR FORM:

(s) R. S. Wetzler
City Attorney

(5489 1W)

ORDINANCE NO. 1093

AN ORDINANCE AUTHORIZING AND PROVIDING FOR ACQUISITION OF RIGHT-OF-WAY FOR CONSTRUCTION OF 95th STREET BETWEEN STATE LINE ROAD AND WENONGA.

WHEREAS, the Governing Body of the City of Leawood did by resolution approved on March 20, 1989, declare the necessity of appropriating certain private property for the use of the City; and

WHEREAS, the Governing Body has previously authorized a survey and description of the land and interest to be condemned to be made by a competent engineer and filed with the City Clerk; and

WHEREAS, a survey and description of the land and interest to be condemned has been made by a competent engineer and filed with the City Clerk;

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

19-131. Section 1. The City Attorney is hereby authorized and directed to institute eminent domain proceedings to acquire the property and interests described by survey filed with the City Clerk, which property and interests have been determined by the Governing Body to be necessary for the purpose of construction of improvements and reimprovements to 95th Street between State Line Road and Wenonga.

Specifically, the City Attorney is authorized and directed to institute eminent domain proceedings to acquire the following described property and interests:

(1) All of the North 5.0 feet of the West 100 feet and all of the North 11.0 feet of the East 30 feet of Lot 62, "Leawood Estates", (2327 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(2) All of the North 12.0 feet of Lot 64, "Leawood Estates", (2319 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(3) All of the North 36.0 feet of Lot 65, "Leawood Estates", (2315 West 95th), a subdivision in Leawood, Johnson County, Kansas;

(4) All of the North 36.0 feet of the West 47.0 feet and all of the North 15.0 feet of the East 78.0 feet of Lot 66, "Leawood Estates", (2309 West 95th), a subdivision of

Leawood, Johnson County, Kansas;

(5) All that part of Lot 69, "Leawood Estates", (2033 West 95th), a subdivision of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 69; thence South 89° , $54'-36''$ East, along the North line of said Lot 69, a distance of 120.00 feet to the Northeast corner thereof; thence South 0° , $05'-24''$ West, along the East line of said Lot 69, a distance of 45.00 feet; thence North 89° , $54'-36''$ West, a distance of 32.00 feet; thence North 0° , $05'-24''$ East, a distance of 33.00 feet; thence North 86° , $00'-34''$ West, a distance of 88.20 feet to a point on the West line of said Lot 69; thence North 0° , $05'-24''$ East, along said West line, a distance of 6.00 feet to the point of beginning;

(6) All that part of Lot 70, "Leawood Estates", (2029 West 95th), a subdivision of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest Corner of said Lot 70; thence South 89° , $54'-36''$ East, along the North line of said Lot 70, a distance of 125.00 feet to the Northeast corner thereof; thence South 0° , $05'-24''$ West, along the East line of said Lot 70, a distance of 45.00 feet; thence North 89° , $54'-36''$ West, a distance of 53.00 feet; thence North 0° , $05'-24''$ East, a distance of 30.00 feet; thence North 89° , $54'-36''$ West, a distance of 52.00 feet; thence South 0° , $05'-24''$ West, a distance of 21.00 feet; thence North 89° , $54'-36''$ West, a distance of 20.00 feet to a point on the West line of said Lot 70; thence North 0° , $05'-24''$ East, along said West line, a distance of 36.00 feet to the point of beginning;

(7) All of the North 40.00 feet of the West 47.0 feet and all of the North 10.0 feet of the East 78.0 feet of Lot 71, "Leawood Estates", (2025 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(8) All of the North 6.00 feet of Lot 72, "Leawood Estates", (2017 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(9) All that part of the East 65 feet of Lot 25, "Amended Plat of Lots 19 to 30, inclusive, Leawood Estates", (9416 High Drive), a subdivision of Leawood, Johnson County, Kansas lying South of a straight line drawn from a point on the East line of said Lot 25 that is 14.0 feet North of the Southeast corner thereof, to a point on the West line of the East 65 feet of said lot 25 that is 13.0 feet North of the South line of said Lot 25;

(10) All of the South 13.0 feet of the West 65.0 feet of Lot 25, and all of the South 13.0 feet of Lot 26,

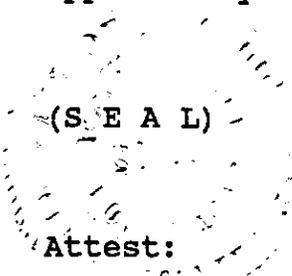
"Amended plat of Lots 19 to 30, inclusive, Leawood Estates",
(2314 West 95th), a subdivision of Leawood, Johnson County,
Kansas.

Section 2. This Ordinance shall take effect and be
in force from and after its publication in the official City
newspaper.

Passed by the Council the 20th day of March, 1989.

Approved by the Mayor the 21st day of March, 1989.

(S E A L)


Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler
R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: **Deanna Martasin** being first Duly sworn, Deposes and say: That she is legal publications manager of THE JOHNSON COUNTY SUN, a semi-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 basis in JOHNSON County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

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That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ----- *entire* ----- consecutive ----- *day* ----- (weeks, days) the first publication thereof being made as aforesaid on the ----- *27th* ----- day of ----- *March* ----- 19-*89*-----, with subsequent publications being made on the following dates:

-----, 19-----, 19-----
-----, 19-----, 19-----

Deanna Martasin

Subscribe and sworn to before me this ----- *27th* ----- day of ----- *March* ----- 19-*89*-----

Marguerite E. Baker
NOTARY PUBLIC

MARGUERITE E. BAKER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 3-15-92

My Commission expires: ----- *3-15-92* -----
Printer's Fee \$ ----- *106.08* -----
Additional copies \$ ----- -----

First Published in The Johnson County Sun, Wednesday, March 22, 1989.

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WHEREAS, the Governing Body has previously authorized a survey and description of the land and interest to be condemned to be made by a competent engineer and filed with the City Clerk; and

WHEREAS, a survey and description of the land and interest to be condemned has been made by a competent engineer and filed with the City Clerk;

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

19-131. Section 1. The City Attorney is hereby authorized and directed to institute eminent domain proceedings to acquire the property and interests described by survey filed with the City Clerk, which property and interests have been determined by the Governing Body to be necessary for the purpose of construction of improvements and reimprovements to 95th Street between State Line Road and Wenonga.

Specifically, the City Attorney is authorized and directed to institute eminent domain proceedings to acquire the following described property and interests:

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(3) All of the North 36.0 feet of Lot 65, "Leawood Estates", (2315 West 95th), a subdivision in Leawood, Johnson County, Kansas;

(4) All of the North 36.0 feet of the West 47.0 feet and all of the North 15.0 feet of the East 78.0 feet of Lot 66, "Leawood Estates", (2309 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(5) All that part of Lot 69, "Leawood Estates", (2033 West 95th), a subdivision of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 69 thence South 89° 54'36" East, along the North line of said Lot 69, a distance of 120.00 feet to the Northeast corner thereof; thence South 0° 05'24" West, along the East line of said Lot 69, a distance of 45.00 feet; thence North 89° 54'36" West, a distance of 32.00 feet; thence North 0° 05'24" East, a distance of 33.00 feet; thence North 86° 00'34" West, a distance of 88.20 feet to a point on the West line of said Lot 69; thence North 0° 05'24" East, along said West line, a distance of 6.00 feet to the point of beginning;

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(7) All of the North 40.00 feet of the West 47.0 feet and all of the North 10.0 feet of the East 78.0 feet of Lot 71, "Leawood Estates", (2025 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(8) All of the North 6.00 feet of Lot 72, "Leawood Estates", (2017 West 95th), a subdivision of Leawood, Johnson County, Kansas;

(9) All that part of the East 65 feet of Lot 25, "Amended Plat of Lots 19 to 30, inclusive, Leawood Estates", (9416 High Drive), a subdivision of Leawood, Johnson County, Kansas lying South of a straight line drawn from a point on the East line of said Lot 25 that is 14.0 feet North of the Southeast corner thereof, to a point on the West line of the East 65 feet of said lot 25 that is 13.0 feet North of the South line of said Lot 25;

(10) All of the South 13.0 feet of the West 65.0 feet of Lot 25; and all of the South 13.0 feet of Lot 26, "Amended plat of Lots 19 to 30, inclusive, Leawood Estates", (2314 West 95th), a subdivision of Leawood, Johnson County, Kansas.

Section 2. This Ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Council the 20th day of March, 1989.

Approved by the Mayor the 21st day of March, 1989.

/s/ Marcia Rinehart, Mayor

(SEAL)

Attest:

/s/ Martha Heizer
City Clerk
APPROVED FOR FORM:
/s/ R.S. Wetzler
City Attorney