ORD. NO.	DATE PASSED	DATE PUBLISHED	"CODE OF '84" PAGES DISTR'D	SUBJECT OF ORDINANCE
1476 C	3/20/95	3/28/95	X	AN ORD. AMENDING SECTIONS OF THE CODE DEALING WITH THE TIME OF SALE OF CEREAL MALT BEVERAGES AND ALCOHOLIC LIQUOR
1477 C	4/3/95	4/11/95	X	AN ORD. ADOPTING THE 1994 EDITIONS OF THE UNIFORM BUILDING CODE, VOLUMES I, II, AND III
1478 C	4/3/95	4/11/95	eff. 5/1/95 X	AN ORD. ADOPTING THE 1994 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS
1479 C	4/3/95	4/11/95	X	AN ORD. ADOPTING THE 1994 UNIFORM MECHANICAL CODE
1480 C	4/3/95	4/11/95	X	AN ORD. ADOPTING THE 1995 EDITION OF THE INTERNATIONAL PLUMBING CODE
1481	4/3/95	4/11/95	N/A	AN ORD. ACCEPTING A DEED FOR LAND TO BE USED FOR PUBLIC RIGHT-OF-WAY (FOR 143RD ST. IMPROVEMENTS BETWEEN WINDSOR & KENNETH RD.) - from Graham G. and Cornelius J. Giblin
1482	4/17/95	4/18/95	N/A	AN ORD. ESTABLISHING A POLICY TO PROVIDE ASSISTANCE TO OTHER JURISDICTIONS DURING DISASTERS
1483	4/17/95	4/18/95	N/A	AN ORD. APPROVING THE ACQUISITION OF LAND FOR A FUTURE PUBLIC WORKS FACILITY IN THE VICINITY OF 143RD & OVERBROOK
1484 C	5/1/95	5/2/95	X	AN ORD.AMENDING SECTIONS OF THE CODE RELATING TO MEMBERSHIP, TERMS, AND QUALIFICATIONS OF THE LEAWOOD ARTS COMMITTEE - change from 5 to 7 members
1485 C	5/1/95	5/2/95	X	AN ORD. RELATING TO PROVISIONS FOR ADDITIONAL FINES AND PENALTIES WHEN VIOLATIONS OF TRAFFIC ORDINANCES OCCUR IN ROAD CONSTRUCTION ZONES

ORD. NO.	DATE PASSED	DATE PUBLISHED	"CODE OF '84" PAGES DISTR'D	SUBJECT OF ORDINANCE
1463	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 140-95-11; 83RD STREET; $500,000
1464 C	1/16/95	1/17/95	X	AN ORD. RELATING TO THE CUTTING OF WEEDS AND VEGETATION (PROPERTY MAINTENANCE)
1465	2/6/95	2/7/95	N/A	AN ORD. REZONING PROPERTY (STONE LEDGE) LOCATED AT APPROX. 154TH & NALL FROM AG TO RP-4
1466	2/6/95	2/7/95	N/A	AN ORD. GRANTING A RIGHT-OF-WAY EASEMENT TO KANSAS CITY POWER & LIGHT FOR ELECTRICAL SERVICE AT THE IRONHORSE GOLF CLUB (WEST REST STATION)
1467 C	2/21/95	2/24/95	X	AN ORD. AMENDING ARTICLE 3 OF CHAPTER XI OF THE CODE OF THE CITY OF LEAWOOD RELATING TO NUISANCE ALARM SYSTEMS
1468	2/21/95	2/24/95 eff. 3/26/95	N/A	AN ORD. AUTHORIZING AND PROVIDING FOR THE VACATION OF UTILITY EASEMENTS SHOWN ON THE PLAT OF LEAWOOD COMMONS
1469	3/6/95	3/7/95	N/A	AN ORD. AUTHORIZING THE IMPROVEMENT OF LEE BOULEVARD (9700-9800 BLOCK) STORMWATER IMPROVEMENT PROJECT
1470	3/6/95	3/7/95	N/A	AN ORD. AUTHORIZING THE IMPROVEMENT OF 8435 CHEROKEE LANE STORMWATER IMPROVEMENT PROJECT
1471	3/20/95	3/21/95	N/A	AN ORD. AUTHORIZING THE ACQUISITION OF PARK LAND IN THE VICINITY OF 147TH & MISSION RD. BY LEASE/PURCHASE
1472	3/20/95	3/21/95	N/A	AN ORD. DEDICATING IRONHORSE GOLF COURSE PROPERTY FOR USE AS PUBLIC RIGHT-OF-WAY (Bell Drive) BY DEED OF DEDICATION
1473	3/20/95	3/21/95	N/A	AN ORD. CONVEYING A TRACT OF LAND TO BELL DEVELOPMENT BY QUIT-CLAIM DEED TO ALLOW FOR CONSTRUCTION AND MAINTENANCE OF AN ENTRANCE MONUMENT
1474	3/20/95	3/21/95	N/A	AN ORD. ACCEPTING A QUIT-CLAIM DEED FOR A TRACT OF LAND ADJACENT TO IRONHORSE GOLF COURSE NO. 9 FAIRWAY TO INCORPORATE A SECTION OF CART PATH ONTO THE GOLF COURSE
1475	3/20/95	3/21/95	N/A	AN ORD. CONVEYING 2 TRACTS OF LAND ADJACENT TO IRONHORSE GOLF COURSE NO. 9 FAIRWAY BY QUIT-CLAIM DEEDS TO HENRY AND BETTY COULTER

ORD. NO.	DATE PASSED	DATE PUBLISHED	"CODE OF '84" PAGES DISTR'D	SUBJECT OF ORDINANCE
1449 C	11/21/94	11/22/94	X	AN ORD. AMENDING SECTION 7-218 OF THE CODE OF THE CITY OF LEAWOOD DEALING WITH THE SUBJECT OF EXPLOSIVES AND BLASTING AGENTS
1450	12/19/94	12/20/94	N/A	AN ORD. REZONING PROPERTY (EXCHANGE NATIONAL BANK) AT APPROX. 114TH & NALL AVE. FROM CP-0 TO CP-1
1451	1/3/95	1/6/95	N/A	AN ORD. REZONING PROPERTY (WATERWAYS) AT NORTHWEST CORNER OF 119TH & TOMAHAWK CREEK PARKWAY FROM CP-1 TO CP-2
1452	1/16/95	1/17/95	N/A	AN ORD. GRANTING A PARK EASEMENT TO KCMO ON THE EAST SIDE OF STATE LINE ROAD AND NORTH OF INDIAN CREEK
1453	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 124-95-1; K-150, STATE LINE-NALL; $1,000,000
1454	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 132-95-2; STATE LINE, PHASE I; $1,000,000
1455	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 126-95-3; MISSION RD., 95TH/103RD; $100,000
1456	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 129-95-4; 143RD ST., MISSION/1320 FEET EAST; $400,000
1457	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 142-95-5; BELL DR. AND IRON HORSE DR.; $300,000
1458	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 137-95-6; STATE LINE RD., PHASE IV; $100,000
1459	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 134-95-7; STATE LINE RD., PHASE II; $300,000
1460	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 136-95-8; STATE LINE RD., PHASE III; $700,000
1461	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 115-95-9; MISSION RD., COLLEGE BLVD./I-435; $800,000
1462	1/16/95	1/17/95	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 131-95-10; NALL AVE., 119TH/135TH; $500,000

ORD. NO.	DATE PASSED	DATE PUBLISHED	"CODE OF '84" PAGES DISTR'D	SUBJECT OF ORDINANCE
1436	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 126-94-22; MISSION RD., 95TH/103RD; $200,000
1437	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 128-94-23; OLD KENNETH RD.; $200,000
1438	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 131-94-24; NALL AVE., 119TH/135TH; $200,000
1439	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 132-94-25; STATE LINE RD., PHASE 1; $300,000
1440	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 134-94-26; STATE LINE RD., PHASE II; $900,000
1441	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 136-94-27; STATE LINE RD., PHASE III; $200,000
1442	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 138-94-28; MISSION RD., 151ST/155TH; $1,400,000
1443	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 140-94-29; 83RD STREET; $300,000
1444	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 142-94-30; BELL DRIVE AND IRON HORSE DRIVE; $300,000
1445	10/3/93	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 144-94-31; MISSION RD., 103RD/I-435; $200,000
1446 C	10/17/94	10/28/94	X	AN ORD. AMENDING SECTIONS OF THE CODE OF THE CITY OF LEAWOOD RELATING TO SOLICITATION
1447 C	10/17/94	10/28/94	X	AN ORD. ADDING NEW SECTIONS TO THE CODE OF THE CITY OF LEAWOOD RELATING TO QUALIFICATIONS, SELECTION AND EVALUATION OF CITY ATTORNEY, ASST. CITY ATTORNEY
1448	10/17/94	10/18/94	N/A	AN ORD. ACCEPTING A DEED FOR STREET PURPOSES (OVERBROOK CONNECTING HALLBROOK PHASE V TO THE HALLBROOK COUNTRY CLUB PLAT)

ORD. NO.	DATE PASSED	DATE PUBLISHED	"CODE OF '84" PAGES DISTR'D	SUBJECT OF ORDINANCE
1423	8/15/94	8/16/94	N/A	AN ORD. REZONING PROPERTY (GEORGE'S IMPORTS) LOCATED AT 8011 STATE LINE RD. FROM CP-0 TO CP-2
1424	8/15/94	8/16/94	N/A	AN ORD. AUTHORIZING THE IMPROVEMENT OF 83RD STREET
1425	9/6/94	9/13/94	N/A	AN ORD. GRANTING A SANITARY SEWER EASEMENT TO LATERAL SEWER DISTRICT #6 OF TOMAHAWK CREEK SEWER SUB-DISTRICT #4 - Hallbrook Farms Seventh Plat
1426	9/19/94	9/28/94	N/A	AN ORD. REZONING PROPERTY LOCATED AT THE NORTHEAST CORNER OF TOWN CENTER DRIVE AND NALL AVE. (COMMERCE BANK) FROM CP-0 TO CP-1
1427	9/19/94	10/18/94	N/A	AN ORD. AUTHORIZING AND PROVIDING FOR ACQUISITION OF PRIVATE PROPERTY REQUIRED FOR NALL AVE. IMPROVEMENTS, 119TH/135TH AND AUTHORIZING SURVEY
1428C	9/19/94	9/28/94	X	AN ORD. ADOPTING THE 1994 EDITION OF THE "STANDARD TRAFFIC ORDINANCE"
1429C	9/19/94	9/28/94	X	AN ORD. AMENDING SECTION 14-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR VIOLATIONS OF LOCAL TRAFFIC REGULATIONS
1430C	9/19/94	9/28/94	X	AN ORD. ADOPTING THE 1994 EDITION OF THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES"
1431C	9/19/94	9/28/94	X	AN ORD. AMENDING SECTION 11-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR LOCAL PUBLIC OFFENSE VIOATIONS
1432C	9/19/94	9/28/94	X	AN ORD. AMENDING SECTION 11-606 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR DRUG OFFENSES
1433	10/3/94	10/7/94	N/A	AN ORD. AUTHORIZING IMPROVEMENT OF NALL AVE., 119TH/135TH STREETS
1434	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 115-94-20; MISSION RD., COLLEGE BLVD./I-435; $400,000
1435	10/3/94	10/4/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF TEMPORARY NOTES; SERIES 124-94-21; K-150, STATE LINE/NALL; $200,000

ORD. NO.	DATE PASSED	DATE PUBLISHED	"CODE OF '84" PAGES DISTR'D	SUBJECT OF ORDINANCE
1412	5/16/94	5/17/94	N/A	AN ORDINANCE ADOPTING AN AMENDMENT TO THE LEAWOOD, KS 1993 MASTER DEVELOPMENT PLAN MAP - for Tomahawk Creek Apartments, nw corner of 117th & Tomahawk Creek Pkwy
1413	5/16/94	5/17/94	N/A	AN ORD. REZONING PROPERTY (TOMAHAWK CREEK APARTMENTS) AT 117TH & TOMAHAWK CREEK PARKWAY FROM AG TO RP-3
1414	5/16/94	5/17/94	N/A	AN ORD. REZONING PROPERTY (PATRICIAN WOODS, 10TH PLAT) AT 126TH & NALL AVE. (MCKEE PROPERTY) FROM RP-4 TO REC
1415	6/6/94	6/7/94	N/A	AN ORD. AMENDING SECTIONS 3-1, 3-2, 3-3, 3-4, & 3-13 OF THE SUPPLEMENT OF AMENDMENTS TO THE LEAWOOD DEVELOPMENT ORDINANCE; PROVIDING FOR CHANGES IN PROVISIONS FOR ROOFING TYPES AND ROOFING APPLICATION MEASURES
1416	6/6/94	6/7/94	N/A	AN ORD. LEVYING ASSESSMENTS TO PAY THE COST OF IMPROVING TOWN CENTER DRIVE, CONNECTING NALL AVE. IN THE VICINITY OF 115TH ST, AND ROE AVE. IN THE VICINITY OF 117TH ST.
1417	6/6/94	6/7/94	N/A	AN ORD. LEVYING ASSESSMENTS TO PAY THE COST OF ACQUIRING PROPERTY IN THE VICINITY OF 151ST ST. BETWEEN NALL AVE. AND MISSION RD. NECESSARY FOR THE CONSTRUCTION OF THE LEAWOOD PUBLIC GOLF COURSE
1418	6/20/94	6/21/94	N/A	AN ORD. REZONING PROPERTY (BRIDGEWOOD), APPROXIMATELY 132ND & ROE AVE. FROM AG TO RP-1
1419	7/5/94	7/12/94	N/A	AN ORD. GRANTING A RIGHT-OF-WAY TO KCPL FOR ELECTRICAL SERVICE AT THE IRON HORSE GOLF CLUB - in conjunction with an indemnification agreement
1420	7/18/94	Never published - See Ord. 1546	N/A	AN ORD. REZONING PROPERTY (TOWN CENTER BUSINESS PARK) AT APPROXIMATELY 117TH & ROE AVE. FROM AG TO CP-O AND CP-1
1421	8/1/94	8/2/94	N/A	AN ORD. AUTHORIZING ISSUANCE OF $8,300,000 GENERAL OBLIGATION BONDS, SERIES 1994
1422	8/1/94	8/2/94 & 8/9/94	N/A	AN ORD. ESTABLISHING THE 1995 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM

ORDINANCE NO. 1485 C

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF THE CITY OF LEAWOOD BY ENACTING A NEW SECTION 14-105 ENTITLED "PENALTIES"; PROVIDING FOR SUBSTITUTE PROVISIONS TO THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, 1994; PROVIDING FOR ADDITIONAL FINES AND PENALTIES WHEN VIOLATIONS OF TRAFFIC ORDINANCES OCCUR IN A ROAD CONSTRUCTION ZONE.

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

Section 1. Code Amended. That a new Section 14-105 of the Code of the City of Leawood entitled "Penalties" is hereby enacted to read as follows:

14-105. PENALTIES. Section 201 of the standard traffic ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

(a) It is unlawful for any person to violate any of the provisions of this ordinance.

(b) The judge of the municipal court shall in the manner prescribed by K.S.A. 12-4305 and amendments thereto establish a schedule of fines for violation of any section of this ordinance classified as an ordinance traffic infraction by K.S.A. Supp. 8-2118 and amendments thereto. The amount of such fines shall be multiplied by two (2) in the event said violation occurs in a Road Construction Zone as that term is defined in the standard traffic ordinance, 1994. Such fines shall be imposed upon a voluntary entry of appearance and upon a plea of guilty or no contest to a complaint alleging such violation and payment of the fine and any court costs.

(c) A person who has been convicted of a traffic infraction may be sentenced to pay a fine which shall be fixed by the court not exceeding $500.00.

(d) Every person convicted of a violation of any of the provisions of this ordinance for which another penalty is not provided by this ordinance or by the schedule of fines established by the judge of the municipal court shall be punished for first conviction thereof by a fine of not more than $100 or by imprisonment for not more than 10 days or by both such fine and imprisonment; for a second such conviction within one year thereafter such person shall be punished by a fine of not more than $200 or by imprisonment for not more than 20 days or by both such fine and imprisonment; upon a third or subsequent conviction within one year after the first conviction such person shall be punished by a fine of not more than $500 or by imprisonment for not more than six months or by both such fine and imprisonment.

Section 2. 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 1st day of May, 1995.

Approved by the Mayor the 1st day of May, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

5/2/95

Editor

Subscribed and sworn to before me on this date:
5/2/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $25.45

rd. 1485

ORDINANCE NO. 1485 C

First published in The Legal Record, Tuesday, May 2, 1995.

ORDINANCE NO. 1485 C

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF THE CITY OF LEAWOOD BY ENACTING A NEW SECTION 14-105 ENTITLED "PENALTIES"; PROVIDING FOR SUBSTITUTE PROVISIONS TO THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, 1994; PROVIDING FOR ADDITIONAL FINES AND PENALTIES WHEN VIOLATIONS OF TRAFFIC ORDINANCES OCCUR IN A ROAD CONSTRUCTION ZONE.

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

Section 1. Code Amended. That a new Section 14-105 of the Code of the City of Leawood entitled "Penalties" is hereby enacted to read as follows:

14-105. PENALTIES. Section 201 of the standard traffic ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

(a) It is unlawful for any person to violate any of the provisions of this ordinance.

(b) The judge of the municipal court shall in the manner prescribed by K.S.A. 12-4305 and amendments thereto establish a schedule of fines for violation of any section of this ordinance classified as an ordinance traffic infraction by K.S.A. Supp. 8-2118 and amendments thereto. The amount of such fines shall be multiplied by two (2) in the event said violation occurs in a Road Construction Zone as that term is defined in the standard traffic ordinance, 1994. Such fines shall be imposed upon a voluntary entry of appearance and upon a plea of guilty or no contest to a complaint alleging such violation and payment of the fine and any court costs.

(c) A person who has been convicted of a traffic infraction may be sentenced to pay a fine which shall be fixed by the court not exceeding $500.00.

(d) Every person convicted of a violation of any of the provisions of this ordinance for which another penalty is not provided by this ordinance or by the schedule of fines established by the judge of the municipal court shall be punished for first conviction thereof by a fine of not more than $100 or by imprisonment for not more than 10 days or by both such fine and imprisonment; for a second such conviction within one year thereafter such person shall be punished by a fine of not more than $200 or by imprisonment for not more than 20 days or by both such fine and imprisonment; upon a third or subsequent conviction within one year after the first conviction such person shall be punished by a fine of not more than $500 or by imprisonment for not more than six months or by both such fine and imprisonment.

Section 2. 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 1st day of May, 1995.

Approved by the Mayor the 1st day of May, 1995.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

$25.45

ORDINANCE NO. 1484 C

AN ORDINANCE AMENDING SECTIONS OF THE CODE OF THE CITY OF LEAWOOD RELATING TO MEMBERSHIP, TERMS, AND QUALIFICATIONS OF THE LEAWOOD ARTS COMMITTEE; AND REPEALING EXISTING SECTIONS.

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

Section 1. Code Amended. That Section 1-601 of the Code of the City of Leawood is hereby amended to read as follows:

1-601. ESTABLISHMENT AND MEMBERSHIP. There is hereby established a Leawood Arts Committee consisting of 7 members appointed by the Mayor with the consent of the City Council, as set out in Section 1-602. The Mayor shall appoint, with the consent of the City Council, one member of the City Council who shall serve as Council liaison.

The term "Leawood Arts Committee" encompasses all the rights and privileges as the Leawood Arts Council would under State statute.

Section 2. Code Amended. That Section 1-602 of the Code of the City of Leawood is hereby amended to read as follows:

1-602. MEMBERSHIP TERMS AND QUALIFICATIONS. All members of the Arts Committee shall be residents of the City and shall serve without compensation. The Councilmember who shall serve as liaison shall be appointed annually, and the 7 Arts Committee members shall be appointed for a term of three years. Appointments will be from May to May. Whenever a vacancy appears, for whatever reason, appointment to fill the vacancy shall be by the Mayor, with the consent of the City Council, with the appointee serving the remainder of the unexpired term.

The Arts Committee shall elect its own chairperson who shall serve for a term of one year, and shall elect a vice-chairperson who shall serve as chairperson in the absence of the chairperson.

Section 3. Repeal of Existing Sections. That existing Sections 1-601 and 1-602 of the Code of the City of Leawood are hereby repealed. (Prior law: Ord. No. 1047C)

Section 4. 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 1st day of May, 1995.

Approved by the Mayor the 1st day of May, 1995.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

5/2/95

Editor

Subscribed and sworn to before me on this date:
5/2/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $25.45

rd. 1484

ORDINANCE NO. 1484 C

First published in The Legal Record, Tuesday, May 2, 1995.

ORDINANCE NO. 1484 C

AN ORDINANCE AMENDING SECTIONS OF THE CODE OF THE CITY OF LEAWOOD RELATING TO MEMBERSHIP, TERMS, AND QUALIFICATIONS OF THE LEAWOOD ARTS COMMITTEE; AND REPEALING EXISTING SECTIONS.

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

Section 1. Code Amended. That Section 1-601 of the Code of the City of Leawood is hereby amended to read as follows:

1-601. ESTABLISHMENT AND MEMBERSHIP. There is hereby established a Leawood Arts Committee consisting of 7 members appointed by the Mayor with the consent of the City Council, as set out in Section 1-602. The Mayor shall appoint, with the consent of the City Council, one member of the City Council who shall serve as Council liaison.

The term "Leawood Arts Committee" encompasses all the rights and privileges as the Leawood Arts Council would under State statute.

Section 2. Code Amended. That Section 1-602 of the Code of the City of Leawood is hereby amended to read as follows:

1-602. MEMBERSHIP TERMS AND QUALIFICATIONS. All members of the Arts Committee shall be residents of the City and shall serve without compensation. The Councilmember who shall serve as liaison shall be appointed annually, and the 7 Arts Committee members shall be appointed for a term of three years. Appointments will be from May to May. Whenever a vacancy appears, for whatever reason, appointment to fill the vacancy shall be by the Mayor, with the consent of the City Council, with the appointee serving the remainder of the unexpired term.

The Arts Committee shall elect its own chairperson who shall serve for a term of one year, and shall elect a vice-chairperson who shall serve as chairperson in the absence of the chairperson.

Section 3. Repeal of Existing Sections. That existing Sections 1-601 and 1-602 of the Code of the City of Leawood are hereby repealed. (Prior law: Ord. No. 1047C)

Section 4. 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 1st day of May, 1995.

Approved by the Mayor the 1st day of May, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler

$25.45

ORDINANCE NO. 1483

AN ORDINANCE APPROVING THE ACQUISITION OF LAND WITHIN THE CITY OF LEAWOOD, KANSAS AND THE EXECUTION AND DELIVERY OF A REAL ESTATE CONTRACT WITH RESPECT THERETO; PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO PROVIDE FUNDS TO PAY THE COSTS THEREOF AND FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY PENDING THE ISSUANCE OF SAID BONDS; AND AUTHORIZING AND APPROVING CERTAIN RELATED MATTERS AND ACTIONS.

WHEREAS, the City of Leawood, Kansas (the "City") is authorized by K.S.A. Section 12-1736 et. seq. (the "Act") to acquire sites for public buildings, and it has been proposed that the City acquire certain real property in the vicinity of 143rd Street and Overbrook , Leawood, Kansas, as more particularly described in Exhibit A hereto (the "Property") within the City as a site for a future public works facility for the City and the cost of the Property has been determined to be $326,700.00; and

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and advisable to proceed with the acquisition of the Property and provide for the issuance of general obligation bonds of the City in an amount not to exceed $400,000.00 for the purpose of financing the costs of the Property and for the issuance of temporary notes of the City pending the issuance of said bonds;

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

Section 1. That the Governing Body hereby finds and determines that it is necessary and desirable to acquire and hereby authorizes the acquisition of the Property.

The form of the Real Estate Contract attached hereto as Exhibit B is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute and deliver the same for and on behalf of and as the act and deed of the City.

Section 2. That the Governing Body of the City hereby authorizes the issuance of general obligation bonds of the City pursuant to the Act in an amount not to exceed $400,000.00 to pay the costs of the Property.

The Governing Body for and on behalf of the City covenants and agrees that the Property shall be used solely for purposes authorized by the Act except that said Property shall not be used for purposes of city offices, public libraries, auditoriums or community or recreational buildings within the meaning of the Act.

Section 3. Pending issuance of the bonds of the City as hereinbefore provided and in order to pay the costs of the Property, the City is hereby authorized to issue temporary notes of the City as provided by law.

Section 4. That to the extent the City shall pay all or any portion of the costs of the Project from available funds on hand prior to the issuance of temporary notes or bonds, the City hereby declares that it reasonably expects to reimburse such expenditures out of the proceeds of such temporary notes and such general obligation bonds. All such expenditures so reimbursed shall be capital expenditures with the meaning of Section 1.150-1(h) of the Income Tax Regulations (the "Regulations").

Section 5. This declaration is a declaration of official intent adopted pursuant to Section 1.103-18 of the Regulations.

Section 6. That as of the date hereof, there are not City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than pursuant to the issuance of temporary notes or the bonds. This ordinance, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 7. That this Ordinance shall be filed within 30 days of its adoption in the publicly available official books and records of the City. This Ordinance shall be available for inspection at the office of the City Clerk at City Hall during normal business hours of the City on every business day until the date of issuance of bonds.

Section 8 That the City's Director of Finance shall be responsible for making any "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amounts of proceeds of the notes or the bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the notes or the bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account in accordance with Section 1.103-18, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the notes or the bonds from any restriction under the ordinance or other documents authorizing the issuance of such notes or the bonds, and under any applicable state statute, which would apply to the unspent proceeds of the notes or the bonds.

Section 9. That this ordinance shall be in force and effect from and after its approval by the Governing Body and publication in the official City newspaper.

Passed by the Governing Body of the City of Leawood, Kansas this 17th day of April 1995.

Approved by the Mayor this 17th day of April 1995.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

4/18/95

Editor

Subscribed and sworn to before me on this date:
4/18/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $48.82

d. 1483

$48.82

ORDINANCE NO. 1483

First published in The Legal Record, Tuesday, April 18, 1995.

ORDINANCE NO. 1483

AN ORDINANCE APPROVING THE ACQUISITION OF LAND WITHIN THE CITY OF LEAWOOD, KANSAS AND THE EXECUTION AND DELIVERY OF A REAL ESTATE CONTRACT WITH RESPECT THERETO; PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY TO PROVIDE FUNDS TO PAY THE COSTS THEREOF AND FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY PENDING THE ISSUANCE OF SAID BONDS; AND AUTHORIZING AND APPROVING CERTAIN RELATED MATTERS AND ACTIONS.

WHEREAS, the City of Leawood, Kansas (the "City") is authorized by K.S.A. Section 12-1736 et. seq. (the "Act") to acquire sites for public buildings, and it has been proposed that the City acquire certain real property in the vicinity of 143rd Street and Overbrook , Leawood, Kansas, as more particularly described in Exhibit A hereto (the "Property") within the City as a site for a future public works facility for the City and the cost of the Property has been determined to be $326,700.00; and

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and advisable to proceed with the acquisition of the Property and provide for the issuance of general obligation bonds of the City in an amount not to exceed $400,000.00 for the purpose of financing the costs of the Property and for the issuance of temporary notes of the City pending the issuance of said bonds;

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

Section 1. That the Governing Body hereby finds and determines that it is necessary and desirable to acquire and hereby authorizes the acquisition of the Property.

The form of the Real Estate Contract attached hereto as Exhibit B is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute and deliver the same for and on behalf of and as the act and deed of the City.

Section 2. That the Governing Body of the City hereby authorizes the issuance of general obligation bonds of the City pursuant to the Act in an amount not to exceed $400,000.00 to pay the costs of the Property.

The Governing Body for and on behalf of the City covenants and agrees that the Property shall be used solely for purposes authorized by the Act except that said Property shall not be used for purposes of city offices, public libraries, auditoriums or community or recreational buildings within the meaning of the Act.

Section 3. Pending issuance of the bonds of the City as hereinbefore provided and in order to pay the costs of the Property, the City is hereby authorized to issue temporary notes of the City as provided by law.

Section 4. That to the extent the City shall pay all or any portion of the costs of the Project from available funds on hand prior to the issuance of temporary notes or bonds, the City hereby declares that it reasonably expects to reimburse such expenditures out of the proceeds of such temporary notes and such general obligation bonds. All such expenditures so reimbursed shall be capital expenditures with the meaning of Section 1.150-1(h) of the Income Tax Regulations (the "Regulations").

Section 5. This declaration is a declaration of official intent adopted pursuant to Section 1.103-18 of the Regulations.

Section 6. That as of the date hereof, there are not City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than pursuant to the issuance of temporary notes or the bonds. This ordinance, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 7. That this Ordinance shall be filed within 30 days of its adoption in the publicly available official books and records of the City. This Ordinance shall be available for inspection at the office of the City Clerk at City Hall during normal business hours of the City on every business day until the date of issuance of bonds.

Section 8 That the City's Director of Finance shall be responsible for making any "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amounts of proceeds of the notes or the bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the notes or the bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account in accordance with Section 1.103-18, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the notes or the bonds from any restriction under the ordinance or other documents authorizing the issuance of such notes or the bonds, and under any applicable state statute, which would apply to the unspent proceeds of the notes or the bonds.

Section 9. That this ordinance shall be in force and effect from and after its approval by the Governing Body and publication in the official City newspaper.

Passed by the Governing Body of the City of Leawood, Kansas this 17th day of April 1995.

Approved by the Mayor this 17th day of April 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

ORDINANCE NO. 1482

AN ORDINANCE ESTABLISHING A POLICY OF THE CITY OF LEAWOOD TO PROVIDE ASSISTANCE TO OTHER JURISDICTIONS BOTH WITHIN AND WITHOUT THE STATE DURING DISASTERS.

WHEREAS, the Governing Body desires in the event of disaster to render assistance that may be requested to support other governing bodies and jurisdictions both within and outside the State;

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

SECTION 1. As used in this Ordinance:

(a) "Municipality" means any city, county or township;

(b) "Public safety agency" means any municipal fire department, law enforcement office, sheriff's department, volunteer and nonvolunteer fire protection associations, emergency management department, public works department or other similar public or private agency; and

(c) "Disaster" means the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including, but not limited to, fire, flood, earthquake, wind, storm, epidemics, air contamination, blight, drought, infestation, explosion or riot.

SECTION 2. In the event of a disaster when there is a request for assistance, if the City can provide assistance to any municipality or public safety agency without unduly jeopardizing the protection of its own community, this Ordinance hereby authorizes the City Administrator or his or her designee, to provide such assistance as may be required under authority granted in Chapter 75 of the 1994 Session Laws of Kansas, with all the privileges and immunities provided therein.

SECTION 3. Nothing in this Ordinance is intended to conflict or circumvent any existing interlocal agreement, any automatic aid, intergovernmental or mutual aid agreement, or any authority to enter into such agreements in the future.

SECTION 4. It is the intent of this Ordinance to provide assistance in any form of service including, but not limited to, police, fire, EMS, public works, administrative and clerical during times of disaster as defined in Chapter 75 of the 1994 Session Laws of Kansas, with all the privileges and immunities described therein.

SECTION 5. This Ordinance shall be in full force and effect from and after its publication in the official city newspaper and filing with the County Emergency Preparedness Department.

Passed by the Council the 17th day of April, 1995.

Approved by the Mayor the 17th day of April, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

City of Leawood
4800 Town Center Drive • Leawood, Kansas 66211 • (913) 339-6700
(913) 339- 6781 Fax
(913) 339-6225 TDD

July 11, 1995

Johnson County Emergency Preparedness
111 S. Cherry, Suite 100
Olathe, Kansas 66061

Enclosed is a certified copy of Leawood Ordinance No. 1482, sent in accordance with Section 5 of the Ordinance.

Sincerely,

Martha Heizer

Martha Heizer
City Clerk

7/13 - t/c Mike Sells - he'll send a copy of the ord. to the State.

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

4/18/95

Editor

Subscribed and sworn to before me on this date:
4/18/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $27.27

d. 1482

ORDINANCE NO. 1482

First published in The Legal Record, Tuesday, April 18, 1995.

ORDINANCE NO. 1482

AN ORDINANCE ESTABLISHING A POLICY OF THE CITY OF LEAWOOD TO PROVIDE ASSISTANCE TO OTHER JURISDICTIONS BOTH WITHIN AND WITHOUT THE STATE DURING DISASTERS.

WHEREAS, the Governing Body desires in the event of disaster to render assistance that may be requested to support other governing bodies and jurisdictions both within and outside the State;

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

SECTION 1. As used in this Ordinance:
(a) "Municipality" means any city, county or township;
(b) "Public safety agency" means any municipal fire department, law enforcement office, sheriff's department, volunteer and nonvolunteer fire protection associations, emergency management department, public works department or other similar public or private agency; and
(c) "Disaster" means the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including, but not limited to, fire, flood, earthquake, wind, storm, epidemics, air contamination, blight, drought, infestation, explosion or riot.

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SECTION 5. This Ordinance shall be in full force and effect from and after its publication in the official city newspaper and filing with the County Emergency Preparedness Department.

Passed by the Council the 17th day of April, 1995.

Approved by the Mayor the 17th day of April, 1995.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

$27.27

See attached

ORDINANCE NO. 1481

AN ORDINANCE ACCEPTING A DEED FOR LAND TO BE USED FOR PUBLIC RIGHT-OF-WAY (143RD STREET IMPROVEMENT BETWEEN WINDSOR AND KENNETH ROAD).

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

Section 1. That the City of Leawood hereby accepts a deed for land to be used for public right-of-way, to wit:

From Graham G. Giblin and Cornelius J. Giblin: Commencing at the Southwest corner of the Southeast 1/4 of Section 34, Township 13, Range 25, Johnson County, Kansas; thence North 89° 47'03" East along the South line of said Southeast 1/4, 2015.56 feet; thence North 00° 12'57" West and perpendicular to said South line, 20.00 feet to a point on the existing North right-of-way line of 143rd Street and the point of beginning; thence continuing North 00°12'57" West, 30.00 feet; thence North 89°47'03" East and parallel to said South line, 660.05 feet; thence South 00°12'57" East and perpendicular to said South line, 30.00 feet to a point on the said North right-of-way; thence South 89°47'03" West along said North right-of-way line, 660.05 feet to the point of beginning. Containing 19,801.50 square feet or 0.4546 acres more or less.

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 3rd day of April, 1995.

Approved by the Mayor the 3rd day of April, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

Martha Heizer

From: Julie Stasi
Sent: Friday, August 09, 2002 9:38 AM
To: Martha Heizer
Subject: RE:

Looks like we took to the council a requset to accept one with a price of 8500 or so. But I don't know that it ever arrived.

-----Original Message-----
From: Martha Heizer
Sent: Friday, August 09, 2002 9:20 AM
To: Julie Stasi
Subject: RE:

That was some time ago. So we passed an ordinance accepting a deed that we never received back. I'm just going to put a note with that ordinance.

Martha

-----Original Message-----
From: Julie Stasi
Sent: Friday, August 09, 2002 9:08 AM
To: Martha Heizer
Subject: RE:

I found some he mailed in. We didn't like them and wrote a letter back to him, sending the ones he had sent back to him. Nothing further.

I can send the file down for you to review or you can come up sometime.

-----Original Message-----
From: Martha Heizer
Sent: Friday, August 09, 2002 8:48 AM
To: Julie Stasi
Subject:

If you have a file on 143rd St. improvement project, would you look to see if you have a deed from Graham and Cornelius Giblin for that street improvement between Windsor and Kenneth Rd.

Thanks,

Martha

Martha Heizer

From: Julie Stasi
Sent: Friday, August 09, 2002 9:25 AM
To: Martha Heizer
Subject: RE:

looks like we sent him a deed (with a lrge square footage)...what he sent back was different; we didn't like it and shipped it back with another blank one for him to sign.

-----Original Message-----
From: Martha Heizer
Sent: Friday, August 09, 2002 9:20 AM
To: Julie Stasi
Subject: RE:

That was some time ago. So we passed an ordinance accepting a deed that we never received back. I'm just going to put a note with that ordinance.

Martha

-----Original Message-----
From: Julie Stasi
Sent: Friday, August 09, 2002 9:08 AM
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Subject: RE:

I found some he mailed in. We didn't like them and wrote a letter back to him, sending the ones he had sent back to him. Nothing further.

I can send the file down for you to review or you can come up sometime.

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Thanks,

Martha

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

4/11/95

Editor

Subscribed and sworn to before me on this date:
4/11/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $18.18

d. #1481

ORDINANCE NO. 1481

First published in The Legal Record, Tuesday, April 11, 1995.

ORDINANCE NO. 1481

AN ORDINANCE ACCEPTING A DEED FOR LAND TO BE USED FOR PUBLIC RIGHT-OF-WAY (143RD STREET IMPROVEMENT BETWEEN WINDSOR AND KENNETH ROAD).

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

Section 1. That the City of Leawood hereby accepts a deed for land to be used for public right-of-way, to wit:

From Graham G. Giblin and Cornelius J. Giblin: Commencing at the Southwest corner of the Southeast 1/4 of Section 34, Township 13, Range 25, Johnson County, Kansas; thence North 89° 47'03" East along the South line of said Southeast 1/4, 2015.56 feet; thence North 00° 12'57" West and perpendicular to said South line, 20.00 feet to a point on the existing North right-of-way line of 143rd Street and the point of beginning; thence continuing North 00°12'57" West, 30.00 feet; thence North 89°47'03" East and parallel to said South line, 660.05 feet; thence South 00°12'57" East and perpendicular to said South line, 30.00 feet to a point on the said North right-of-way; thence South 89°47'03" West along said North right-of-way line, 660.05 feet to the point of beginning. Containing 19,801.50 square feet or 0.4546 acres more or less.

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 3rd day of April, 1995.

Approved by the Mayor the 3rd day of April, 1995.

(S E A L)

Marvin Rinehart, Mayor

Attest:

Martha Heizer, City Clerk

APPROVED FOR FORM:

R.S. Wetzler, City Attorney

$18.18

ORDINANCE NO. 1480 C

AN ORDINANCE ADOPTING THE 1995 EDITION OF THE INTERNATIONAL PLUMBING CODE GOVERNING THE CONDITIONS, TERMS, SPECIFICATIONS AND CONTROL OF THE DESIGN AND INSTALLATION OF PLUMBING SYSTEMS WITHIN THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFOR; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF.

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

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

Article 4. PLUMBING CODE

4-401. INTERNATIONAL PLUMBING CODE ADOPTED. The International Plumbing Code, including all appendices, except Appendix A, 1995 edition, as published by the International Conference of Building Officials, and Building Officials and Code Administrators International, and in conjunction with the 1994 Uniform Building Code and the 1994 Uniform Mechanical Code, 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 4-402, 4-403 and 4-404 of this article. Three copies of this document shall be on file in the Office of the City Clerk.

4-402. INTERNATIONAL PLUMBING CODE AMENDED; SEC. 106. PERMITS. Sec. 106.4 Permit Issuance. Permit issuance shall be in accordance with Sections 4-207 and 4-208 of the Code of the City of Leawood.

4-403. INTERNATIONAL PLUMBING CODE AMENDED; SEC. 108. VIOLATIONS. Sec. 108.4 Violation Penalties is hereby changed to read as follows: 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 any plumbing 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 Code, or other references incorporated, is 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.

4-404. SAME; SEC. 306. PROTECTION OF PIPES. 306.6 Freezing and 306.6.1 Sewer depth; add the following: Water service piping shall be installed not less than 3 feet below grade. Sewers shall be installed in accordance with Johnson County Wastewater District regulations for sewers.

Section 2. Repeal of Existing Article. That existing Article 4 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1277C)

Section 3. Validity of ordinance. That if any section, subsection, 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. That this ordinance shall take effect and be in force on May 1, 1995.

Passed by the Council the 3rd day of April, 1995.

Approved by the Mayor the 3rd day of April, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R. S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

4/11/95

Editor

Subscribed and sworn to before me on this date:
4/11/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $29.09

d. #1480C

ORDINANCE NO. 1480 C

First published in The Legal Record, Tuesday, April 11, 1995.

ORDINANCE NO. 1480 C

AN ORDINANCE ADOPTING THE 1995 EDITION OF THE INTERNATIONAL PLUMBING CODE GOVERNING THE CONDITIONS, TERMS, SPECIFICATIONS AND CONTROL OF THE DESIGN AND INSTALLATION OF PLUMBING SYSTEMS WITHIN THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFOR; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF.

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

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

Article 4. PLUMBING CODE

4-401. INTERNATIONAL PLUMBING CODE ADOPTED. The International Plumbing Code, including all appendices, except Appendix A, 1995 edition, as published by the International Conference of Building Officials, and Building Officials and Code Administrators International, and in conjunction with the 1994 Uniform Building Code and the 1994 Uniform Mechanical Code, 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 4-402, 4-403 and 4-404 of this article. Three copies of this document shall be on file in the Office of the City Clerk.

4-402. INTERNATIONAL PLUMBING CODE AMENDED; SEC. 106. PERMITS. Sec. 106.4 Permit Issuance. Permit issuance shall be in accordance with Sections 4-207 and 4-208 of the Code of the City of Leawood.

4-403. INTERNATIONAL PLUMBING CODE AMENDED; SEC. 108. VIOLATIONS. Sec. 108.4 Violation Penalties is hereby changed to read as follows: 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 any plumbing 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 Code, or other references incorporated, is 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.

4-404. SAME; SEC. 306. PROTECTION OF PIPES. 306.6 Freezing and 306.6.1 Sewer depth; add the following: Water service piping shall be installed not less than 3 feet below grade. Sewers shall be installed in accordance with Johnson County Wastewater District regulations for sewers.

Section 2. Repeal of Existing Article. That existing Article 4 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1277C)

Section 3. Validity of ordinance. That if any section, subsection, 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. That this ordinance shall take effect and be in force on May 1, 1995.

Passed by the Council the 3rd day of April, 1995.

Approved by the Mayor the 3rd day of April, 1995.

(SEAL)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R. S. Wetter City Attorney

ORDINANCE NO. 1479 C

AN ORDINANCE ADOPTING THE 1994 EDITION OF THE UNIFORM MECHANICAL CODE GOVERNING THE CONDITIONS, TERMS, SPECIFICATIONS AND CONTROL OF THE DESIGN AND INSTALLATION OF MECHANICAL SYSTEMS WITHIN THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF.

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

Section 1: Code Amended. That Article 5 of Chapter 4 of the Code of the City of Leawood is hereby amended to read as follows:

Article 5. MECHANICAL CODE

4-501. UNIFORM MECHANICAL CODE ADOPTED. The Uniform Mechanical Code, including all appendices, 1994 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, excepting only such parts of portions thereof as are specifically added or changed in Section 4-502 and 4-503 of this article. Three copies of this document shall be on file with the Office of the City Clerk.

4-502. UNIFORM MECHANICAL CODE AMENDED; SEC. 111. VIOLATIONS. Sec. 111 Violations is hereby changed to read as follows: 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 any mechanical systems in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, or other references incorporated, is 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.

4-503. SAME; SEC. 114. PERMIT ISSUANCE. SEC. 114.1 Issuance. Add the following: All permits shall be posted so as to be visible from the street.

Section 2. Repeal of Existing Article. That existing Article 5 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1279C).

Section 3. Validity of Ordinance. That if any section, subsection, 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. That this ordinance shall take effect and be in force on May 1, 1995.

Passed by the Council the 3rd day of April, 1995.

Approved by the Mayor the 3rd day of April, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R. S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

4/11/95

Editor

Subscribed and sworn to before me on this date:
4/11/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $27.27

d. #1479C

ORDINANCE NO. 1479 C

First published in The Legal Record, Tuesday, April 11, 1995.

ORDINANCE NO. 1479 C

AN ORDINANCE ADOPTING THE 1994 EDITION OF THE UNIFORM MECHANICAL CODE GOVERNING THE CONDITIONS, TERMS, SPECIFICATIONS AND CONTROL OF THE DESIGN AND INSTALLATION OF MECHANICAL SYSTEMS WITHIN THE CITY OF LEAWOOD, KANSAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF.

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

Section 1: Code Amended. That Article 5 of Chapter 4 of the Code of the City of Leawood is hereby amended to read as follows:

Article 5. MECHANICAL CODE

4-501. UNIFORM MECHANICAL CODE ADOPTED. The Uniform Mechanical Code, including all appendices, 1994 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, excepting only such parts of portions thereof as are specifically added or changed in Section 4-502 and 4-503 of this article. Three copies of this document shall be on file with the Office of the City Clerk.

4-502. UNIFORM MECHANICAL CODE AMENDED; SEC. 111 VIOLATIONS. Sec. 111 Violations is hereby changed to read as follows: 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 any mechanical systems in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, or other references incorporated, is 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.

4-503. SAME; SEC. 114. PERMIT ISSUANCE. SEC. 114.1 Issuance. Add the following: All permits shall be posted so as to be visible from the street.

Section 2. Repeal of Existing Article. That existing Article 5 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1279C).

Section 3. Validity of Ordinance. That if any section, subsection, 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. That this ordinance shall take effect and be in force on May 1, 1995.

Passed by the Council the 3rd day of April, 1995.

Approved by the Mayor the 3rd day of April, 1995.

(SEAL)

Marcia Rinehart
Mayor

Attest:

Martha Heizer
City Clerk

APPROVED FOR FORM:
R. Schwaller
City Attorney

$27.27

ORDINANCE NO. 1478 C

AN ORDINANCE ADOPTING THE 1994 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. That Article 10 of Chapter 4 of the Code of the City of Leawood is hereby amended to read as follows:

Article 10. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

4-1001. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS ADOPTED. The Uniform Code for the Abatement of Dangerous Buildings, 1994 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 in Section 4-1002 through 4-1004. Three copies of said Code shall be on file with the City Clerk.

4-1002. UNIFORM CODE AMENDED; SEC. 202. ABATEMENT OF DANGEROUS BUILDINGS. Sec. 202. Add the following: Permit shall be in accordance with Sections 4-207 and 4-208 of the Code of the City of Leawood..

4-1003. SAME;. VIOLATIONS. Sec. 203 Violations, is hereby changed to read as follows; Violations and Penalties. Any person, form 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 as a separate offense.

4-1004. 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. That existing Article 10 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1281C)

Section 3. Validity of Ordinance. That 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. That this ordinance shall take effect and be in force on May 1, 1995.

Passed by the Council the 3rd day of April, 1995.

Approved by the Mayor the 3rd day of April, 1995.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R. S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

4/11/96

Editor

Subscribed and sworn to before me on this date:
4/11/95

Notary Public

My appointment expires:
October 11, 1998

SHARON L. YOUNG
Notary Public - State of Kansas

Publication Fees: $27.45

d. #1478C

ORDINANCE NO. 1478 C

First published in The Legal Record, Tuesday, April 11, 1995.

ORDINANCE NO. 1478 C

AN ORDINANCE ADOPTING THE 1994 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. That Article 10 of Chapter 4 of the Code of the City of Leawood is hereby amended to read as follows:

Article 10. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

4-1001. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS ADOPTED. The Uniform Code for the Abatement of Dangerous Buildings, 1994 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 in Section 4-1002 through 4-1004. Three copies of said Code shall be on file with the City Clerk.

4-1002. UNIFORM CODE AMENDED; SEC. 202. ABATEMENT OF DANGEROUS BUILDINGS. Sec. 202. Add the following: Permit shall be in accordance with Sections 4-207 and 4-208 of the Code of the City of Leawood..

4-1003. SAME;. VIOLATIONS. Sec. 203 Violations, is hereby changed to read as follows; Violations and Penalties. Any person, form 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 as a separate offense.

4-1004. 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. That existing Article 10 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1281C)

Section 3. Validity of Ordinance. That 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. That this ordinance shall take effect and be in force on May 1, 1995.

Passed by the Council the 3rd day of April, 1995.

Approved by the Mayor the 3rd day of April, 1995.

(SEAL)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R. S. Wetzler City Attorney

$27.45

ORDINANCE NO. 1477 C

AN ORDINANCE ADOPTING THE 1994 EDITIONS OF THE UNIFORM BUILDING CODE, VOLUMES I, II AND III, GOVERNING THE CONDITIONS, TERMS, SPECIFICATIONS AND CONTROL OF CONSTRUCTION WITHIN THE CITY OF LEAWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFOR; AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF.

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

Section 1. Code Amended. That Article 2 of Chapter 4 of the Code of the City of Leawood is hereby amended to read as follows:

Article 2. BUILDING CODE

4-201. UNIFORM BUILDING CODE ADOPTED. The Uniform Building Code, including appendices listed below, 1994 editions, as published by the International Conference of Building Officials, 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. Three copies of each of these documents shall be on file with the City Clerk, being marked and designated as:

> UNIFORM BUILDING CODE, 1994 EDITION; VOLUMES I, II, AND III, published by the International Conference of Building Officials, including Appendix Chapter 3, Division II; Appendix Chapter 4, Division I, as amended; Appendix Chapter 12; Appendix Chapter 15; Appendix Chapter 18; Appendix Chapter 31; Appendix Chapter 33, and Appendix Chapter 34, Division I, delete Section 3406.2.

except those parts or portions thereof as are specifically added or changed in Sections 4-202 through 4-223 of this article, and same are hereby adopted for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City of Leawood; providing for issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, conditions and terms of such UNIFORM BUILDING CODE, 1994 EDITION, published by the International Conference of Building Officials which is on file in the Office of the City Clerk, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

4-202. UNIFORM BUILDING CODE AMENDED; SEC. 103. VIOLATIONS. Sec. 103 Violations is hereby changed to read as follows: 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 a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions

of this code, or other references incorporated, is 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.

4-203. SAME; SEC. 106.2. WORK EXEMPT FROM PERMIT. Sec. 106.2 Work Exempt from permit, delete numbers 1, 2, 3, 6, 7, and 11. Delete "Platforms and walks" from Number 7.

4-204. SAME; SEC. 106.3.2. PLANS AND SPECIFICATIONS. Sec. 106.3.2 Submittal Documents shall be changed to read as follows: The application for a permit shall be accompanied by no fewer than four copies of specifications and of plans drawn to scale, with sufficient clarity and detail dimensions to show the nature and character of the work to be performed. When quality of materials is essential for conformity to this code, specific information shall be given to establish such quality, and this code shall not be cited, or the term "legal" or its equivalent be used as a substitute for specific information. The building official may waive the requirement for filing plans when the work involved is of a minor nature.

Plans and specifications for all buildings and structures except for accessory buildings and non-structural residential remodeling and alterations shall be prepared or approved by an architect or engineer duly licensed or registered by the State of Kansas and shall bear his or her seal. Said architect or engineer shall sign a certificate that the plans and specifications have been prepared in accordance with the adopted codes and that all requirements of the "Americans with Disabilities Act" have been satisfied.

EXCEPTIONS: 1. Two copies of specifications and/or plans drawn to scale shall be required for Group R, Division 3 occupancies. 2. Two copies of plans, specifications and/or installation instructions shall be required for all individual residential pools and hot tubs. 3. Three copies of plans drawn to scale and specifications shall be required for all swimming pools other than individual residential pools. Residential pool kits containing a plan with an engineer's seal are acceptable. Plans shall be prepared and certified by an architect or engineer responsible for the structural components of the pool design.

4-205. SAME; SEC. 106.3.3 INFORMATION ON PLANS AND SPECIFICATIONS. Sec. 106.3.3 Information on Plans and Specifications shall be changed to read as follows: Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing, and communication conduits, pipes and similar systems.

4-206. SAME; SEC. 106.3.6 SITE PLAN. Sec. 106.3.6 Site Plan is hereby added and shall read as follows: There shall be a site plan showing to scale the size and location of all the new construction and all existing structures on the site, distances from lot lines, and established street grades, and the proposed finished grades, and it shall be drawn in accordance with an accurate boundary line survey.. All decks , balconies, overhangs or other building protrusions shall be indicated and dimensioned. In the case of demolition, the plot plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site of the plot.

Fire apparatus access roads provided in accordance with the Uniform Fire Code Article 10, Division II shall be indicated as such on the site plan.

The property owner or his or her agent shall certify to the building official that the top of the foundation for a building will be in conformance with the approved site plan, including building elevations, site grading, and building setbacks.

4-207 SAME; SEC. 106.4 PERMITS ISSUANCE. Sec. 106.4.4 Expiration, add the following: Permits for exterior work, i.e., grading, walls, fences, decks, patios, patio covers, and similar type work requiring permits, as well as permits for residential room additions, remodels, and re-roofing shall be limited to 180 days duration. One additional time extension anywhere from 1 to 180 days depending on the size of the project, may be granted by the Building Official or Deputy Building Official upon finding by same that substantial progress has been made toward completion. Upon determination that substantial progress has not been made, the applicant or permit holder may be issued a court complaint and notice to appear in Municipal Court. Work carrying on for a period longer than 360 days shall require a new permit and associated fees.

Permits for other new construction shall be limited to 1 year duration with one possible extension as discussed in the aforementioned paragraph. Failure to complete projects in the allowed time period may be cause for summons to municipal or district court.

Substantial progress is to mean that the project is over 50% complete and, in the opinion of the Building Official and Deputy Building Official, the project applicant has the capability to finish the work permitted within one time period extension. If questionable, the Building Official may require proof of performance, i.e., a list of contractors and subcontractors under contract for the completion of the project, prior to the granting of the time extension. **All permits shall be posted so as to be visible from the street.**

4-208. SAME; SEC. 106.4.6 ISSUANCE OF PERMITS TO LICENSED OR REGISTERED CRAFTSMEN. Sec. 106.4.6 Issue of Permits to Licensed or Registered Craftsmen is hereby added and shall read as follows: Permits shall be issued only to individuals or persons responsible to a company or organization who are the legal possessors of a valid occupation license in the City of Leawood. Sub-contractor permits will normally be issued as part of general contractor permits. Certification of at least one employee of the respective company as a master tradesman shall be a requisite for licensing a plumbing, electrical, or HVAC contractor. A master technician certification must have been obtained via a governmental program where both a written examination and experience were pre-requisites. The city licensing technician shall be responsible for verifying the certification status of contractor applicants for a license. The certification of the technician and the city occupation license must remain current throughout the period of construction. Occupation licenses are required for all contractors doing business in Leawood.

EXCEPTION: Permits may be issued to homeowners doing construction work at their own residence who do not possess a valid license or registration. Homeowners, however, must certify that they are capable and will personally participate in the "permitted" work.

4-209. SAME; SEC. 106.4.7. FIRE PROTECTION CERTIFICATION. Sec. 106.4.7 Fire Protection Certification is hereby added and shall read as follows: A permit shall not be issued until evidence is presented to the building official certifying that adequate means of fire protection is available. This certification shall be issued by the Fire Official upon approval of an automatic sprinkler system installed throughout the structure in accordance with the UBC Standards referenced in Chapter 9. In addition to this, one approved hydrant per 20,000 square feet of first-story floor area and within 300 feet of every part of the structure in an approved location will be required.

EXCEPTION: 1. R3 occupancies within 500 feet of an approved hydrant or hydrants supplying a minimum of 1000 gpm. 2. Groups S and U1 occupancies with less than 1000 square feet of floor area. 3. Structures or portions of structures which are omitted in accordance with Section 904.4 of the 1994 Uniform Building Code. 4. Temporary structures allowed under a special use permit for a period not to exceed two years.

4-210. SAME; SEC. 106.4.8 OUTSIDE SANITARY SEWER CONSTRUCTION AND CONNECTION PERMIT REQUIRED. Sec. 106.4.8 Outside Sanitary Sewer Construction and Connection Permit Required is hereby added and shall read as follows: No building permit for any structure or building to be located within a legally created sewer district in the City in which sanitary sewage will, or may originate, shall be issued until and unless the applicant, or his or her agent, has previously applied for and received from the sewer district an outside sanitary sewer construction and connection permit as required by the rules and regulations of the Johnson County Wastewater District. The building official has the right to waive this requirement in special situations.

4-211 SAME; SEC. 106.4.9 PERFORMANCE BOND REQUIRED. Sec. 106.4.9 Performance Bond Required is hereby added to read as follows: A performance bond in the amount of $5,000 shall be required at the time the building permit is issued or prior to final subdivision platting whichever shall first occur. Said performance bond will be approved by the building official and shall be predicated and guaranteed upon the fact that the permit applicant will keep streets and sidewalks, in the area that they are working in, free and clear of dirt, gravel, rubbish, or other construction debris. The building official may waive the performance bond required by this ordinance when the applicant is an individual homeowner and the permit will authorize minor construction such as additions or remodeling. One performance bond may cover multiple permit applications by one applicant within a specific area or subdivision.

4-212 SAME; SEC. 107.3 PLAN REVIEW FEES. Sec. 107.3 Plan Review Fees is changed to read as follows; A plan review fee shall be required on all new commercial construction including tenant finish spaces. Said plan review fee may be a maximum of 25 percent of the building permit fee as shown in Table No. 1-A. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee may be charged. New residential and remodel, and commercial tenant space finish or remodel shall have a plan review fee equal to 5% of the total of all permit fees.

4-213. SAME; SEC. 109.2 CHANGE IN USE. Sec. 109.2 Change in Use is hereby added: An inspection and Certificate of Occupancy is required for any space other than residential wherein the previous occupant has abandoned or left the space vacant. The inspection will determine safety and code compliance of the space prior to a new occupancy certificate being issued. Necessary changes shall be in accordance with current codes as adopted by the City of Leawood.

4-214. SAME; SEC. 305.2.3 SPECIAL PROVISIONS. Sec 305.2.3 Special Provisions; delete Exception 3.

4-215 SAME; SEC. 310.4, ACCESS AND EXIT FACILITIES AND EMERGENCY ESCAPES. Sec. 310.4, Exceptions 1 and 2 are added and shall read as follows:

EXCEPTION: 1. Emergency escape exiting from a dwelling unit basement may be by way of a second stairway which leads to an escape exit on the main floor different from that of the first stairway.

EXCEPTION: 2. The second escape exit from a dwelling unit basement may be through one of the basement windows, enlarged to 5.7 square feet minimum opening (minimum openable height 24 inches; minimum openable width 20 inches) with either stairs, a landing, or a ladder installed beneath the window.

4-216 SAME; SEC. 506, EXCEPTION. Sec. 506 Exception No. 3 is added and shall read as follows: The maximum height for Group R, Division 3 occupancies may be 50 feet on all sides not facing the street provided: 1. the side facing the street shall not exceed 40 feet and no window from a sleeping area shall have a sill height in excess of 25 feet from grade level or an approved balcony or deck within 25 feet of grade level; or, 2. the building is equipped with an approved automatic sprinkler system

4-217 SAME; SEC. 904, FIRE EXTINGUISHING SYSTEMS. Sec. 904.2.8 Group R, Division I, Occupancies, is changed to read as follows: An automatic sprinkler system shall be installed throughout every apartment house, every congregate residence and every hotel. Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of the building.

4-218 SAME; SEC. 1503 ROOF COVERING REQUIREMENTS. Sec. 1503 Roof Covering Requirements; changed to read as follows: Roof coverings shall be Class A rated.

EXCEPTION: Group R, Division 3 single family dwellings may be covered with roofing materials and methods complying with Leawood Development Ordinance, Sections 3-1k, 3-2K, and 3-3K provided that a minimum of 20 feet between structures exists.

4-219 SAME; SEC. 1505, ATTICS: ACCESS, DRAFT STOPS AND VENTILATION. Sec. 1505.1 Attics: Access - Change 4th sentence to read: The opening shall not be less than 32 inches by 30 inches.

4-220 SAME; CHAPTER 16, STRUCTURAL FORCES, TABLE 16 - A CATEGORY 12, RESIDENTIAL. Chapter 16, Structural Forces, Table 16-A, Category 12, Residential. The following is added to Category 12, Residential: Residential occupancy attic live loads shall be as follows: 1. Where the roof slope above is greater than 3 in 12 or if there is over 42 inches of headroom for more than 50% of the space above the room below the live load shall be 20 pounds per square foot. 2. Where the attic space is accessible for more than limited storage (i.e., doors, doorways stairs, or pull down stairways) or where the space has the potential to be developed into habitable spaces the live load shall be 40 pounds per square foot. 3. Where the roof slope above is less than or equal to 3 in 12 and no attic storage is possible the live load may be reduced to 10 pounds per square foot. 4. Where roof trusses are spaced not more than 30 inches apart the bottom chord may be designed to withstand a 10 pound per square foot superimposed load.

4-221 SAME; SEC. 1806.1 GENERAL Sec. 1806.1 General, first sentence is changed to read as follows: Footings and foundations shall be constructed of masonry, concrete or treated wood in conformance with Division II and shall extend below the frost line, hereby established as 36 inches.

4-222 SAME; SEC. 3102.4 MASONRY CHIMNEYS - REINFORCING AND SEISMIC ANCHORAGE, Sec. 3102.4.3, delete references and requirements for steel reinforcing bars.

4-223 SAME-APPENDIX CHAPTER 4, DIVISION I, BARRIERS FOR SWIMMING POOLS, SPAS AND HOT TUBS. Sec. 420, Definitions: Above Ground/On-Ground Pool; Delete; above ground or on-ground swimming pools are not permitted in the city of Leawood. Swimming Pool; delete the words, "above ground and on-ground". Sec. 421 - Requirements: Delete the terms "aboveground" or "an above ground" from all parts of this section.

Section 2. Repeal of Existing Article. That existing Article 2 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1276C)

Section 3. Validity of Ordinance. That 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. That this ordinance shall take effect and be in force on May 1, 1995.

Passed by the Council the 3rd day of April, 1995.

Approved by the Mayor the 3rd day of April, 1995.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R. S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

4/11/95

Editor

Subscribed and sworn to before me on this date:
4/11/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $124.35

J. #1477C

$124.35

ORDINANCE NO. 1477 C

First published in The Legal Record, Tuesday, April 11, 1995.

ORDINANCE NO. 1477 C

AN ORDINANCE ADOPTING THE 1994 EDITIONS OF THE UNIFORM BUILDING CODE, VOLUMES I, II AND III, GOVERNING THE CONDITIONS, TERMS, SPECIFICATIONS AND CONTROL OF CONSTRUCTION WITHIN THE CITY OF LEAWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFOR; AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF.

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

Section 1. Code Amended. That Article 2 of Chapter 4 of the Code of the City of Leawood is hereby amended to read as follows:

Article 2. BUILDING CODE

4-201. UNIFORM BUILDING CODE ADOPTED. The Uniform Building Code, including appendices listed below, 1994 editions, as published by the International Conference of Building Officials, 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. Three copies of each of these documents shall be on file with the City Clerk, being marked and designated as:

> UNIFORM BUILDING CODE, 1994 EDITION; VOLUMES I, II, AND III, published by the International Conference of Building Officials, including Appendix Chapter 3, Division II; Appendix Chapter 4, Division I, as amended; Appendix Chapter 12; Appendix Chapter 15; Appendix Chapter 18; Appendix Chapter 31; Appendix Chapter 33, and Appendix Chapter 34, Division I, delete Section 3406.2.

except those parts or portions thereof as are specifically added or changed in Sections 4-202 through 4-223 of this article, and same are hereby adopted for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City of Leawood; providing for issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, conditions and terms of such UNIFORM BUILDING CODE, 1994 EDITION, published by the International Conference of Building Officials which is on file in the Office of the City Clerk, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

4-202. UNIFORM BUILDING CODE AMENDED; SEC. 103 VIOLATIONS. Sec. 103 Violations is hereby changed to read as follows: 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 a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, or other references incorporated, is 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.

4-203 SAME; SEC. 106 2. WORK EXEMPT FROM PERMIT. Sec. 106.2 Work Exempt from permit, delete numbers 1, 2, 3, 6, 7, and 11. Delete "Platforms and walks" from Number 7.

4-204. SAME, SEC. 106.3.2. PLANS AND SPECIFICATIONS. Sec. 106.3.2 Submittal Documents shall be changed to read as follows: The application for a permit shall be accompanied by no fewer than four copies of specifications and of plans drawn to scale, with sufficient clarity and detail dimensions to show the nature and character of the work to be performed. When quality of materials is essential for conformity to this code, specific information shall be given to establish such quality, and this code shall not be cited, or the term "legal" or its equivalent be used as a substitute for specific information. The building official may waive the requirement for filing plans when the work involved is of a minor nature.

Plans and specifications for all buildings and structures except for accessory buildings and non-structural residential remodeling and alterations shall be prepared or approved by an architect or engineer duly licensed or registered by the State of Kansas and shall bear his or her seal. Said architect or engineer shall sign a certificate that the plans and specifications have been prepared in accordance with the adopted codes and that all requirements of the "Americans with Disabilities Act" have been satisfied.

EXCEPTIONS: 1. Two copies of specifications and/or plans drawn to scale shall be required for Group R, Division 3 occupancies. 2. Two copies of plans, specifications and/or installation instructions shall be required for all individual residential pools and hot tubs. 3. Three copies of plans drawn to scale and specifications shall be required for all swimming pools other than individual residential pools. Residential pool kits containing a plan with an engineer's seal are acceptable. Plans shall be prepared and certified by an architect or engineer responsible for the structural components of the pool design.

4-205. SAME; SEC. 106.3.3 INFORMATION ON PLANS AND SPECIFICATIONS. Sec. 106.3.3 Information on Plans and Specifications shall be changed to read as follows: Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing, and communication conduits, pipes and similar systems.

4-206. SAME; SEC. 106.3.6 SITE PLAN. Sec. 106.3.6 Site Plan is hereby added and shall read as follows: There shall be a site plan showing to scale the size and location of all the new construction and all existing structures on the site, distances from lot lines, and established street grades, and the proposed finished grades, and it shall be drawn in accordance with an accurate boundary line survey. All decks, balconies, overhangs or other building protrusions shall be indicated and dimensioned. In the case of demolition, the plot plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site of the plot.

Fire apparatus access roads provided in accordance with the Uniform Fire Code Article 10, Division II shall be indicated as such on the site plan.

The property owner or his or her agent shall certify to the building official that the top of the foundation for a building will be in conformance with the approved site plan, including building elevations, site grading, and building setbacks.

4-207 SAME; SEC. 106.4 PERMITS ISSUANCE. Sec. 106.4.4 Expiration, add the following: Permits for exterior work, i.e., grading, walls, fences, decks, patios, patio covers, and similar type work requiring permits, as well as permits for residential room additions, remodels, and re-roofing shall be limited to 180 days duration. One additional time extension anywhere from 1 to 180 days depending on the size of the project, may be granted by the Building Official or Deputy Building Official upon finding by same that substantial progress has been made toward completion. Upon determination that substantial progress has not been made, the applicant or permit holder may be issued a court complaint and notice to appear in Municipal Court. Work carrying on for a period longer than 360 days shall require a new permit and associated fees.

Permits for other new construction shall be limited to 1 year duration with one possible extension as discussed in the aforementioned paragraph. Failure to complete projects in the allowed time period may be cause for summons to municipal or district court.

Substantial progress is to mean that the project is over 50% complete and, in the opinion of the Building Official and Deputy Building Official, the project applicant has the capability to finish the work permitted within one time period extension. If questionable, the Building Official may require proof of performance, i.e., a list of contractors and subcontractors under contract for the completion of the project, prior to the granting of the time extension. **All permits shall be posted so as to be visible from the street.**

4-208. SAME; SEC. 106.4.6 ISSUANCE OF PERMITS TO LICENSED OR REGISTERED CRAFTSMEN. Sec. 106.4.6 Issue of Permits to Licensed or Registered Craftsmen is hereby added and shall read as follows: Permits shall be issued only to individuals or persons responsible to a company or organization who are the legal possessors of a valid occupation license in the City of Leawood. Sub-contractor permits will normally be issued as part of general contractor permits. Certification of at least one employee of the respective company as a master tradesman shall be a requisite for licensing a plumbing, electrical, or HVAC contractor. A master technician certification must have been obtained via a governmental program where both a written examination and experience were pre-requisites. The city licensing technician shall be responsible for verifying the certification status of contractor applicants for a license. The certification of the technician and the city occupation license must remain current throughout the period of construction. Occupation licenses are required for all contractors doing business in Leawood.

EXCEPTION: Permits may be issued to homeowners doing construction work at their own residence who do not possess a valid license or registration. Homeowners, however, must certify that they are capable and will personally participate in the "permitted" work.

4-209. SAME; SEC. 106 4.7. FIRE PROTECTION CERTIFICATION. Sec. 106.4.7 Fire Protection Certification is hereby added and shall read as follows: A permit shall not be issued until evidence is presented to the building official certifying that adequate means of fire protection is available. This certification shall be issued by the Fire Official upon approval of an automatic sprinkler system installed throughout the structure in accordance with the UBC Standards referenced in Chapter 9. In addition to this, one approved hydrant per 20,000 square feet of first-story floor area and within 300 feet of every part of the structure in an approved location will be required.

EXCEPTION: 1. R3 occupancies within 500 feet of an approved hydrant or hydrants supplying a minimum of 1000 gpm. 2. Groups S and U1 occupancies with less than 1000 square feet of floor area. 3. Structures or portions of structures which are omitted in accordance with Section 904.4 of the 1994 Uniform Building Code. 4. Temporary structures allowed under a special use permit for a period not to exceed two years.

CONTINUED ON PAGE 11

CONTINUED FROM PAGE 10

4-210. SAME; SEC. 106.4.8 OUTSIDE SANITARY SEWER CONSTRUCTION AND CONNECTION PERMIT REQUIRED. Sec. 106.4.8 Outside Sanitary Sewer Construction and Connection Permit Required is hereby added and shall read as follows: No building permit for any structure or building to be located within a legally created sewer district in the City in which sanitary sewage will, or may originate, shall be issued until and unless the applicant, or his or her agent, has previously applied for and received from the sewer district an outside sanitary sewer construction and connection permit as required by the rules and regulations of the Johnson County Wastewater District. The building official has the right to waive this requirement in special situations.

4-211 SAME; SEC. 106.4.9 PERFORMANCE BOND REQUIRED. Sec. 106.4.9 Performance Bond Required is hereby added to read as follows: A performance bond in the amount of $5,000 shall be required at the time the building permit is issued or prior to final subdivision platting whichever shall first occur. Said performance bond will be approved by the building official and shall be predicated and guaranteed upon the fact that the permit applicant will keep streets and sidewalks, in the area that they are working in, free and clear of dirt, gravel, rubbish, or other construction debris. The building official may waive the performance bond required by this ordinance when the applicant is an individual homeowner and the permit will authorize minor construction such as additions or remodeling. One performance bond may cover multiple permit applications by one applicant within a specific area or subdivision.

4-212 SAME; SEC 107.3 PLAN REVIEW FEES. Sec. 107.3 Plan Review Fees is changed to read as follows; A plan review fee shall be required on all new commercial construction including tenant finish spaces. Said plan review fee may be a maximum of 25 percent of the building permit fee as shown in Table No. 1-A. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee may be charged. New residential and remodel, and commercial tenant space finish or remodel shall have a plan review fee equal to 5% of the total of all permit fees.

4-213. SAME; SEC. 109.2 CHANGE IN USE. Sec. 109.2 Change in Use is hereby added: An inspection and Certificate of Occupancy is required for any space other than residential wherein the previous occupant has abandoned or left the space vacant. The inspection will determine safety and code compliance of the space prior to a new occupancy certificate being issued. Necessary changes shall be in accordance with current codes as adopted by the City of Leawood.

4-214. SAME; SEC. 305.2.3 SPECIAL PROVISIONS. Sec 305.2.3 Special Provisions; delete Exception 3.

4-215 SAME; SEC. 310.4, ACCESS AND EXIT FACILITIES AND EMERGENCY ESCAPES. Sec. 310.4, Exceptions 1 and 2 are added and shall read as follows:

EXCEPTION: 1. Emergency escape exiting from a dwelling unit basement may be by way of a second stairway which leads to an escape exit on the main floor different from that of the first stairway.

EXCEPTION: 2. The second escape exit from a dwelling unit basement may be through one of the basement windows, enlarged to 5.7 square feet minimum opening (minimum openable height 24 inches; minimum openable width 20 inches) with either stairs, a landing, or a ladder installed beneath the window.

4-216 SAME; SEC. 506, EXCEPTION. Sec. 506 Exception No. 3 is added and shall read as follows: The maximum height for Group R, Division 3 occupancies may be 50 feet on all sides not facing the street provided: 1. the side facing the street shall not exceed 40 feet and no window from a sleeping area shall have a sill height in excess of 25 feet from grade level or an approved balcony or deck within 25 feet of grade level; or, 2. the building is equipped with an approved automatic sprinkler system

4-217 SAME; SEC. 904, FIRE EXTINGUISHING SYSTEMS. Sec. 904.2.8 Group R, Division I, Occupancies, is changed to read as follows: An automatic sprinkler system shall be installed throughout every apartment house, every congregate residence and every hotel. Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of the building.

4-218 SAME; SEC. 1503 ROOF COVERING REQUIREMENTS. Sec. 1503 Roof Covering Requirements; changed to read as follows: Roof coverings shall be Class A rated.

EXCEPTION: Group R, Division 3 single family dwellings may be covered with roofing materials and methods complying with Leawood Development Ordinance, Sections 3-1k, 3-2K, and 3-3K provided that a minimum of 20 feet between structures exists.

4-219 SAME; SEC. 1505, ATTICS: ACCESS. DRAFT STOPS AND VENTILATION. Sec. 1505.1 Attics: Access - Change 4th sentence to read: The opening shall not be less than 32 inches by 30 inches.

4-220 SAME; CHAPTER 16, STRUCTURAL FORCES, TABLE 16 - A CATEGORY 12, RESIDENTIAL. Chapter 16, Structural Forces, Table 16-A, Category 12, Residential. The following is added to Category 12, Residential: Residential occupancy attic live loads shall be as follows: 1. Where the roof slope above is greater than 3 in 12 or if there is over 42 inches of headroom for more than 50% of the space above the room below the live load shall be 20 pounds per square foot. 2. Where the attic space is accessible for more than limited storage (i.e., doors, doorways stairs, or pull down stairways) or where the space has the potential to be developed into habitable spaces the live load shall be 40 pounds per square foot. 3. Where the roof slope above is less than or equal to 3 in 12 and no attic storage is possible the live load may be reduced to 10 pounds per square foot. 4. Where roof trusses are spaced not more than 30 inches apart the bottom chord may be designed to withstand a 10 pound per square foot superimposed load.

4-221 SAME; SEC. 1806.1 GENERAL Sec. 1806.1 General, first sentence is changed to read as follows: Footings and foundations shall be constructed of masonry, concrete or treated wood in conformance with Division II and shall extend below the frost line, hereby established as 36 inches.

4-222 SAME; SEC. 3102.4 MASONRY CHIMNEYS - REINFORCING AND SEISMIC ANCHORAGE, Sec. 3102.4.3, delete references and requirements for steel reinforcing bars.

4-223 SAME-APPENDIX CHAPTER 4, DIVISION I, BARRIERS FOR SWIMMING POOLS, SPAS AND HOT TUBS. Sec. 420, Definitions: Above Ground/On-Ground Pool; Delete; above ground or on-ground swimming pools are not permitted in the city of Leawood. Swimming Pool; delete the words, "above ground and on-ground". Sec. 421 - Requirements: Delete the terms "aboveground" or "an above ground" from all parts of this section.

Section 2. Repeal of Existing Article. That existing Article 2 of Chapter 4 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1276C)

Section 3. Validity of Ordinance. That 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. That this ordinance shall take effect and be in force on May 1, 1995.

Passed by the Council the 3rd day of April, 1995.

Approved by the Mayor the 3rd day of April, 1995.

(S E A L)

Marcia Rinehart — Mayor

Attest:

Martha Heizer — City Clerk

APPROVED FOR FORM:

R. S. Wetzler — City Attorney

ORDINANCE NO. 1476 C

AN ORDINANCE AMENDING SECTIONS 3-110 AND 3-204 OF THE CODE OF THE CITY OF LEAWOOD DEALING WITH THE TIME OF SALE OF CEREAL MALT BEVERAGES AND ALCOHOLIC LIQUOR, AND REPEALING EXISTING SECTIONS.

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

Section 1. Code Amended. That Section 3-110 of the Code of the City of Leawood is hereby amended to read as follows:

3-110. REGULATIONS. (a) Except as provided by subsection (i) no cereal malt beverages may be sold:

(1) Between the hours of 12 midnight and 6 a.m., or

(2) on Sunday, except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises.

(b) No private rooms or closed booths shall be operated in a place of business, but this provision shall not apply if the premises are also currently licensed as a club pursuant to the provisions of the Club and Drinking Establishment Act of the State of Kansas, as amended.

(c) Each place of business shall be open to the public and to law enforcement officers at all times during business hours, except that a premises licensed as a club pursuant to the Club and Drinking Establishment Act of the State of Kansas shall be open to law enforcement officers and not to the general public.

(d) No person under the legal age for consumption of cereal malt beverage shall obtain or purchase or attempt to obtain or purchase, cereal malt beverage from any person except as authorized by law.

(e) No person under the legal age for consumption of cereal malt beverage shall possess or consume cereal malt beverage except as authorized by law.

(f) No licensee shall permit a person under the legal age for consumption of cereal malt beverage to consume or purchase any cereal malt beverage in or about a place of business, and no licensee shall permit a person under the legal age for consumption of cereal malt beverage to possess cereal malt beverage in or about a place of business, except that a licensee's employee who is not less than 18 years of age may dispense or sell cereal malt beverage, if:

(1) The licensee's place of business is licensed only to sell cereal malt beverage at retail in original and unopened containers and not for consumption on the premises; or

(2) The licensee's place of business is a licensed food service establishment, as defined by K.S.A. 36-501 and amendments thereto, and not less than 50% of the gross receipts from the licensee's place of business is derived from the sale of food for consumption on the premises of the licensed place of business.

(g) The legal age for consumption of cereal malt beverage shall mean 21 years of age.

(h) No person shall have any alcoholic liquor in such person's possession while in a place of business, unless the pre-

mises are currently licensed as a club or drinking establishment pursuant to the Club and Drinking Establishment Act.

(i) Cereal malt beverages may be sold on premises which are licensed pursuant to both the acts contained in article 27 of chapter 41 of the Kansas Statutes Annotated and the Club and Drinking Establishment Act at any time when alcoholic liquor is allowed by law to be served on the premises.

(j) The licensee of each premises licensed under this Article shall at all times comply with sanitary health regulations.

(k) No retailer, or employee or agent of a retailer, licensed to sell cereal malt beverage for consumption on the licensed premises shall:

(1) Offer or serve any free drink to any person;

(2) Serve more than two drinks to one person at one time;

(3) Sell, offer to sell or serve to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the general public;

(4) Sell, offer to sell or serve any drink to any person on any one day at a price less than that charged the general public on that day, except at private functions not open to the general public;

(5) Increase the size of the drink of cereal malt beverage without increasing proportionately the price regularly charged for the drink on that day;

(6) Encourage or permit, on the licensed premises, any game or contest which involves drinking cereal malt beverage or the awarding of drinks as prizes;

(7) Advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (k)(1) through (k)(6) of this section.

(l) As used in this section "drink" means an individual serving of cereal malt beverages.

(m) As used in this section the Club and Drinking Establishment Act shall mean Kansas Statutes Annotated, Chapter 41, Article 26 as amended.

(n) Violation of subsection (k) of this section is punishable by a fine of not less than One Hundred Dollars ($100.00) and not exceeding Two Hundred and Fifty Dollars ($250.00), or imprisonment not exceeding thirty (30) days, or both.

(o) Violation of subsection (d) by a person 18 or more years of age but less than the legal age for consumption of cereal malt beverage is punishable by a fine of not less than One Hundred Dollars ($100.00) and not more than Two Hundred and Fifty Dollars ($250.00), or by forty (40) hours of public service, or by both.

(p) Violation of subsection (e) of this section by a person 18 or more years of age but less than the legal age for consumption of cereal malt beverage is punishable:

(1) By a fine of not less than One Hundred Dollars ($100.00) and not more than Two Hundred and Fifty Dollars ($250.00), or by forty (40) hours of public service, or by both, if committed on premises licensed pursuant to Article 26 or Article 27 of Chapter 41 of the Kansas Statutes Annotated; or

(2) By a fine of not less than Twenty-five Dollars ($25.00) and not more than Two Hundred and Fifty Dollars ($250.00), or by ten (10) hours of public service, or by both, if

committed on any other premises.

(q) Subsections (d) and (e) of this section shall not apply to the possession and consumption of cereal malt beverage by a person under the legal age for consumption of cereal malt beverage when such beverage is furnished by the person's parent or legal guardian.

Section 2. Code Amended. That Section 3-204 of the Code of the City of Leawood is hereby amended to read as follows:

3-204. HOURS OF SALE FOR LIQUOR AT RETAIL. (a) No person authorized to sell any alcoholic liquor at retail by the package in the city shall sell any alcoholic liquor before the hour of 9 a.m. or after the hour of 11 p.m. on any day when the sale of alcoholic liquors is permitted.

(b) No sales of alcoholic liquor by the package shall be permitted on any Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

(c) Any person who shall violate the provisions of this section shall upon conviction of any such violation be subject to a fine not to exceed $500 or by imprisonment not to exceed six months or by both fine and imprisonment.

Section 3. Repeal of Existing Sections. That existing Sections 3-110 and 3-204 of the Code of the City of Leawood are hereby repealed. (Prior law: Section 3-110 from Ord. No. 996C)

Section 4. 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 March, 1995.

Approved by the Mayor the 20th day of March, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

3/28/95

Editor

Subscribed and sworn to before me on this date:
3/28/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $53.26

rd. # 1476

$53.26

ORDINANCE NO. 1476 C

First published in The Legal Record, Tuesday, March 28, 1995.

ORDINANCE NO. 1476 C

AN ORDINANCE AMENDING SECTIONS 3-110 AND 3-204 OF THE CODE OF THE CITY OF LEAWOOD DEALING WITH THE TIME OF SALE OF CEREAL MALT BEVERAGES AND ALCOHOLIC LIQUOR, AND REPEALING EXISTING SECTIONS.

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

Section 1. Code Amended. That Section 3-110 of the Code of the City of Leawood is hereby amended to read as follows:

3-110. REGULATIONS. (a) Except as provided by subsection (i) no cereal malt beverages may be sold:

(1) Between the hours of 12 midnight and 6 a.m., or

(2) on Sunday, except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises.

(b) No private rooms or closed booths shall be operated in a place of business, but this provision shall not apply if the premises are also currently licensed as a club pursuant to the provisions of the Club and Drinking Establishment Act of the State of Kansas, as amended.

(c) Each place of business shall be open to the public and to law enforcement officers at all times during business hours, except that a premises licensed as a club pursuant to the Club and Drinking Establishment Act of the State of Kansas shall be open to law enforcement officers and not to the general public.

(d) No person under the legal age for consumption of cereal malt beverage shall obtain or purchase or attempt to obtain or purchase, cereal malt beverage from any person except as authorized by law.

(e) No person under the legal age for consumption of cereal malt beverage shall possess or consume cereal malt beverage except as authorized by law.

(f) No licensee shall permit a person under the legal age for consumption of cereal malt beverage to consume or purchase any cereal malt beverage in or about a place of business, and no licensee shall permit a person under the legal age for consumption of cereal malt beverage to possess cereal malt beverage in or about a place of business, except that a licensee's employee who is not less than 18 years of age may dispense or sell cereal malt beverage, if:

(1) The licensee's place of business is licensed only to sell cereal malt beverage at retail in original and unopened containers and not for consumption on the premises; or

(2) The licensee's place of business is a licensed food service establishment, as defined by K.S.A. 36-501 and amendments thereto, and not less than 50% of the gross receipts from the licensee's place of business is derived from the sale of food for consumption on the premises of the licensed place of business.

(g) The legal age for consumption of cereal malt beverage shall mean 21 years of age.

(h) No person shall have any alcoholic liquor in such person's possession while in a place of business, unless the premises are currently licensed as a club or drinking establishment pursuant to the Club and Drinking Establishment Act.

(i) Cereal malt beverages may be sold on premises which are licensed pursuant to both the acts contained in article 27 of chapter 41 of the Kansas Statutes Annotated and the Club and Drinking Establishment Act at any time when alcoholic liquor is allowed by law to be served on the premises.

(j) The licensee of each premises licensed under this Article shall at all times comply with sanitary health regulations.

(k) No retailer, or employee or agent of a retailer, licensed to sell cereal malt beverage for consumption on the licensed premises shall:

(1) Offer or serve any free drink to any person;

(2) Serve more than two drinks to one person at one time;

(3) Sell, offer to sell or serve to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the general public;

(4) Sell, offer to sell or serve any drink to any person on any one day at a price less than that charged the general public on that day, except at private functions not open to the general public;

(5) Increase the size of the drink of cereal malt beverage without increasing proportionately the price regularly charged for the drink on that day;

(6) Encourage or permit, on the licensed premises, any game or contest which involves drinking cereal malt beverage or the awarding of drinks as prizes;

(7) Advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (k)(1) through (k)(6) of this section.

(l) As used in this section "drink" means an individual serving of cereal malt beverages.

(m) As used in this section the Club and Drinking Establishment Act shall mean Kansas Statutes Annotated, Chapter 41, Article 26 as amended.

(n) Violation of subsection (k) of this section is punishable by a fine of not less than One Hundred Dollars ($100.00) and not exceeding Two Hundred and Fifty Dollars ($250.00), or imprisonment not exceeding thirty (30) days, or both.

(o) Violation of subsection (d) by a person 18 or more years of age but less than the legal age for consumption of cereal malt beverage is punishable by a fine of not less than One Hundred Dollars ($100.00) and not more than Two Hundred and Fifty Dollars ($250.00), or by forty (40) hours of public service, or by both.

(p) Violation of subsection (e) of this section by a person 18 or more years of age but less than the legal age for consumption of cereal malt beverage is punishable:

(1) By a fine of not less than One Hundred Dollars ($100.00) and not more than Two Hundred and Fifty Dollars ($250.00), or by forty (40) hours of public service, or by both, if committed on premises licensed pursuant to Article 26 or Article 27 of Chapter 41 of the Kansas Statutes Annotated; or

(2) By a fine of not less than Twenty-five Dollars ($25.00) and not more than Two Hundred and Fifty Dollars ($250.00), or by ten (10) hours of public service, or by both, if committed on any other premises.

(q) Subsections (d) and (e) of this section shall not apply to the possession and consumption of cereal malt beverage by a person under the legal age for consumption of cereal malt beverage when such beverage is furnished by the person's parent or legal guardian.

Section 2. Code Amended. That Section 3-204 of the Code of the City of Leawood is hereby amended to read as follows:

3-204. HOURS OF SALE FOR LIQUOR AT RETAIL. (a) No person authorized to sell any alcoholic liquor at retail by the package in the city shall sell any alcoholic liquor before the hour of 9 a.m. or after the hour of 11 p.m. on any day when the sale of alcoholic liquors is permitted.

(b) No sales of alcoholic liquor by the package shall be permitted on any Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

(c) Any person who shall violate the provisions of this section shall upon conviction of any such violation be subject to a fine not to exceed $500 or by imprisonment not to exceed six months or by both fine and imprisonment.

Section 3. Repeal of Existing Sections. That existing Sections 3-110 and 3-204 of the Code of the City of Leawood are hereby repealed. (Prior law: Section 3-110 from Ord. No. 996C)

Section 4. 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 March, 1995.

Approved by the Mayor the 20th day of March, 1995.

(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. 1475

AN ORDINANCE CONVEYING 2 TRACTS OF LAND ADJACENT TO IRONHORSE GOLF COURSE NO. 9 FAIRWAY BY QUIT-CLAIM DEEDS TO HENRY F. AND BETTY JANE COULTER.

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

Section 1. That the City of Leawood hereby conveys 2 tracts of land described as follows, to wit:

To Henry F. and Betty Jane Coulter: A tract of land in the Northeast 1/4 of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of said Northeast 1/4; Thence South 02° 04'56" East along the East line of said Northeast 1/4, 577.00 feet to the centerline of the abandoned St. Louis San Francisco Railroad Right-of-Way; Thence South 73° 23'35" West along said centerline, 704.57 feet to the True Point of Beginning; Thence South 67°42'12" West, 160.81 feet; Thence South 60°54'54" West, 20.14 feet; Thence South 57°23'41" West, 76.96 feet; Thence North 02° 03'44" West (deed North 00°12'04" East), 42.88 feet to the centerline of the said abandoned Railroad Right-of-Way; Thence North 73°23'35" East along said centerline, 242.89 feet to the True Point of Beginning. The above described tract contains 3694 square feet (0.08 acres) more or less.

AND

A tract of land in the Northeast 1/4 of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of said Northeast 1/4; Thence South 87°30'15" West (deed South 89° 45'31" West), 916.92 feet along the North line of said Northeast 1/4; Thence South 02°03'44" East (deed South 00° 12'04" West), 850.88 feet; Thence South 56°13'39" West, (deed South 58°29'26" West), 215.25 feet to the True Point of Beginning; Thence South 45°27'16" West, 135.84 feet; Thence South 61°37'54" West, 79.96 feet; Thence South 59°09'02" West, 82.43 feet; Thence South 59°10'31" West, 265.54 feet; Thence North 56°13'39" East (deed North 58°29'26" East), 560.56 feet to the True Point of Beginning. The above described tract contains 6524 square feet (0.15 acres) more or less.

Section 2. That copies of said quit-claim 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 20th day of March, 1995.

Approved by the Mayor the 20th day of March, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

3/21/95

Debra Dziadura
Editor

Subscribed and sworn to before me on this date:
3/21/95

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $27.27

rd. #1475

ORDINANCE NO. 1475
First published in The Legal Record, Tuesday, March 21, 1995.

ORDINANCE NO. 1475

AN ORDINANCE CONVEYING 2 TRACTS OF LAND ADJACENT TO IRONHORSE GOLF COURSE NO. 9 FAIRWAY BY QUIT-CLAIM DEEDS TO HENRY F. AND BETTY JANE COULTER.

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

Section 1. That the City of Leawood hereby conveys 2 tracts of land described as follows, to wit:

To Henry F. and Betty Jane Coulter: A tract of land in the Northeast 1/4 of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of said Northeast 1/4; Thence South 01° 04'56" East along the East line of said Northeast 1/4, 577.00 feet to the centerline of the abandoned St. Louis San Francisco Railroad Right-of-Way; Thence South 73° 23'35" West along said centerline, 704.57 feet to the True Point of Beginning; Thence South 67°42'12" West, 160.81 feet; Thence South 60°54'54" West, 20.14 feet; Thence South 57°23'41" West, 76.96 feet; Thence North 02° 03'44" West (deed North 00°12'04" East), 42.88 feet to the centerline of the said abandoned Railroad Right-of-Way; Thence North 73°23'35" East along said centerline, 242.89 feet to the True Point of Beginning. The above described tract contains 3694 square feet (0.08 acres) more or less.

AND

A tract of land in the Northeast 1/4 of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of said Northeast 1/4; Thence South 87°30'15" West (deed South 89° 45'31" West), 916.92 feet along the North line of said Northeast 1/4; Thence South 02°03'44" East (deed South 00° 12'04" West), 850.88 feet; Thence South 55°13'39" West, (deed South 58°29'26" West), 215.25 feet to the True Point of Beginning; Thence South 45°27'16" West, 135.84 feet; Thence South 61°37'54" West, 79.96 feet; Thence South 59°09'02" West, 82.43 feet; Thence South 59°10'31" West, 265.54 feet; Thence North 56°13'39" East (deed North 58°29'26" East), 560.56 feet to the True Point of Beginning. The above described tract contains 6524 square feet (0.15 acres) more or less.

Section 2. That copies of said quit-claim 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 20th day of March, 1995.

Approved by the Mayor the 20th day of March, 1995.

(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

$27.27

ORDINANCE NO. 1474

AN ORDINANCE ACCEPTING A QUIT-CLAIM DEED FOR A TRACT OF LAND ADJACENT TO IRONHORSE GOLF COURSE NO. 9 FAIRWAY TO INCORPORATE A SECTION OF CART PATH ONTO THE GOLF COURSE PROPERTY.

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

Section 1. That the City of Leawood hereby accepts a quit-claim deed for a tract of land described as follows, to wit:

From Henry F. and Betty Jane Coulter: A tract of land in the Northeast 1/4 of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of said Northeast 1/4; Thence South 02° 04'56" East along the East line of said Northeast 1/4; 577.00 feet to the centerline of the abandoned St. Louis, San Francisco Railroad Right-of-Way; Thence South 73°23'35" West along said centerline, 136.55 feet to the True Point of Beginning; Thence continuing South 73° 23'35" West along said centerline, 415.77 feet; Thence North 31°45'16" East, 48.08 feet; Thence North 73°00'10" East, 137.22 feet; Thence North 79°30'52" East, 118.80 feet; Thence North 75°11'20" East, 95.14 feet; Thence South 76°31'27" East 34.43 feet to the True Point of Beginning. The above described tract contains 10,190 square feet (0.23 acres) more or less.

Section 2. That a copy of said quit-claim 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 20th day of March, 1995.

Approved by the Mayor the 20th day of March, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

3/21/95

Debra Dziadura

Editor

Subscribed and sworn to before me on this date:
3/21/95

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $24.54

rd. #1474

$24.54

ORDINANCE NO. 1474

First published in The Legal Record, Tuesday, March 21, 1995.

ORDINANCE NO. 1474

AN ORDINANCE ACCEPTING A QUIT-CLAIM DEED FOR A TRACT OF LAND ADJACENT TO IRONHORSE GOLF COURSE NO. 9 FAIRWAY TO INCORPORATE A SECTION OF CART PATH ONTO THE GOLF COURSE PROPERTY.

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

Section 1. That the City of Leawood hereby accepts a quit-claim deed for a tract of land described as follows, to wit:

From Henry F. and Betty Jane Coulter: A tract of land in the Northeast 1/4 of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Northeast corner of said Northeast 1/4; Thence South 02° 04'56" East along the East line of said Northeast 1/4; 577.00 feet to the centerline of the abandoned St. Louis, San Francisco Railroad Right-of-Way; Thence South 73°23'35" West along said centerline, 136.55 feet to the True Point of Beginning; Thence continuing South 73° 23'35" West along said centerline, 415.77 feet; Thence North 31°45'16" East, 48.08 feet; Thence North 73°00'10" East, 137.22 feet; Thence North 79°30'52" East, 118.80 feet; Thence North 75°11'20" East, 95.14 feet; Thence South 76°31'27" East 34.43 feet to the True Point of Beginning. The above described tract contains 10,190 square feet (0.23 acres) more or less.

Section 2. That a copy of said quit-claim 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 20th day of March, 1995.

Approved by the Mayor the 20th day of March, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

ORDINANCE NO. 1473

AN ORDINANCE CONVEYING A TRACT OF LAND TO BELL DEVELOPMENT BY QUIT-CLAIM DEED TO ALLOW FOR CONSTRUCTION AND MAINTENANCE OF AN ENTRANCE MONUMENT.

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

Section 1. That the City of Leawood hereby conveys a tract of land described as follows, to wit:

To Bell Development: A tract of land in the Northeast 1/4 of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of said Northeast 1/4, said point being 1535.12 feet West of the Southeast corner of said Northeast 1/4, and being the Southeast corner of Lot 12, Iron Horse Estates First Plat; Thence North 02°33'06" West along the East line of said Lot 12, 137.50 feet; Thence North 87°26'16" East, 18.62 feet; Thence Northeasterly along a curve to the left having a radius of 225.00 feet, a distance of 14.32 feet; Thence North 83°47'18" East, 25.64 feet; Thence Southeasterly along a curve to the left having an Initial Tangent bearing of South 25° 42'33" East, and a radius of 230.00 feet, a distance of 159.28 feet; Thence South 02°33'44" East, 25.42 feet to the South line of said Northeast 1/4; Thence South 87° 26'16" West, 165.00 feet to the Point of Beginning. The above described tract contains 15,435 square feet more or less.

Section 2. That a copy of said quit-claim 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 20th day of March, 1995.

Approved by the Mayor the 20th day of March, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

3/21/95

Editor

Subscribed and sworn to before me on this date:
3/21/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $24.54

Ord. #1473

ORDINANCE NO. 1473
First published in The Legal Record, Tuesday, March 21, 1995.

ORDINANCE NO. 1473

AN ORDINANCE CONVEYING A TRACT OF LAND TO BELL DEVELOPMENT BY QUIT-CLAIM DEED TO ALLOW FOR CONSTRUCTION AND MAINTENANCE OF AN ENTRANCE MONUMENT.

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

Section 1. That the City of Leawood hereby conveys a tract of land described as follows, to wit:

To Bell Development: A tract of land in the Northeast 1/4 of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the South line of said Northeast 1/4, said point being 1535.12 feet West of the Southeast corner of said Northeast 1/4, and being the Southeast corner of Lot 12, Iron Horse Estates First Plat; Thence North 02°33'06" West along the East line of said Lot 12, 137.50 feet; Thence North 87°26'16" East, 18.62 feet; Thence Northeasterly along a curve to the left having a radius of 225.00 feet, a distance of 14.32 feet; Thence North 83°47'18" East, 25.64 feet; Thence Southeasterly along a curve to the left having an Initial Tangent bearing of South 25° 42'33" East, and a radius of 230.00 feet, a distance of 159.28 feet; Thence South 02°33'44" East, 25.42 feet to the South line of said Northeast 1/4; Thence South 87° 26'16" West, 165.00 feet to the Point of Beginning. The above described tract contains 15,435 square feet more or less.

Section 2. That a copy of said quit-claim 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 20th day of March, 1995.

Approved by the Mayor the 20th day of March, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

$24.54

ORDINANCE NO. 1472

AN ORDINANCE DEDICATING IRONHORSE GOLF COURSE PROPERTY FOR USE AS PUBLIC RIGHT-OF-WAY BY DEED OF DEDICATION.

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

Section 1. That the City of Leawood hereby dedicates unto itself the following described tract of land for use as public right-of-way, to wit:

BELL DRIVE. Beginning at the Southeast corner of the Northeast Quarter of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas; Thence South 87°26'16" West along the South line of said Northeast Quarter, 1370.12 feet; Thence North 02°33'44" West 25.42 feet; Thence Northwesterly on a curve to the right having an Initial Tangent bearing of North 65° 23'15" West and a radius of 230.00 feet a distance of 159.28 feet; Thence South 83°47'18" West 25.64 feet; Thence Southwesterly on a curve to the right having a radius of 225.00 feet, a distance of 14.32 feet; Thence South 87°26'16" West, 18.62 feet to the Northeast corner of Lot 12, Iron Horse Estates, First Plat, a subdivision in the City of Leawood; Thence North 02° 33'06" West along the East line of said Iron Horse Estates, First Plat, 25.00 feet; Thence North 87°26'16" East along the Easterly line of said Iron Horse Estates, First Plat, 20.00 feet; Thence North 02°33'06" West along the East line of said Iron Horse Estates, First Plat, 162.50 feet to the Northeast corner of Lot 13, of said Iron Horse Estates, First Plat; Thence North 87°26'16" East, 30.26 feet; Thence Northeasterly along a curve to the right having an Initial Tangent Bearing of North 14° 37'35" East and a radius of 230.00 feet, a distance of 48.16 feet; Thence South 63°22'38" East, 60.00 feet; Thence Southwesterly on a curve to the left having an Initial Tangent bearing of South 26°37'25" West and a radius of 170.00 feet, a distance of 86.57 feet; Thence South 02° 33'06" East, 27.03 feet; Thence Southeasterly on a curve to the left having a radius of 170.00 feet, a distance of 267.07 feet; Thence North 87°26'16" East, 368.97 feet; Thence Northeasterly on a curve to the left having a radius of 1970.00 feet, a distance of 116.85 feet; Thence North 84° 02'22" East, 387.44 feet; Thence Northeasterly on a curve to the right having a radius of 2030.00 feet, a distance of 108.97 feet; Thence Northeasterly on a curve to the left having an Initial Tangent bearing of North 87°06'55" East, and a radius of 388.00 feet, a distance of 40.80 feet; Thence North 81° 05'25" East, 100.70 feet; Thence Easterly on a curve to

the right having a radius of 412.00 feet, a distance of 45.64 feet; Thence North 87°26'16" East, 98.21 feet to the East line of said Northeast Quarter; Thence South 02° 04'56" East along the East line of said Northeast Quarter 106.00 feet to the Point of Beginning. The above described tract contains 2.96 acres more or less.

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 20th day of March, 1995.

Approved by the Mayor the 20th day of March, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

3/21/95

Debra Dziadura

Editor

Subscribed and sworn to before me on this date:
3/21/95

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $29.27

Ord. #1472

ORDINANCE NO. 1472
First published in The Legal Record, Tuesday, March 21, 1995.

ORDINANCE NO. 1472

AN ORDINANCE DEDICATING IRONHORSE GOLF COURSE PROPERTY FOR USE AS PUBLIC RIGHT-OF-WAY BY DEED OF DEDICATION.

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

Section 1. That the City of Leawood hereby dedicates unto itself the following described tract of land for use as public right-of-way, to wit:

BELL DRIVE. Beginning at the Southeast corner of the Northeast Quarter of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas; Thence South 87°26'16" West along the South line of said Northeast Quarter, 1370.12 feet; Thence North 02°33'44" West 25.42 feet; Thence Northwesterly on a curve to the right having an Initial Tangent bearing of North 65° 23'15" West and a radius of 230.00 feet a distance of 159.25 feet; Thence South 83°47'18" West 25.64 feet; Thence Southwesterly on a curve to the right having a radius of 225.00 feet, a distance of 14.32 feet; Thence South 87°26'16" West, 18.62 feet to the Northeast corner of Lot 12, Iron Horse Estates, First Plat, a subdivision in the City of Leawood; Thence North 02° 33'06" West along the East line of said Iron Horse Estates, First Plat, 25.00 feet; Thence North 87°26'16" East along the Easterly line of said Iron Horse Estates, First Plat, 20.00 feet; Thence North 02°33'06" West along the East line of said Iron Horse Estates, First Plat, 162.50 feet to the Northeast corner of Lot 13, of said Iron Horse Estates, First Plat; Thence North 87°26'16" East, 30.26 feet; Thence Northeasterly along a curve to the right having an Initial Tangent Bearing of North 14° 37'35" East and a radius of 230.00 feet, a distance of 48.16 feet; Thence South 63°22'38" East, 60.00 feet; Thence Southwesterly on a curve to the left having an Initial Tangent bearing of South 26°37'25" West and a radius of 170.00 feet, a distance of 86.57 feet; Thence South 02° 33'06" East, 27.03 feet; Thence Southeasterly on a curve to the left having a radius of 170.00 feet, a distance of 267.07 feet; Thence North 87°26'16" East, 368.97 feet; Thence Northeasterly on a curve to the left having a radius of 1970.00 feet, a distance of 116.85 feet; Thence North 84°02'22" East, 387.44 feet; Thence Northeasterly on a curve to the right having a radius of 2030.00 feet, a distance of 108.97 feet; Thence Northeasterly on a curve to the left having an Initial Tangent bearing of North 87°06'55" East, and a radius of 388.00 feet, a distance of 40.80 feet; Thence North 81° 05'25" East, 100.70 feet; Thence Easterly on a curve to the right having a radius of 412.00 feet, a distance of 45.64 feet; Thence North 87°26'16" East, 98.21 feet to the East line of said Northeast Quarter; Thence South 02° 04'56" East along the East line of said Northeast Quarter 106.00 feet to the Point of Beginning. The above described tract contains 2.96 acres more or less.

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 20th day of March, 1995.

Approved by the Mayor the 20th day of March, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

$29.27

ORDINANCE NO. 1471

AN ORDINANCE AUTHORIZING THE CITY OF LEAWOOD, KANSAS TO ACQUIRE LAND FOR A PUBLIC PARK WITHIN THE CITY; AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL ESTATE CONTRACT PROVIDING FOR A LEASE AGREEMENT WITH OPTION TO PURCHASE SAID LAND; AUTHORIZING THE EXECUTION AND DELIVERY OF SAID LEASE AGREEMENT BY THE CITY; AND AUTHORIZING AND APPROVING CERTAIN RELATED MATTERS AND ACTIONS.

WHEREAS, the City of Leawood, Kansas (the "City") is authorized by K.S.A. Section 12-1301 et. seq. (the "Act") to acquire by purchase or lease or take options to purchase land within or without the City to be used as a public park, and it has been proposed that the City lease with the option to purchase certain real property in the vicinity of 147th and Mission Road, as more particularly described in Exhibit A hereto (the "Property"), as a site for a public park within the City, and the cost of the Property has been determined to be $1,240,000.00; and

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and advisable to provide for acquisition of the Property and to this end to enter into a contract providing for the execution and delivery of a lease agreement with option to purchase the Property at a cost of $1,240,000 for the purpose of financing the costs of the acquisition of the Property;

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

Section 1. That the Governing Body hereby finds and determines that it is necessary and advisable to acquire the Property for a public park and hereby authorizes the City to lease the Property with an option to purchase the same.

The Real Estate Contract attached hereto as Exhibit B and the terms thereof are hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute and deliver said Real Estate Contract for and on behalf of and as the act and deed of the City in substantially the form presented to this meeting with such changes therein as said officers shall with advice of counsel determine appropriate, said officers execution thereof being conclusive evidence of the approval thereof for and on behalf of the City.

Section 2. That the form of the Lease Agreement attached hereto as Exhibit C and the terms thereof are hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute and deliver said Lease Agreement for and on behalf of and as the act and deed of the City in substantially the form presented to this meeting with such changes therein as said officers shall with advice of counsel determine appropriate, said officers execution thereof being conclusive evidence of the approval thereof for and on behalf of the City.

Section 3. In accordance with the Lease Agreement, the Governing Body hereby authorizes and directs the City's Director of Finance to do all things lawfully within his power to obtain and maintain funds to make all rental payments and payments of additional rent provided for in said Lease Agreement, including making provision for such payments to the extent necessary in each proposed annual budget submitted for approval or by supplemental

appropriation in accordance with applicable budgetary procedures of the City and to exhaust all available reviews and appeals in the event such portion of the budget or supplemental appropriation is not approved, it being understood however that the decision to budget and appropriate funds and to continue the lease term is to be made in accordance with the City's customary procedures for budget and appropriation decisions.

Section 4. That this Ordinance shall be in force and effect from and after its approval by the Governing Body and publication in the official City newspaper.

Passed and approved by the Governing Body of the City of Leawood, Kansas this 20th day of March, 1995.

Approved by the Mayor this 20th day of March, 1995.

(S E A L)

Marcia Rinehart
Mayor
Marcia Rinehart

Attest:

Martha Heizer
City Clerk
Martha Heizer

APPROVED FOR FORM:

R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

3/21/95

Debra Dziadura
Editor

Subscribed and sworn to before me on this date:
3/21/95

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $27.27

J. #1471

ORDINANCE NO. 1471
First published in The Legal Record, Tuesday, March 21, 1995.

ORDINANCE NO. 1471

AN ORDINANCE AUTHORIZING THE CITY OF LEAWOOD, KANSAS TO ACQUIRE LAND FOR A PUBLIC PARK WITHIN THE CITY; AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL ESTATE CONTRACT PROVIDING FOR A LEASE AGREEMENT WITH OPTION TO PURCHASE SAID LAND; AUTHORIZING THE EXECUTION AND DELIVERY OF SAID LEASE AGREEMENT BY THE CITY; AND AUTHORIZING AND APPROVING CERTAIN RELATED MATTERS AND ACTIONS.

WHEREAS, the City of Leawood, Kansas (the "City") is authorized by K.S.A. Section 12-1301 et. seq. (the "Act") to acquire by purchase or lease or take options to purchase land within or without the City to be used as a public park, and it has been proposed that the City lease with the option to purchase certain real property in the vicinity of 147th and Mission Road, as more particularly described in Exhibit A hereto (the "Property"), as a site for a public park within the City, and the cost of the Property has been determined to be $1,240,000.00; and

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and advisable to provide for acquisition of the Property and to this end to enter into a contract providing for the execution and delivery of a lease agreement with option to purchase the Property at a cost of $1,240,000 for the purpose of financing the costs of the acquisition of the Property;

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

Section 1. That the Governing Body hereby finds and determines that it is necessary and advisable to acquire the Property for a public park and hereby authorizes the City to lease the Property with an option to purchase the same.

The Real Estate Contract attached hereto as Exhibit B and the terms thereof are hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute and deliver said Real Estate Contract for and on behalf of and as the act and deed of the City in substantially the form presented to this meeting with such changes therein as said officers shall with advice of counsel determine appropriate, said officers execution thereof being conclusive evidence of the approval thereof for and on behalf of the City.

Section 2. That the form of the Lease Agreement attached hereto as Exhibit C and the terms thereof are hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute and deliver said Lease Agreement for and on behalf of and as the act and deed of the City in substantially the form presented to this meeting with such changes therein as said officers shall with advice of counsel determine appropriate, said officers execution thereof being conclusive evidence of the approval thereof for and on behalf of the City.

Section 3. In accordance with the Lease Agreement, the Governing Body hereby authorizes and directs the City's Director of Finance to do all things lawfully within his power to obtain and maintain funds to make all rental payments and payments of additional rent provided for in said Lease Agreement, including making provision for such payments to the extent necessary in each proposed annual budget submitted for approval or by supplemental appropriation in accordance with applicable budgetary procedures of the City and to exhaust all available reviews and appeals in the event such portion of the budget or supplemental appropriation is not approved, it being understood however that the decision to budget and appropriate funds and to continue the lease term is to be made in accordance with the City's customary procedures for budget and appropriation decisions.

Section 4. That this Ordinance shall be in force and effect from and after its *approval by the Governing Body and publication in the official City newspaper.*

Passed and approved by the Governing Body of the City of Leawood, Kansas this 20th day of March, 1995.

Approved by the Mayor this 20th day of March, 1995.

(S E A L)
Attest:

Marcia Rinehart
Mayor
Marcia Rinehart

Martha Heizer
City Clerk
Martha Heizer

APPROVED FOR FORM:
K.S. Wetzler
City Attorney

$27.27

ORDINANCE NO. 1470

AN ORDINANCE AUTHORIZING, ORDERING AND PROVIDING FOR THE CONSTRUCTION OF STORM SEWERS, WITHIN THE CITY OF LEAWOOD, KANSAS BEGINNING ON THE NORTHEAST CORNER OF LOT 856 LEAWOOD A SUBDIVISION; THENCE EASTERLY TO THE NORTH CORNER OF LOT 842 LEAWOOD A SUBDIVISION; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 842 TO THE NORTHEAST CORNER OF SAID LOT 842 SAID POINT BEING THE ENDING POINT, PURSUANT TO THE PROVISIONS OF K.S.A. 12-631r ET. SEQ.

WHEREAS, it has been proposed that the City of Leawood, Kansas (the "City") build and construct storm water sewers and/or drains beginning on the Northeast corner of lot 856 Leawood a subdivision; thence easterly to the north corner of lot 842 Leawood a subdivision; thence easterly along the north line of said lot 842 to the northeast corner of said lot 842 said point being the ending point, all within the City of Leawood (the "Project") for the purpose of carrying off storm water from the streets, avenues and alleys of the City, and the City Engineer has caused preliminary plans therefor to be prepared and the estimated cost of the Project has been determined to be approximately $ 225,000; and

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and advisable to proceed with the Project;

NOW, THEREFORE, BE IT ORDAINED BY the Governing Body of the City of Leawood, Kansas:

Section 1. That the Governing Body hereby finds and determines that it is necessary and desirable to build and construct storm water sewers and/or drains beginning on the Northeast corner of lot 856 Leawood a subdivision; thence easterly to the north corner of lot 842 Leawood a subdivision; thence easterly along the north line of said lot 842 to the northeast corner of said lot 842 said point being the ending point , all within the City of Leawood and hereby authorizes and approves the Project.

Section 2. That the Governing Body hereby authorizes and directs the City Engineer to proceed with development of definitive plans and construction of the Project.

Section 3. That the Governing Body hereby authorizes the preparation of a resolution of intent to issue general obligations of the City for the purpose of paying for the Project.

Section 4. That this ordinance shall be in force and effect from and after its approval by the Governing Body and publication in the official City newspaper.

Passed by the Governing Body of the City of Leawood, Kansas this 6th day of March, 1995.

Approved by the Mayor this 6th day of March, 1995

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

3/7/95

Debra Dziadura
Editor

Subscribed and sworn to before me on this date:
3/7/95

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $32.09

d. 1470

ORDINANCE NO. 1470

First published in The Legal Record, Tuesday, March 7, 1995.

ORDINANCE NO. 1470

AN ORDINANCE AUTHORIZING, ORDERING AND PROVIDING FOR THE CONSTRUCTION OF STORM SEWERS, WITHIN THE CITY OF LEAWOOD, KANSAS BEGINNING ON THE NORTHEAST CORNER OF LOT 856 LEAWOOD A SUBDIVISION; THENCE EASTERLY TO THE NORTH CORNER OF LOT 842 LEAWOOD A SUBDIVISION; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 842 TO THE NORTHEAST CORNER OF SAID LOT 842 SAID POINT BEING THE ENDING POINT, PURSUANT TO THE PROVISIONS OF K.S.A. 12-631r ET SEQ.

WHEREAS, it has been proposed that the City of Leawood, Kansas (the "City") build and construct storm water sewers and/or drains beginning on the Northeast corner of lot 856 Leawood a subdivision; thence easterly to the north corner of lot 842 Leawood a subdivision; thence easterly along the north line of said lot 842 to the northeast corner of said lot 842 said point being the ending point, all within the City of Leawood (the "Project") for the purpose of carrying off storm water from the streets, avenues and alleys of the City, and the City Engineer has caused preliminary plans therefor to be prepared and the estimated cost of the Project has been determined to be approximately $ 225,000; and

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and advisable to proceed with the Project;

NOW, THEREFORE, BE IT ORDAINED BY the Governing Body of the City of Leawood, Kansas:

Section 1. That the Governing Body hereby finds and determines that it is necessary and desirable to build and construct storm water sewers and/or drains beginning on the Northeast corner of lot 856 Leawood a subdivision; thence easterly to the north corner of lot 842 Leawood a subdivision; thence easterly along the north line of said lot 842 to the northeast corner of said lot 842 said point being the ending point, all within the City of Leawood and hereby authorizes and approves the Project.

Section 2. That the Governing Body hereby authorizes and directs the City Engineer to proceed with development of definitive plans and construction of the Project.

Section 3. That the Governing Body hereby authorizes the preparation of a resolution of intent to issue general obligations of the City for the purpose of paying for the Project.

Section 4. That this ordinance shall be in force and effect from and after its approval by the Governing Body and publication in the official City newspaper.

Passed by the Governing Body of the City of Leawood, Kansas this 6th day of March, 1995.

Approved by the Mayor this 6th day of March, 1995

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Hetzler City Attorney

$32.09

ORDINANCE NO. 1469

AN ORDINANCE AUTHORIZING, ORDERING AND PROVIDING FOR THE CONSTRUCTION OF STORM SEWERS, WITHIN THE CITY OF LEAWOOD, KANSAS FROM A POINT BEGINNING AT THE CENTERLINE OF 98TH STREET, THEN NORTH TO THE CENTERLINE ON 97TH STREET, A STRIP TEN (10) FEET WIDE. THE CENTERLINE OF THE STRIP BEING APPROXIMATELY 25 FEET EAST OF THE CENTERLINE OF LEE BOULEVARD AND PURSUANT TO THE PROVISIONS OF K.S.A. 12-631r ET. SEQ.

WHEREAS, it has been proposed that the City of Leawood, Kansas (the "City") build and construct storm water sewers and/or drains from a point beginning at the centerline of 98th street, then north to the centerline on 97th street, a strip ten (10) feet wide, the centerline of the strip being approximately 25 feet east of the centerline of Lee Boulevard, all within the City of Leawood (the "Project") for the purpose of carrying off storm water from the streets, avenues and alleys of the City, and the City Engineer has caused preliminary plans therefor to be prepared and the estimated cost of the Project has been determined to be approximately $ 150,000; and

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and advisable to proceed with the Project;

NOW, THEREFORE, BE IT ORDAINED BY the Governing Body of the City of Leawood, Kansas:

Section 1. That the Governing Body hereby finds and determines that it is necessary and desirable to build and construct storm water sewers and/or drains from a point beginning at the centerline of 98th street, then north to the centerline on 97th street, a strip ten (10) feet wide, the centerline of the strip being approximately 25 feet east of the centerline of Lee Boulevard, all within the City of Leawood and hereby authorizes and approves the Project.

Section 2. That the Governing Body hereby authorizes and directs the City Engineer to proceed with development of definitive plans and construction of the Project.

Section 3. That the Governing Body hereby authorizes the preparation of a resolution of intent to issue general obligations of the City for the purpose of paying for the Project.

Section 4. That this ordinance shall be in force and effect from and after its approval by the Governing Body and publication in the official City newspaper.

Passed by the Governing Body of the City of Leawood, Kansas this 6th day of March, 1995.

Approved by the Mayor this 6th day of March, 1995

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

3/7/95

Editor

Subscribed and sworn to before me on this date:
3/7/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $33.91

d. 1469

ORDINANCE NO. 1469

First published in The Legal Record, Tuesday, March 7, 1995.

ORDINANCE NO. 1469

AN ORDINANCE AUTHORIZING, ORDERING AND PROVIDING FOR THE CONSTRUCTION OF STORM SEWERS, WITHIN THE CITY OF LEAWOOD, KANSAS FROM A POINT BEGINNING AT THE CENTERLINE OF 98TH STREET, THEN NORTH TO THE CENTERLINE ON 97TH STREET, A STRIP TEN (10) FEET WIDE. THE CENTERLINE OF THE STRIP BEING APPROXIMATELY 25 FEET EAST OF THE CENTERLINE OF LEE BOULEVARD AND PURSUANT TO THE PROVISIONS OF K.S.A. 12-631r ET SEQ.

WHEREAS, it has been proposed that the City of Leawood, Kansas (the "City") build and construct storm water sewers and/or drains from a point beginning at the centerline of 98th street, then north to the centerline on 97th street, a strip ten (10) feet wide, the centerline of the strip being approximately 25 feet east of the centerline of Lee Boulevard, all within the City of Leawood (the "Project") for the purpose of carrying off storm water from the streets, avenues and alleys of the City, and the City Engineer has caused preliminary plans therefor to be prepared and the estimated cost of the Project has been determined to be approximately $ 150,000; and

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and advisable to proceed with the Project;

NOW, THEREFORE, BE IT ORDAINED BY the Governing Body of the City of Leawood, Kansas:

Section 1. That the Governing Body hereby finds and determines that it is necessary and desirable to build and construct storm water sewers and/or drains from a point beginning at the centerline of 98th street, then north to the centerline on 97th street, a strip ten (10) feet wide, the centerline of the strip being approximately 25 feet east of the centerline of Lee Boulevard, all within the City of Leawood and hereby authorizes and approves the Project.

Section 2. That the Governing Body hereby authorizes and directs the City Engineer to proceed with development of definitive plans and construction of the Project.

Section 3. That the Governing Body hereby authorizes the preparation of a resolution of intent to issue general obligations of the City for the purpose of paying for the Project.

Section 4. That this ordinance shall be in force and effect from and after its approval by the Governing Body and publication in the official City newspaper.

Passed by the Governing Body of the City of Leawood, Kansas this 6th day of March, 1995.

Approved by the Mayor this 6th day of March, 1995

(S E A L)

Marcia Rinehart — Mayor

Attest:

Martha Heizer — City Clerk

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

$33.91

effective 3/26/95

ORDINANCE NO. 1468

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE VACATION OF UTILITY EASEMENTS SHOWN ON THE PLAT OF LEAWOOD COMMONS.

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

Section 1. That the City of Leawood hereby vacates the easements covering the following described property granted to the City of Leawood by Plat recorded in Plat Book 89, Page 1:

> All of the South 5 feet of Lot 6 except the West 20 feet thereof, and except the East 10 feet thereof; all of the North 7.50 feet of Lot 4, except the East 10 feet thereof; all of the North 5 feet of Lot 5 except the West 20 feet thereof, and all of the North 7.50 feet of the East 7.50 feet of said Lot 5, all in LEAWOOD COMMONS, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Section 2. That the vacated easements will revert to the owners of the real estate adjacent on each side in proportion to the frontage of such real estate unless the land was originally taken in different proportions in which case it will revert in the proportions the lots were taken.

Section 3. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas, after the ordinance becomes effective.

Section 4. That this ordinance shall take effect and be in force thirty (30) days from and after its publication in the official City newspaper.

Passed by the Council the 21st day of February, 1995.

Approved by the Mayor the 21st day of February, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

2480500

ORDINANCE NO. 1468

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE VACATION OF UTILITY EASEMENTS SHOWN ON THE PLAT OF LEAWOOD COMMONS.

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

Section 1. That the City of Leawood hereby vacates the easements covering the following described property granted to the City of Leawood by Plat recorded in Plat Book 89, Page 1:

All of the South 5 feet of Lot 6 except the West 20 feet thereof, and except the East 10 feet thereof; all of the North 7.50 feet of Lot 4, except the East 10 feet thereof; all of the North 5 feet of Lot 5 except the West 20 feet thereof, and all of the North 7.50 feet of the East 7.50 feet of said Lot 5, all in LEAWOOD COMMONS, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Section 2. That the vacated easements will revert to the owners of the real estate adjacent on each side in proportion to the frontage of such real estate unless the land was originally taken in different proportions in which case it will revert in the proportions the lots were taken.

Section 3. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas, after the ordinance becomes effective.

Section 4. That this ordinance shall take effect and be in force thirty (30) days from and after its publication in the official City newspaper.

Passed by the Council the 21st day of February, 1995.

Approved by the Mayor the 21st day of February, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

no chg

STATE OF KANSAS
COUNTY OF JOHNSON } SS
FILED FOR RECORD
95 APR 10 A 10:34.7
SARA F. ULLMANN
REGISTER OF DEEDS

APPROVED FOR FORM:
R.S. Wetzler City Attorney

no chg

VOL 4559 PAGE 222

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. 1468 as the same appears in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said city this 5th day of April, 1995.

(S E A L)

Martha Heizer

ORIGINAL COMPARED WITH RECORD

Ret-
City of Leawood
4800 Town Center Drive
Leawood, Ks. 66211

City of Leawood
4800 Town Center Drive • Leawood, Kansas 66211 • (913) 339-6700
(913) 339- 6781 Fax
(913) 339-6225 TDD

April 5, 1995

Beverly L. Baker, County Clerk
111 S. Cherry St.
Olathe, Kansas 66061

Dear Mrs. Baker:

Enclosed for your records is a certified copy of Ordinance No. 1468 in accordance with Section 3 of said ordinance.

Sincerely,

Martha Heizer

Martha Heizer
City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY,ss: Georgiann Thacker being first Duly sworn, Deposes and says: 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 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 24th day of February 19 95, with subsequent publication being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribed and sworn to before me this 24th day of February 19 95

Deanna J. Martasin
NOTARY PUBLIC

My Commission Expires 1/25/96

Printer's Fees 16.73

Additional Copies $_____

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

First Published in The Johnson County Sun, Friday, February 24, 1995.

ORDINANCE NO. 1468

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE VACATION OF UTILITY EASEMENTS SHOWN ON THE PLAT OF LEAWOOD COMMONS.

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

Section 1. That the City of Leawood hereby vacates the easements covering the following described property granted to the City of Leawood by Plat recorded in Plat Book 89, Page 1:

All of the South 5 feet of Lot 6 except the West 20 feet thereof, and except the East 10 feet thereof; all of the North 7.50 feet of Lot 4, except the East 10 feet thereof; all of the North 5 feet of Lot 5 except the West 20 feet thereof, and all of the North 7.50 feet of the East 7.50 feet of said Lot 5, all in LEAWOOD COMMONS, a subdivision of land now in the City of Leawood, Johnson County, Kansas.

Section 2. That the vacated easements will revert to the owners of the real estate adjacent on each side in proportion to the frontage of such real estate unless the land was originally taken in different proportions in which case it will revert in the proportions the lots were taken.

Section 3. That the City Clerk shall file a certified copy of this ordinance with the County Clerk and the Register of Deeds of Johnson County, Kansas, after the ordinance becomes effective.

Section 4. That this ordinance shall take effect and be in force thirty (30) days from and after its publication in the official City newspaper.

Passed by the Council the 21st day of February, 1995.

Approved by the Mayor the 21st day of February, 1995.

(SEAL)

(s) Marcia Rinehart
Mayor

Attest:
(s) Martha Helzer,
City Clerk

APPROVED FOR FORM:
(s) R. S. Wetzler
City Attorney

(14439 1F-JC)

ORDINANCE NO. 1467 C

AN ORDINANCE AMENDING ARTICLE 3 (NUISANCE ALARM SYSTEMS) OF CHAPTER XI (PUBLIC OFFENSES) OF THE CODE OF THE CITY OF LEAWOOD, AND REPEALING EXISTING ARTICLE.

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

Section 1. Code Amended. That Article 3 of Chapter XI of the Code of the City of Leawood is hereby amended to read as follows:

ARTICLE 3. NUISANCE ALARM SYSTEMS

11-301. NUISANCE ALARM SYSTEMS PROHIBITED. It shall be unlawful for any person or business to own, lease, or otherwise utilize for the purpose of providing security to person or property, any burglary, robbery, fire, or panic alarm system deemed to be a nuisance. Nuisance alarm systems shall be defined as follows:

(a) False alarms. Any alarm which elicits a response from the police and/or fire departments more than three times in any 12 month period when no emergency exists is defined as a nuisance alarm. Exempt from this definition are newly installed alarms which shall receive a grace period of 30 days or four false alarms, whichever occurs first; alarm signals caused by extraordinary conditions of nature or other extraordinary circumstances beyond control of the owner, operator, or contractor; and alarm systems owned or operated by any governmental political unit.

(b) Direct telephone alarms. Any alarm which is programmed to automatically dial any telephone number, listed or unlisted, directly into any city department for the purpose of transmitting a voice recording of any emergency message.

(c) Disturbing alarms. Any alarm which emits an audible or visible signal which is not automatically discontinued within 15 minutes of activation.

(d) Unregistered alarm systems. Any alarm system which is not registered with the City.

It shall further be unlawful for any person to transmit an alarm of any kind knowing that such alarm is false or that no emergency exists.

11-302. REGISTRATION OF ALARM SYSTEMS. No person shall operate an alarm system without registering with the City each such alarm system on forms established by and provided by the Alarm Coordinator. The annual fee for each such registration shall be set forth in section 1-701 of the City Code.

11-303. DISTURBING ALARMS TO BE DISCONNECTED OR MODIFIED.

It shall be unlawful for any person or business to fail to disconnect or modify any disturbing alarm as defined in 11-301 within 72 hours of mailing of written notice from the police department that such a condition exists. (Code 1973, 10-903 and Disturbing The Peace 11-205.) When no responsible party can be located, the police department may take necessary steps to safely silence any such alarm. Costs associated with such action will be assessed to the person or business, and the City accepts no liability for damages to property or persons as a consequence of its efforts.

11-304. NOTIFICATION OF NUISANCE ALARMS. At the time of the **third** false alarm in any 12 month period, the city shall notify the responsible party by first class mail of such occurrences and that additional false alarms shall require the payment of fees as per section 11-306 of this article. Such written notification shall be assumed to have been delivered three days after mailing.

11-305. RESPONSIBLE PARTY. The responsible party shall be the resident for a residential alarm system and the business owner or manager for a business alarm system, regardless of whether such system is owned, leased, rented or otherwise controlled.

11-306. FALSE ALARMS; FEES REQUIRED. Any alarm system which has recorded more than three false alarms within any 12 month period shall be subject to the fees set forth in the Fee Schedule established and maintained by the city administrator, as prescribed in section 1-701. The payment of the fee provided for shall be submitted to the city within 10 days of receiving notice that such fee is due. The chief of police may waive all or part of such fees if the responsible party participates in approved education designed to reduce the occurrence of false alarms.

11-307. APPEALS. An alarm system user who desires to appeal a fee imposed by section 11-306 shall submit a written request for a hearing to the chief of police, who shall notify the governing body. The governing body shall then direct the property maintenance code appeals board to meet and consider the appeal.

11-308. DESIGNATION OF ALARM COORDINATOR; DUTIES. There is hereby established the position of alarm coordinator. The alarm coordinator shall:

(a) Maintain records necessary to carry out the terms of this article; such records shall be confidential.

(b) Make notifications as outlined in section 11-304.

(c) Establish, distribute, and enforce such rules and regulations as may be necessary for implementation of this article, and make same available upon request. Such regulations are hereby incorporated into this ordinance by reference.

(d) Determine which alarms constitute false alarms as defined in section 11-301.

11-309. NON-RESPONSE TO ALARMS. Nothing herein shall imply or otherwise convey the impression that there is a duty to respond to any alarm system utilized to convey messages of whatever character to the police or fire departments of the city.

11-310. PENALTY. Any person convicted of a violation of any of the provisions of or failing to comply with any of the mandatory requirements of this article shall be guilty of a public offense and punished by a fine of not more than $500 or by imprisonment not to exceed six months or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued or permitted by any such person.

11-311. NON-RESPONSE TO CERTAIN ALARMS. The Chief of Police shall have authority to declare an alarm system to be a problem system. Upon issuance of such declaration, the police department will not respond to burglary, robbery, and/or medical or panic alarm signals from such problem system at which time further application of the fee schedule of Section 1-701 shall cease but the user will be responsible for all fees incurred up to that time. At such time as the responsible party takes corrective action acceptable to the Chief of Police and the alarm coordinator, the police and/or fire departments may resume response to the alarm system.

Section 2. Repeal of Existing Article. That existing Article 3 of Chapter XI of the Code of the City of Leawood is hereby repealed. (Prior law: Sections 11-301:11-306, 11-308, 11-309 from the Code of 1984; Section 11-307 from Ord. No. 1303C)

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 21st day of February, 1995.
Approved by the Mayor the 21st day of February, 1995.

(S E A L)

Marcia Rinehart, Mayor

Attest:

Martha Heizer, City Clerk

APPROVED FOR FORM:

R.S. Wetzler, City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY,ss: Georgiann Thacker being first Duly sworn, Deposes and says: 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 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 24th day of February 19 95, with subsequent publication being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribed and sworn to before me this 24th day of February 19 95

Deanna J. Martasin
NOTARY PUBLIC

My Commission Expires 1/25/96

Printer's Fees 74.06

Additional Copies $_____

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

First published in The Johnson County Sun, Friday, February 24, 1995

ORDINANCE NO. 67 C

AN ORDINANCE AMENDING ARTICLE 3 (NUISANCE ALARM SYSTEMS) OF CHAPTER XI (PUBLIC OFFENSES) OF THE CODE OF THE CITY OF LEAWOOD, AND REPEALING EXISTING ARTICLE.

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

Section 1. Code Amended. That Article 3 of Chapter XI of the Code of the City of Leawood is hereby amended to read as follows:

ARTICLE 3. NUISANCE ALARM SYSTEMS

11-301. NUISANCE ALARM SYSTEMS PROHIBITED. It shall be unlawful for any person or business to own, lease, or otherwise utilize for the purpose of providing security to person or property, any burglary, robbery, fire, or panic alarm system deemed to be a nuisance. Nuisance alarm systems shall be defined as follows:

(a) False alarms. Any alarm which elicits a response from the police and/or fire departments more than three times in any 12 month period when no emergency exists is defined as a nuisance alarm. Exempt from this definition are newly installed alarms which shall receive a grace period of 30 days or four false alarms, whichever occurs first; alarm signals caused by extraordinary conditions of nature or other extraordinary circumstances beyond control of the owner, operator, or contractor; and alarm systems owned or operated by any governmental political unit.

(b) Direct telephone alarms. Any alarm which is programmed to automatically dial any telephone number, listed or unlisted, directly into any city department for the purpose of transmitting a voice recording of any emergency message.

(c) Disturbing alarms. Any alarm which emits an audible or visible signal which is not automatically discontinued within 15 minutes of activation.

(d) Unregistered alarm systems. Any alarm system which is not registered with the City.

It shall further be unlawful for any person to transmit an alarm of any kind knowing that such alarm is false or that no emergency exists.

11-302. REGISTRATION OF ALARM SYSTEMS. No person shall operate an alarm system without registering with the City each such alarm system on forms established by and provided by the Alarm Coordinator. The annual fee for each such registration shall be set forth in section 1-701 of the City Code.

11-303. DISTURBING ALARMS TO BE DISCONNECTED OR MODIFIED.

It shall be unlawful for any person or business to fail to disconnect or modify any disturbing alarm as defined in 11-301 within 72 hours of mailing of written notice from the police department that such a condition exists. (Code 1973, 10-903 and Disturbing The Peace 11-205.) When no responsible party can be located, the police department may take necessary steps to safely silence any such alarm. Costs associated with such action will be assessed to the person or business, and the City accepts no liability for damages to property or persons as a consequence of its efforts.

11-304. NOTIFICATION OF NUISANCE ALARMS. At the time of the third false alarm in any 12 month period, the city shall notify the responsible party by first class mail of such occurrences and that additional false alarms shall require the payment of fees as per section 11-306 of this article. Such written notification shall be assumed to have been delivered three days after mailing.

11-305. RESPONSIBLE PARTY. The responsible party shall be the resident for a residential alarm system and the business owner or manager for a business alarm system, regardless of whether such system is owned, leased, rented or otherwise controlled.

11-306. FALSE ALARMS; FEES REQUIRED. Any alarm system which has recorded more than three false alarms within any 12 month period shall be subject to the fees set forth in the Fee Schedule established and maintained by the city administrator, as prescribed in section 1-701. The payment of the fee provided for shall be submitted to the city within 10 days of receiving notice that such fee is due. The chief of police may waive all or part of such fees if the responsible party participates in approved education designed to reduce the occurrence of false alarms.

11-307. APPEALS. An alarm system user who desires to appeal a fee imposed by section 11-306 shall submit a written request for a hearing to the chief of police, who shall notify the governing body. The governing body shall then direct the property maintenance code appeals board to meet and consider the appeal.

11-308. DESIGNATION OF ALARM COORDINATOR; DUTIES. There is hereby established the position of alarm coordinator. The alarm coordinator shall:

(a) Maintain records necessary to carry out the terms of this article; such records shall be confidential.

(b) Make notifications as outlined in section 11-304.

(c) Establish, distribute, and enforce such rules and regulations as may be necessary for implementation of this article, and make same available upon request. Such regulations are hereby incorporated into this ordinance by reference.

(d) Determine which alarms constitute false alarms as defined in section 11-301.

11-309. NON-RESPONSE TO ALARMS. Nothing herein shall imply or otherwise convey the impression that there is a duty to respond to any alarm system utilized to convey messages of whatever character to the police or fire departments of the city.

11-310. PENALTY. Any person convicted of a violation of any of the provisions of or failing to comply with any of the mandatory requirements of this article shall be guilty of a public offense and punished by a fine of not more than $500 or by imprisonment not to exceed six months or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued or permitted by any such person.

11-311. NON-RESPONSE TO CERTAIN ALARMS. The Chief of Police shall have authority to declare an alarm system to be a problem system. Upon issuance of such declaration, the police department will not respond to burglary, robbery, and/or medical or panic alarm signals from such problem system at which time further application of the fee schedule of Section 1-701 shall cease but the user will be responsible for all fees incurred up to that time. At such time as the responsible party takes corrective action acceptable to the Chief of Police and the alarm coordinator, the police and/or fire departments may resume response to the alarm system.

Section 2. Repeal of Existing Article. That existing Article 3 of Chapter XI of the Code of the City of Leawood is hereby repealed. (Prior law: Sections 11-301:11-306, 11-308, 11-309 from the Code of 1984; Section 11-307 from Ord. No. 1303C)

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 21st day of February, 1995.
Approved by the Mayor the 21st day of February, 1995.

(S E A L)

Marcia Rinehart, Mayor

Attest:

Martha Heizer, City Clerk

APPROVED FOR FORM:

R.S. Wetzler, City Attorney

(14438-1F-JC)

ORDINANCE NO. 1466

AN ORDINANCE GRANTING A RIGHT-OF-WAY EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR ELECTRICAL SERVICE AT THE IRONHORSE GOLF CLUB (WEST REST STATION).

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

Section 1. That the City of Leawood, Kansas, does hereby grant a right-of-way easement to Kansas City Power & Light Company, over, along, across and under the following described lands, to wit:

> A 10-foot wide easement lying 5.00 feet on either side of the following described line: Commencing at the Northwest corner of the Northwest 1/4 of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas; thence North 87°18'10" East, along the North line of said Northwest 1/4, 1422.92 feet; thence South 12°53'12" West, a distance of 60.10 feet to a point on the Southerly right-of-way line of 151st Street and the Point of Beginning; thence South 12° 53'12" West, a distance of 577.76 feet; thence South 04° 17'06" East, a distance of 179.24 feet; thence South 37° 28'55" East, a distance of 190.95 feet to the Point of Terminus. The above-described tract contains 9480 square feet, more or less.

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 6th day of February, 1995.

Approved by the Mayor the 6th day of February, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

2/7/95

Editor

Subscribed and sworn to before me on this date:
2/7/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $18.18

d. No. 1466

$18.18

ORDINANCE NO. 1466

First published in The Legal Record, Tuesday, February 7, 1995.

ORDINANCE NO. 1466

AN ORDINANCE GRANTING A RIGHT-OF-WAY EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR ELECTRICAL SERVICE AT THE IRONHORSE GOLF CLUB (WEST REST STATION).

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

Section 1. That the City of Leawood, Kansas, does hereby grant a right-of-way easement to Kansas City Power & Light Company, over, along, across and under the following described lands, to wit:

A 10-foot wide easement lying 5.00 feet on either side of the following described line: Commencing at the Northwest corner of the Northwest 1/4 of Section 9, Township 14 South, Range 25 East, City of Leawood, Johnson County, Kansas; thence North 87°18'10" East, along the North line of said Northwest 1/4, 1422.92 feet; thence South 12°53'12" West, a distance of 60.10 feet to a point on the Southerly right-of-way line of 151st Street and the Point of Beginning; thence South 12° 53'12" West, a distance of 577.76 feet; thence South 04° 17'06" East, a distance of 179.24 feet; thence South 37° 28'55" East, a distance of 190.95 feet to the Point of Terminus. The above-described tract contains 9480 square feet, more or less.

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 6th day of February, 1995.

Approved by the Mayor the 6th day of February, 1995.

(S E A L)

Marcia Rinehart — Mayor

Attest:

Martha Heizer — City Clerk

APPROVED FOR FORM:

R.S. Wetzler — City Attorney

ORDINANCE NO. 1465

AN ORDINANCE REZONING PROPERTY (STONE LEDGE) LOCATED AT APPROXIMATELY 154TH STREET AND NALL AVENUE FROM AG (AGRICULTURAL) TO RP-4 (PLANNED CLUSTER RESIDENTIAL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

> A tract of land being a part of the south half of the northwest quarter of Section 9, Township 14 South, Range 25 East, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the southwest corner of said northwest quarter; thence N 02° 02'57" W along the West line of said northwest quarter a distance of 189.00 feet to the point of beginning of the tract of land to be described; thence continuing N 02° 02'57" W along said west line a distance of 431.00 feet to a point on the south line of Brittany Woods, first plat, recorded in Plat Book 72 at Page 1; thence N 87° 26'35" E along the south line of said Brittany Woods, first plat, a distance of 421.55 feet; thence S 02° 02'57" E continuing on said south line a distance of 620.00 feet to the southwest corner of Lot 13, said Brittany Woods, first plat, said point also being on the south line of said northwest quarter; thence S 87° 26'35" W on said quarter section line a distance of 191.55 feet; thence N 02° 02'57" W a distance of 189.00 feet; thence S 87° 26'35" W a distance of 230.00 feet to the point of beginning. Contains 5.04 acres more or less.

now zoned AG, is hereby rezoned to RP-4.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 6th day of February, ~~1994~~ 1995

Approved by the Mayor the 6th day of February, ~~1994~~ 1995

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood, KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

2/7/95

Editor

Subscribed and sworn to before me on this date:
2/7/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $27.27

d. No. 1465

ORDINANCE NO. 1465

First published in The Legal Record, Tuesday, February 7, 1995.

ORDINANCE NO. 1465

AN ORDINANCE REZONING PROPERTY (STONE LEDGE), LOCATED AT APPROXIMATELY 154TH STREET AND NALL AVENUE FROM AG (AGRICULTURAL) TO RP-4 (PLANNED CLUSTER RESIDENTIAL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

A tract of land being a part of the south half of the northwest quarter of Section 9, Township 14 South, Range 25 East, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the southwest corner of said northwest quarter; thence N 02°02'57" W along the West line of said northwest quarter a distance of 189.00 feet to the point of beginning of the tract of land to be described; thence continuing N 02°02'57" W along said west line a distance of 431.00 feet to a point on the south line of Brittany Woods, first plat, recorded in Plat Book 72 at Page 2; thence N 87°26'35" E along the south line of said Brittany Woods, first plat, a distance of 421.55 feet; thence S 02°02'57" E continuing on said south line a distance of 620.00 feet to the southwest corner of Lot 13, said Brittany Woods, first plat, said point also being on the south line of said northwest quarter; thence S 87°26'35" W on said quarter section line a distance of 191.55 feet; thence N 02°02'57" W a distance of 189.00 feet; thence S 87°26'35" W a distance of 230.00 feet to the point of beginning. Contains 5.04 acres more or less.

now zoned AG, is hereby rezoned to RP-4.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 6th day of February, 1995.

Approved by the Mayor the 6th day of February, 1995.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

$27.27

ORDINANCE NO. 1464 C

AN ORDINANCE RELATING TO THE CUTTING OF WEEDS AND VEGETATION, PROVIDING FOR NOTICE AND PROVIDING FOR CUTTING BY THE CITY OF LEAWOOD, AND PROVIDING FOR CHARGES THEREFOR.

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

SECTION 1. Code Amended. That the Code of the City of Leawood is hereby amended by adding Sections 4-702 through 4-709 to Chapter 4 which read as follows:

4-702. WEEDS TO BE REMOVED. It shall be unlawful for any owner, agent, lessee, tenant, or other person occupying or having charge or control of any premises to permit weeds to remain upon said premises or any area between the property lines of said premises and the centerline of any adjacent street or alley, including but not specifically limited to sidewalks, streets, alleys, easements, rights-of-way and all other areas, public or private. All weeds as hereinafter defined are hereby declared a nuisance and are subject to abatement as hereinafter provided.

4-703. DEFINITIONS.

(a) Calendar Year as used herein, means that period of time beginning January 1 and ending December 31 of the same year.

(b) Weeds as used herein, means any of the following:

(1) Brush and woody vines shall be classified as weeds;

(2) Weeds and indigenous grasses which may attain such large growth as to become, when dry, a fire menace to adjacent improved property;

(3) Weeds which bear or may bear seeds of a downy or wingy nature;

(4) Weeds which are located in an area which harbors rats, insects, animals, reptiles, or any other creature which either may or does constitute a menace to health, public safety or welfare;

(5) Weeds and indigenous grasses on or about residential property which, because of its height, has a blighting influence on the neighborhood. Any such weeds and indigenous grasses shall be presumed to be blighting if they exceed 12 inches in height.

4-704. PUBLIC OFFICER; NOTICE TO REMOVE. The Director of Planning and Development shall designate a public officer to be charged with the administration and enforcement of this ordinance. The public officer or an authorized assistant shall notify in writing the owner, occupant or agent in charge of any premises in the city upon which weeds exist in violation of this ordinance, by mail or by personal service, once per calendar year. Such notice shall include the following:

(a) That the owner, occupant or agent in charge of the property is in violation of the city weed control law.

(b) That the owner, occupant, or agent in charge of the property is ordered to cut the weeds within ten days of the receipt of notice.

(c) That the owner, occupant or agent in charge of the property may request a hearing before the governing body or its designated representative within five days of the receipt of notice.

(d) That if the owner, occupant or agent in charge of the property does not cut the weeds, the city or its authorized agent will cut the weeds and assess the cost of the cutting, including a reasonable administrative fee, against the owner, occupant or agent in charge of the property.

(e) That the owner, occupant or agent in charge of the property will be given an opportunity to pay the assessment, and, if it is not paid, it will be added to the property tax as a special assessment.

(f) That no further notice shall be given prior to removal of weeds during the current calendar year.

(g) That the public officer should be contacted if there are any questions regarding the order.

If there is a change in the record owner of title to property subsequent to the giving of notice pursuant to this subsection, the city may not recover any costs or levy an assessment for the costs incurred by the cutting or destruction of weeds on such property unless the new record owner of title of such property is provided notice as required by this section.

4-705. ABATEMENT; ASSESSMENT OF COSTS.

(a) Upon the expiration of ten days after receipt of the notice required by Section 4-704, and in the event that the owner, occupant or agent in charge of the premises shall neglect or fail to comply with the requirements of Section 4-702, the public officer or an authorized assistant shall cause to be cut, destroyed and/or removed all such weeds and abate the nuisance created thereby at any time during the current calendar year.

(b) The public officer or an authorized assistant shall give notice to the owner, occupant or agent in charge of the premises by restricted mail of the costs of abatement of the nuisance. The notice shall state that payment of the costs is due and payable within 30 days following receipt of the notice.

(c) If the costs of removal or abatement remain unpaid after 30 days following receipt of notice, a record of the costs of cutting and destruction and/or removal shall be certified to the city clerk who shall cause such costs to be assessed against the particular lot or piece of land on which such weeds were so removed, and against such lots or pieces of land in front of or abutting on such street or alley on which such weeds were so removed. The city clerk shall certify the assessment to the county clerk at the time other special assessments are certified for spreading on the tax rolls of the county.

4-706. RIGHT OF ENTRY. The public officer, and the public officer's authorized assistants, employees, contracting agents or other representatives are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of cutting, destroying and/or removing such weeds in a manner not inconsistent with this ordinance.

4-707. UNLAWFUL INTERFERENCE. It shall be unlawful for any person to interfere with or to attempt to prevent the public officer or the public officer's authorized representative from entering upon any such lot or piece of ground or from proceeding with such cutting and destruction. Such interference shall constitute an ordinance violation.

4-708. NOXIOUS WEEDS.

(a) Nothing in this ordinance shall affect or impair the rights of the city under the provisions of Chapter 2, Article 13 of the Kansas Statutes Annotated, relating to the control and eradication of certain noxious weeds.

(b) For the purpose of this section, the term <u>noxious weeds</u> shall mean kudzu (Pueraria lobata), field bindweed (Convolvulus arvensis), Russian knapweed (Centaurea picris), hoary cress (Lepidium draba), Canada thistle (Cirsium arvense), quackgrass (Agropyron repens), leafy spurge (Euphorbia esula), burragweed (Franseria tomentosa and discolor), pignut (Hoffmannseggia densiflora), musk (nodding) thistle (Carduus nutans L.) and Johnson grass (Sorghum halepense).

4-709. EFFECTIVE SCOPE OF ORDINANCE. This ordinance shall be effective only for the current calendar year.

<u>SECTION 2</u>. 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 16th day of January, 1995.

Approved by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $54.54

Ord #1464C

$54.54

ORDINANCE NO. 1464 C

First published in The Legal Record, Tuesday, January 17, 1995.

DINANCE NO. 1464 C

ORDINANCE RELATING TO THE CUTTING OF WEEDS AND VEGETATION, OVIDING FOR NOTICE AND PROVIDING FOR CUTTING BY THE CITY OF AWOOD, AND PROVIDING FOR CHARGES THEREFOR.

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

ECTION 1. Code Amended. That the Code of the City of eawood is hereby amended by adding Sections 4-702 through 709 to Chapter 4 which read as follows:

-702. WEEDS TO BE REMOVED. It shall be unlawful for any wner, agent, lessee, tenant, or other person occupying or aving charge or control of any premises to permit weeds to emain upon said premises or any area between the property ines of said premises and the centerline of any adjacent treet or alley, including but not specifically limited to idewalks, streets, alleys, easements, rights-of-way and all ther areas, public or private. All weeds as hereinafter defined are hereby declared a nuisance and are subject to batement as hereinafter provided.

-703. DEFINITIONS.

(a) Calendar Year as used herein, means that period of ime beginning January 1 and ending December 31 of the same ear.

(b) Weeds as used herein, means any of the following:

(1) Brush and woody vines shall be classified as eeds;

(2) Weeds and indigenous grasses which may attain uch large growth as to become, when dry, a fire menace to djacent improved property;

(3) Weeds which bear or may bear seeds of a downy r wingy nature;

(4) Weeds which are located in an area which harors rats, insects, animals, reptiles, or any other creature hich either may or does constitute a menace to health, public safety or welfare;

(5) Weeds and indigenous grasses on or about esidential property which, because of its height, has a lighting influence on the neighborhood. Any such weeds and ndigenous grasses shall be presumed to be blighting if they xceed 12 inches in height.

-704. PUBLIC OFFICER; NOTICE TO REMOVE. The Director of lanning and Development shall designate a public officer to e charged with the administration and enforcement of this rdinance. The public officer or an authorized assistant hall notify in writing the owner, occupant or agent in harge of any premises in the city upon which weeds exist in iolation of this ordinance, by mail or by personal service, nce per calendar year. Such notice shall include the following:

(a) That the owner, occupant or agent in charge of the property is in violation of the city weed control law.

(b) That the owner, occupant, or agent in charge of the property is ordered to cut the weeds within ten days of the receipt of notice.

(c) That the owner, occupant or agent in charge of the property may request a hearing before the governing body or its designated representative within five days of the receipt of notice.

(d) That if the owner, occupant or agent in charge of the property does not cut the weeds, the city or its authorized agent will cut the weeds and assess the cost of the cutting, including a reasonable administrative fee, against the owner, occupant or agent in charge of the property.

(e) That the owner, occupant or agent in charge of the property will be given an opportunity to pay the assessment, and, if it is not paid, it will be added to the property tax as a special assessment.

(f) That no further notice shall be given prior to removal of weeds during the current calendar year.

(g) That the public officer should be contacted if there are any questions regarding the order.

If there is a change in the record owner of title to property subsequent to the giving of notice pursuant to this subsection, the city may not recover any costs or levy an assessment for the costs incurred by the cutting or destruction of weeds on such property unless the new record owner of title of such property is provided notice as required by this section.

4-705. ABATEMENT; ASSESSMENT OF COSTS.

(a) Upon the expiration of ten days after receipt of the notice required by Section 4-704, and in the event that the owner, occupant or agent in charge of the premises shall neglect or fail to comply with the requirements of Section 4-702, the public officer or an authorized assistant shall cause to be cut, destroyed and/or removed all such weeds and abate the nuisance created thereby at any time during the current calendar year.

(b) The public officer or an authorized assistant shall give notice to the owner, occupant or agent in charge of the premises by restricted mail of the costs of abatement of the nuisance. The notice shall state that payment of the costs is due and payable within 30 days following receipt of the notice.

(c) If the costs of removal or abatement remain unpaid after 30 days following receipt of notice, a record of the costs of cutting and destruction and/or removal shall be certified to the city clerk who shall cause such costs to be assessed against the particular lot or piece of land on which such weeds were so removed, and against such lots or pieces of land in front of or abutting on such street or alley on which such weeds were so removed. The city clerk shall certify the assessment to the county clerk at the time other special assessments are certified for spreading on the tax rolls of the county.

4-706. RIGHT OF ENTRY. The public officer, and the public officer's authorized assistants, employees, contracting agents or other representatives are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of cutting, destroying and/or removing such weeds in a manner not inconsistent with this ordinance.

4-707. UNLAWFUL INTERFERENCE. It shall be unlawful for any person to interfere with or to attempt to prevent the public officer or the public officer's authorized representative from entering upon any such lot or piece of ground or from proceeding with such cutting and destruction. Such interference shall constitute an ordinance violation.

4-708. NOXIOUS WEEDS.

(a) Nothing in this ordinance shall affect or impair the rights of the city under the provisions of Chapter 2, Article 13 of the Kansas Statutes Annotated, relating to the control and eradication of certain noxious weeds.

(b) For the purpose of this section, the term noxious weeds shall mean kudzu (Pueraria lobata), field bindweed (Convolvulus arvensis), Russian knapweed (Centaurea picris), hoary cress (Lepidium draba), Canada thistle (Cirsium arvense), quackgrass (Agropyron repens), leafy spurge (Euphorbia esula), burrageed (Franseria tomentosa and discolor), pignut (Hoffmannseggia densiflora), musk (nodding) thistle (Carduus nutans L.) and Johnson grass (Sorghum halepense).

4-709. EFFECTIVE SCOPE OF ORDINANCE. This ordinance shall be effective only for the current calendar year.

SECTION 2. 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 16th day of January, 1995.

Approved by the Mayor the 16th day of January, 1995.

(S E A L)

Attest:

Marcia Rinehart — Mayor

Martha Heizer — City Clerk

APPROVED FOR FORM:

R. S. Wetzler — City Attorney

ORDINANCE NO. 1463

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 140-95-11 (83RD STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF 83RD STREET, 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 83rd 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. 1424 on August 15, 1994; and

WHEREAS, total cost of improvements to 83rd Street is estimated to be $2,070,000; 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 140-95-11 (83rd Street), 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 140-95-11 (83rd Street), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of $100,000. Said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.80% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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 financing for the project, 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 nor will such proceeds or project 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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-83

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $89.55

d. 1463

$89.55

ORDINANCE NO. 1463

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1463

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 140-95-11 (83RD STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF 83RD STREET, 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 83rd 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. 1424 on August 15, 1994; and

WHEREAS, total cost of improvements to 83rd Street is estimated to be $2,070,000; 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 140-95-11 (83rd Street), 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 140-95-11 (83rd Street), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of $100,000. Said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.80% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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 financing for the project, 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 nor will such proceeds or project 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

CONTINUED ON PAGE 9

CONTINUED FROM PAGE 8

"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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

Marcia Rinehart

(S E A L)

ATTEST:

Marcia Rinehart, Mayor

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-83

ORDINANCE NO. 1462

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 131-95-10 (NALL AVENUE, 119TH-135TH STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF NALL AVENUE, 119TH-135TH STREET, 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 Nall Avenue, 119th-135th 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. 1433 on October 3, 1994; and

WHEREAS, total cost of improvements to Nall Avenue, 119th-135th Street is estimated to be $7,040,195; 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 131-95-10 (Nall Avenue, 119th-135th Street), 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 131-95-10 (Nall Avenue, 119th-135th Street), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of $100,000. Said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 registra-

tion 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 99.875% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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 financing for the project, 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 nor will such proceeds or project 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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-nall

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $89.55

Ord. 1462

$89.55

ORDINANCE NO. 1462

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1462

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 131-95-10 (NALL AVENUE, 119TH-135TH STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $500,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF NALL AVENUE, 119TH-135TH STREET, 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 Nall Avenue, 119th-135th 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. 1433 on October 3, 1994; and

WHEREAS, total cost of improvements to Nall Avenue, 119th-135th Street is estimated to be $7,040,195; 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 131-95-10 (Nall Avenue, 119th-135th Street), 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 131-95-10 (Nall Avenue, 119th-135th Street), shall consist of bearer notes numbered 1 through 5 inclusive, each in the denomination of $100,000. Said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.875% of 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 re-

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tain 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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 financing for the project, 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 nor will such proceeds or project 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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

ATTEST:

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

Marcia Rinehart

Marcia Rinehart, Mayor

WII:tn-nall

ORDINANCE NO. 1461

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 115-95-9 (MISSION ROAD, COLLEGE BOULEVARD - I-435), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $800,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, COLLEGE BOULEVARD - I-435, INCLUDING GRADING, REGRADING, CURBING, RE-CURBING, GUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, RE-MACADAMIZING, 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 Mission Road, College Boulevard - I-435, 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. 1204 on February 4, 1991; and

WHEREAS, total cost of improvements to Mission Road, College Boulevard - I-435, is estimated to be $2,000,000; 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 115-95-9 (Mission Road, College Boulevard - I-435), in the aggregate principal amount of Eight Hundred Thousand Dollars ($800,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 115-95-9 (Mission Road, College Boulevard - I-435), shall consist of bearer notes numbered 1 through 8 inclusive, each in the denomination of $100,000. Said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.765% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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 financing for the project, 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 nor will such proceeds or project 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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-miss

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $86.93

Ord. 1461

$86.93

ORDINANCE NO. 1461

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1461

N ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF RARY NOTES, SERIES 115-95-9 (MISSION ROAD, COLLEGE BOULEVARD - I-435), HE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $800,000 TO PROVIDE RARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION COLLEGE BOULEVARD - I-435, INCLUDING GRADING, REGRADING, CURBING, RE-ING, GUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, RE-DAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTENDING, DING CORNERS, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECONSTRUCTION ANY NECESSARY BRIDGES AND APPROACHES THERETO, VIADUCTS, OVERPASSES, RPASSES, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC ROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS OR OTHER IMPROVEMENTS AND R INCIDENTAL CONSTRUCTION COSTS.

"Code of the City of Leawood, Kansas, 1984" designated that portion of Mission Road, College Boulevard - I-435, 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. 1204 on February 4, 1991; and

WHEREAS, total cost of improvements to Mission Road, College Boulevard - I-435, is estimated to be $2,000,000; 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 115-95-9 (Mission Road, College Boulevard - I-435)*, in the aggregate principal amount of Eight Hundred Thousand Dollars ($800,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 115-95-9 (Mission Road, College Boulevard - I-435), shall consist of bearer notes numbered 1 through 8 inclusive, each in the denomination of $100,000. Said *notes shall* be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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

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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 99.765% of 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 follows:

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

2. Since January 1, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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 financing for the project, 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 nor will such proceeds or project 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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

ATTEST:

Marcia Rinehart, Mayor

Martha Heiner, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-miss

ORDINANCE NO. 1460

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 136-95-8 (STATE LINE ROAD, PHASE III), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $700,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY 123RD STREET AND APPROXIMATELY 135TH STREET; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

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 State Line Road, approximately 123rd Street to approximately 135th 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. 1399 on May 2, 1994; and

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

WHEREAS, the total estimated cost of the improvement is estimated to be $3,300,000.00; 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, 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 136-95-8 (State Line Road, Phase III), in the aggregate principal amount of Seven Hundred Thousand Dollars ($700,000.00), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 136-95-8 (State Line Road, Phase III), shall consist of bearer notes numbered 1 through 7 inclusive, each in the denomination of $100,000. Each of said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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, K.S.A. 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.765% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:sliii

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $86.08

rd. 1460

$86.08

ORDINANCE NO. 1460

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1460

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 136-95-8 (STATE LINE ROAD, PHASE III), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $700,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY 123RD STREET AND APPROXIMATELY 135TH STREET; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

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 State Line Road, approximately 123rd Street to approximately 135th 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. 1399 on May 2, 1994; and

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

WHEREAS, the total estimated cost of the improvement is estimated to be $3,300,000.00; 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, 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 136-95-8 (State Line Road, Phase III), in the aggregate principal amount of Seven Hundred Thousand Dollars ($700,000.00), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 136-95-8 (State Line Road, Phase III), shall consist of bearer notes numbered 1 through 7 inclusive, each in the denomination of $100,000. Each of said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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, K.S.A. 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 at maturity.

The City of Leawood, Kansas, reserves the right to redeem and pay

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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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.765% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

D. S. Wetzler, City Attorney

WII:slili

ORDINANCE NO. 1459

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 134-95-7 (STATE LINE ROAD, PHASE II), 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 AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY 112TH TERRACE TO APPROXIMATELY 123RD STREET; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1106 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on May 3, 1993; and

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 State Line Road, approximately 112th Terrace to approximately 123rd 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. 1348 on May 17, 1993; and

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

WHEREAS, the total estimated cost of the improvement is estimated to be $1,476,000.00; 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, K.S.A. 12-689, 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 134-95-7 (State Line Road, Phase II), in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 134-95-7 (State Line Road, Phase II), shall consist of bearer notes numbered 1 through 3 inclusive, each in the denomination of $100,000. Each of said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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, K.S.A. 12-689, 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.80% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-slrii

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $87.24

d. 1459

$87.24

ORDINANCE NO. 1459

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1459

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 134-95-7 (STATE LINE ROAD, PHASE II), 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 AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY 112TH TERRACE TO APPROXIMATELY 123RD STREET; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1106 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on May 3, 1993; and

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 State Line Road, approximately 112th Terrace to approximately 123rd 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. 1348 on May 17, 1993; and

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

WHEREAS, the total estimated cost of the improvement is estimated to be $1,476,000.00; 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, K.S.A. 12-689, 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

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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 134-95-7 (State Line Road, Phase II), in the aggregate principal amount of Three Hundred Thousand Dollars ($300,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 134-95-7 (State Line Road, Phase II), shall consist of bearer notes numbered 1 through 3 inclusive, each in the denomination of $100,000. Each of said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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, K.S.A. 12-689, 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.80% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-slrii

ORDINANCE NO. 1458

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 137-95-6 (STATE LINE ROAD, PHASE IV), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $100,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT TO STATE LINE ROAD FROM A POINT 25.50 FEET SOUTH OF THE CENTERLINE OF 103RD STREET TO A POINT 123.76 FEET SOUTH OF THE CENTERLINE OF CARONDOLET, 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, 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 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 State Line Rd., 103rd Street-Carondolet, 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. 1372 on September 7, 1993; and

WHEREAS, the total cost of improvements or reimprovements to State Line Rd., 103rd Street-Carondolet, is estimated to be $3,680,000.00; 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, acquisition of

right-of-way, 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 137-95-6 (State Line Rd., 103rd Street-Carondolet), 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.

Section Two: Said issue of Temporary Notes, Series 137-95-6 (State Line Rd., 103rd Street-Carondolet), shall consist of bearer note number 1 in the denomination of $100,000. Said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% per annum. The notes shall be callable upon 10 days notice as hereunder 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. 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 at maturity.

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 note by written notice to known holder or the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.765% of 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; and

2. Since January 1, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 in an aggregate amount in excess of $10,000,000; and

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 financing for the project 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 nor will such proceeds or project 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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $84.93

Ord. 1458

$84.93

ORDINANCE NO. 1458

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1458

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 137-95-6 (STATE LINE ROAD, PHASE IV), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $100,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT TO STATE LINE ROAD FROM A POINT 25.50 FEET SOUTH OF THE CENTERLINE OF 103RD STREET TO A POINT 123.76 FEET SOUTH OF THE CENTERLINE OF CARONDOLET, 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, 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 OTHER INCIDENTAL CONSTRUCTION COSTS.

CONTINUED ON PAGE 14

CONTINUED FROM PAGE 13

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 State Line Rd., 103rd Street-Carondolet, 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. 1372 on September 7, 1993; and

WHEREAS, the total cost of improvements or reimprovements to State Line Rd., 103rd Street-Carondolet, is estimated to be $3,680,000.00; 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, acquisition of right-of-way, 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 137-95-6 (State Line Rd., 103rd Street-Carondolet), 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.

Section Two: Said issue of Temporary Notes, Series 137-95-6 (State Line Rd., 103rd Street-Carondolet), shall consist of bearer note number 1 in the denomination of $100,000. Said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% per annum. The notes shall be callable upon 10 days notice as hereunder 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. 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 at maturity.

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 note by written notice to known holder or the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.765% of 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; and

2. Since January 1, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 in an aggregate amount in excess of $10,000,000; and

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 financing for the project 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 nor will such proceeds or project 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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart, Mayor

ATTEST:

Martha Meiner, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

ORDINANCE NO. 1457

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 142-95-5 (BELL DRIVE AND IRON HORSE DRIVE), 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 BELL DRIVE, SAID ROADWAY TO BE CONSTRUCTED WITH CONCRETE CURB AND GUTTER, ASPHALTIC PAVEMENT, STORM DRAINAGE, SIDEWALKS, STREET LIGHTING AND OTHER APPURTENANCES.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1153 under K.S.A. 12-6a01 et seq and adopted by the Governing Body of the City of Leawood on February 7, 1994; 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 $1,642,000; 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 142-95-5 (Bell Drive and Iron Horse Drive), 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 142-95-5, 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 February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.765% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-beldr

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $70.16

Ord. 1457

$70.16

ORDINANCE NO. 1457

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1457

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 142-95-5 (BELL DRIVE AND IRON HORSE DRIVE), 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 BELL DRIVE, SAID ROADWAY TO BE CONSTRUCTED WITH CONCRETE CURB AND GUTTER, ASPHALTIC PAVEMENT, STORM DRAINAGE, SIDEWALKS, STREET LIGHTING AND OTHER APPURTENANCES.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1153 under K.S.A. 12-6a01 et seq and adopted by the Governing Body of the City of Leawood on February 7, 1994; 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 $1,642,000; 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 142-95-5 (Bell Drive and Iron Horse Drive), 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 142-95-5, 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 February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.765% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-baldr

ORDINANCE NO. 1456

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1456

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 129-95-4 (143RD STREET, MISSION-1320 FEET EAST), WITHIN THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $400,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION AND RECONSTRUCTION OF 143RD STREET FROM MISSION ROAD TO 1320 FEET EAST; SAID IMPROVEMENTS TO BE A TWO-LANE UNDIVIDED ROADWAY WITH CONCRETE CURB AND GUTTER.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1108 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on May 17, 1993; 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 $448,000.00; 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, 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 129-95-4 (143rd Street, Mission-1320 feet east), 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.

Section Two: Said issue of Temporary Notes, Series 129-95-4, shall consist of bearer notes numbered 1 through 4 inclusive, each in the denomination of $100,000. Each of said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 delivered to United Missouri Bank, the original purchaser thereof, upon payment of the purchase price therefor which shall not be less than 99.875% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

ORDINANCE NO. 1456

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 129-95-4 (143RD STREET, MISSION-1320 FEET EAST), WITHIN THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $400,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION AND RECONSTRUCTION OF 143RD STREET FROM MISSION ROAD TO 1320 FEET EAST; SAID IMPROVEMENTS TO BE A TWO-LANE UNDIVIDED ROADWAY WITH CONCRETE CURB AND GUTTER.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1108 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on May 17, 1993; 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 $448,000.00; 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, 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 129-95-4 (143rd Street, Mission-1320 feet east), 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.

Section Two: Said issue of Temporary Notes, Series 129-95-4, shall consist of bearer notes numbered 1 through 4 inclusive, each in the denomination of $100,000. Each of said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.875% of 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, 1995, the City has not issued any bonds or temporary

notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $70.16

Ord. 1456

$70.16

ORDINANCE NO. 1456

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1456

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 129-95-4 (143RD STREET, MISSION-1320 FEET EAST), WITHIN THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $400,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION AND RECONSTRUCTION OF 143RD STREET FROM MISSION ROAD TO 1320 FEET EAST; SAID IMPROVEMENTS TO BE A TWO-LANE UNDIVIDED ROADWAY WITH CONCRETE CURB AND GUTTER.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1108 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on May 17, 1993; 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 $448,000.00; 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, 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 129-95-4 (143rd Street, Mission-1320 feet east), 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.

Section Two: Said issue of Temporary Notes, Series 129-95-4, shall consist of bearer notes numbered 1 through 4 inclusive, each in the denomination of $100,000. Each of said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.875% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

ORDINANCE NO. 1457

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1457

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 142-95-5 (BELL DRIVE AND IRON HORSE DRIVE), 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 BELL DRIVE, SAID ROADWAY TO BE CONSTRUCTED WITH CONCRETE CURB AND GUTTER, ASPHALTIC PAVEMENT, STORM DRAINAGE, SIDEWALKS, STREET LIGHTING AND OTHER APPURTENANCES.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1153 under K.S.A. 12-6a01 et seq and adopted by the Governing Body of the City of Leawood on February 7, 1994; 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 $1,642,000; 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 142-95-5 (Bell Drive and Iron Horse Drive), 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 142-95-5, 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 February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 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 99.765% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-beldr

ORDINANCE NO. 1455

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 126-95-3 (MISSION ROAD, 95TH STREET-103RD STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $100,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, 95TH STREET-103RD STREET, 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 Mission Road, 95th Street-103rd 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. 1330 on January 18, 1993; and

WHEREAS, total cost of improvements to Mission Road, 95th Street-103rd Street, is estimated to be $1,571,300; 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 126-95-3 (Mission Road, 95th Street-103rd Street), 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.

Section Two: Said issue of Temporary Notes, Series 126-95-3 (Mission Road, 95th Street-103rd Street), shall consist of bearer note number 1 in the denomination of $100,000. Said notes shall be dated February 1, 1995,, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.80% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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 financing for the project, 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 nor will such proceeds or project 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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-miss3

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $87.47

Ord. 1455

$87.47

ORDINANCE NO. 1455

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1455

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 126-95-3 (MISSION ROAD, 95TH STREET-103RD STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $100,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, 95TH STREET-103RD STREET, 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 Mission Road, 95th Street-103rd 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. 1330 on January 18, 1993; and

WHEREAS, total cost of improvements to Mission Road, 95th Street-103rd Street, is estimated to be $1,571,300; 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 126-95-3 (Mission Road, 95th Street-103rd Street), 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.

Section Two: Said issue of Temporary Notes, Series 126-95-3 (Mission Road, 95th Street-103rd Street), shall consist of bearer note number 1 in the denomination of $100,000. Said notes shall be dated February 1, 1995,, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.80% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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 financing for the project, 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 nor will such proceeds or project 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.

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

PASSED by the Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-miss3

ORDINANCE NO. 1454

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 132-95-2 (STATE LINE ROAD, PHASE I), 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 AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY FIVE HUNDRED THIRTEEN FEET SOUTH OF THE CENTERLINE OF 112TH TERRACE AND APPROXIMATELY ONE HUNDRED TWENTY-TWO FEET SOUTH OF THE CENTERLINE OF CARONDOLET DRIVE; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1054 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on January 27, 1992; 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 $1,115,112.33; 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 132-95-2 (State Line Road, Phase I), 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 132-95-2, shall consist of bearer notes numbered 1 through 10 inclusive, each in the denomination of $100,000. Each of said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a

rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.80% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-slri

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $72.24

Ord. 1454

$72.24

ORDINANCE NO. 1454

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1454

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 132-95-2 (STATE LINE ROAD, PHASE I), 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 AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY FIVE HUNDRED THIRTEEN FEET SOUTH OF THE CENTERLINE OF 112TH TERRACE AND APPROXIMATELY ONE HUNDRED TWENTY-TWO FEET SOUTH OF THE CENTERLINE OF CARONDOLET DRIVE; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1054 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on January 27, 1992; 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 $1,115,112.33; 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 132-95-2 (State Line Road, Phase I), 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 132-95-2, shall consist of bearer notes numbered 1 through 10 inclusive, each in the denomination of $100,000. Each of said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 4.85% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.80% of 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, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 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;

4. No portion of the proceeds of the sale of the notes will be loaned to or

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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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-slri

ORDINANCE NO. 1453

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 124-95-1 (135TH STREET [K-150], STATE LINE-NALL AVENUE), 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 IMPROVEMENTS TO 135TH STREET [K-150], STATE LINE-NALL AVENUE, 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, 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 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 135th Street (K-150), State Line-Nall, 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. 1203 on February 4, 1991; and

WHEREAS, the City of Leawood's share of the total cost of improvements to 135th Street (K-150), State Line-Nall, is estimated to be $3,146,400.00; 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, acquisition of right-of-way, 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 124-95-1 (135th Street [K-150], State Line-Nall Avenue), 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 124-95-1 (135th Street [K-150], State Line-Nall Avenue), shall consist of bearer notes numbered 1 through 10 inclusive, each in the denomination of $100,000. Said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% per annum. The notes shall be callable upon 10 days notice as hereunder 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. 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 at maturity.

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 note by written notice to known holder or the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.875% of 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; and

2. Since January 1, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 in an aggregate amount in excess of $10,000,000; and

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 financing for the project 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 nor will such proceeds or project 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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM

R. S. Wetzler, City Attorney

WII:tn-K150

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Editor

Subscribed and sworn to before me on this date:
1/17/95

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $87.24

Ord. 1453

$87.24

ORDINANCE NO. 1453

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1453

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 124-95-1 (135TH STREET [K-150], STATE LINE-NALL AVENUE), 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 IMPROVEMENTS TO 135TH STREET [K-150], STATE LINE-NALL AVENUE, 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, 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 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 135th Street (K-150), State Line-Nall, 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. 1203 on February 4, 1991; and

WHEREAS, the City of Leawood's share of the total cost of improvements to 135th Street (K-150), State Line-Nall, is estimated to be $3,146,400.00; 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, acquisition of right-of-way, 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 124-95-1 (135th Street [K-150], State Line-Nall Avenue), 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 124-95-1 (135th Street [K-150], State Line-Nall Avenue), shall consist of bearer notes numbered 1 through 10 inclusive, each in the denomination of $100,000. Said notes shall be dated February 1, 1995, and shall have the stated maturity date of October 26, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 4.85% per annum. The notes shall be callable upon 10 days notice as hereunder 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. 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 at maturity.

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 note by written notice to known holder or the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.875% of 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; and

2. Since January 1, 1995, the City has not issued any bonds or temporary notes.

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1995 in an aggregate amount in excess of $10,000,000; and

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 financing for the project 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 nor will such proceeds or project be in any manner used in the trade or

CONTINUED ON PAGE 21

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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 Council the 16th day of January, 1995.

APPROVED by the Mayor the 16th day of January, 1995.

Marcia Rinehart

Marcia Rinehart, Mayor

(S E A L)

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-K150

ORDINANCE NO. 1452

AN ORDINANCE GRANTING A PARK EASEMENT TO THE CITY OF KANSAS CITY, MISSOURI, FOR PUBLIC PARK PURPOSES INCLUDING A BIKE/HIKE TRAIL, ON THE EAST SIDE OF STATE LINE ROAD AND NORTH OF INDIAN CREEK.

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

Section 1. That the City of Leawood, Kansas, does hereby grant a permanent park easement to the City of Kansas City, Missouri, over the following described property:

A strip of land, 12 feet wide, in Fractional Section 11, Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, lying 6 feet on each side of the following described centerline: Beginning at a point on the East line of said Fractional Section, 1689.32 feet north of the East Quarter corner of said Fractional Section, said East line having an assumed bearing of N 02°25'43" W; thence N 32°37'59" W, 57.26 feet; thence on a curve of 250.00 feet radius to the right, an arc distance of 116.93 feet with a chord which bears N 19°14'01" W, a distance of 115.87 feet; thence N 05°50'03" W, 130.31 feet; thence on a curve of 271.00 feet radius to the right, an arc distance of 216.13 feet with a chord which bears N 17°00'47" E, a distance of 210.45 to a point on the East line of said Fractional Section, 2178.25 feet north of the East Quarter corner of said Fractional Section. The sidelines of said 12-foot easement to be lengthened or foreshortened to end on the east line of said Fractional Section.

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 16th day of January, 1995.

Approved by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

1/17/95

Debra Dziadura
Editor

Subscribed and sworn to before me on this date:
1/17/95

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $21.81

d. 1452

ORDINANCE NO. 1452

First published in The Legal Record, Tuesday, January 17, 1995.

ORDINANCE NO. 1452

AN ORDINANCE GRANTING A PARK EASEMENT TO THE CITY OF KANSAS CITY, MISSOURI, FOR PUBLIC PARK PURPOSES INCLUDING A BIKE/HIKE TRAIL, ON THE EAST SIDE OF STATE LINE ROAD AND NORTH OF INDIAN CREEK.

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

Section 1. That the City of Leawood, Kansas, does hereby grant a permanent park easement to the City of Kansas City, Missouri, over the following described property:

A strip of land, 12 feet wide, in Fractional Section 11, Township 13 South, Range 25 East, in the City of Leawood, Johnson County, Kansas, lying 6 feet on each side of the following described centerline: Beginning at a point on the East line of said Fractional Section, 1689.32 feet north of the East Quarter corner of said Fractional Section, said East line having an assumed bearing of N 02°25'43" W; thence N 32°37'59" W, 57.26 feet; thence on a curve of 250.00 feet radius to the right, an arc distance of 116.93 feet with a chord which bears N 19°14'01" W, a distance of 115.87 feet; thence N 05°50'03" W, 130.31 feet; thence on a curve of 271.00 feet radius to the right, an arc distance of 216.13 feet with a chord which bears N 17°00'47" E, a distance of 210.45 to a point on the East line of said Fractional Section, 2178.25 feet north of the East Quarter corner of said Fractional Section. The sidelines of said 12-foot easement to be lengthened or foreshortened to end on the east line of said Fractional Section.

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 16th day of January, 1995.

Approved by the Mayor the 16th day of January, 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R. S. Wetzler City Attorney

$21.81

ORDINANCE NO. 1451

AN ORDINANCE REZONING PROPERTY (WATERWAYS) LOCATED AT THE NORTHWEST CORNER OF 119TH STREET AND TOMAHAWK CREEK PARKWAY FROM CP-1 (PLANNED NEIGHBORHOOD RETAIL) TO CP-2 (PLANNED GENERAL RETAIL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

Lot 10, Camelot Court

now zoned CP-1, is hereby rezoned to CP-2.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 3rd day of January, ~~1994~~ 1995.

Approved by the Mayor the 3rd day of January, ~~1994~~ 1995.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY,ss: Georgiann Thacker being first Duly sworn, Deposes and says: 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 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 January 1995, with subsequent publication being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribed and sworn to before me this 6th day of January 1995

Deanna J. Martasin

NOTARY PUBLIC

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

My Commission Expires 1/25/96

Printer's Fees 16.52

Additional Copies $_____

First Published in The Johnson County Sun, Friday, January 6, 1995.

ORDINANCE NO. 1451

AN ORDINANCE REZONING PROPERTY (WATERWAYS) LOCATED AT THE NORTHWEST CORNER OF 119TH STREET AND TOMAHAWK CREEK PARKWAY FROM CP-1 (PLANNED NEIGHBORHOOD RETAIL) TO CP-2 (PLANNED GENERAL RETAIL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

Lot 10, Camelot Court

now zoned CP-1, is hereby rezoned to CP-2.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4.. 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 3rd day of January, 1995.

Approved by the Mayor the 3rd day of January, 1995.

(SEAL)

(s) Marcia Rinehart
Mayor

Attest:

(s) Martha Heizer
City Clerk

APPROVED FOR FORM:

(s) R. S. Wetzler
City Attorney

(14249 1F-JC)

ORDINANCE NO. 1450

AN ORDINANCE REZONING PROPERTY (EXCHANGE NATIONAL BANK) LOCATED AT APPROXIMATELY 114TH STREET AND NALL AVENUE FROM CP-0 (PLANNED OFFICE) TO CP-1 (PLANNED NEIGHBORHOOD RETAIL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

Lots 4,5, and 6, Leawood Commons

now zoned CP-0, is hereby rezoned to CP-1.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 19th day of December, 1994.

Approved by the Mayor the 19th day of December, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Editor of The Legal Record which is a newspaper 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:

12/20/94

Editor

Subscribed and sworn to before me on this date:
12/20/94

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $18.18

rd. No. 1450

ORDINANCE NO. 1450

First published in The Legal Record, Tuesday, December 20, 1994.

ORDINANCE NO. 1450

AN ORDINANCE REZONING PROPERTY (EXCHANGE NATIONAL BANK) LOCATED AT APPROXIMATELY 114TH STREET AND NALL AVENUE FROM CP-0 (PLANNED OFFICE) TO CP-1 (PLANNED NEIGHBORHOOD RETAIL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

Lots 4,5, and 6, Leawood Commons

now zoned CP-0, is hereby rezoned to CP-1.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 19th day of December, 1994.

Approved by the Mayor the 19th day of December, 1994.

(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

$18.18

ORDINANCE NO. 1449 C

AN ORDINANCE AMENDING SECTION 7-218 OF THE CODE OF THE CITY OF LEAWOOD DEALING WITH THE SUBJECT OF EXPLOSIVES AND BLASTING AGENTS.

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

Section 1. Code Amended. Section 7-218 of the Code of the City of Leawood is hereby amended to read as follows:

7-218. SAME; ARTICLE 77, EXPLOSIVES AND BLASTING AGENTS. Article 77, Explosives and Blasting Agents, is hereby enacted in its entirety with the following changes and additions:

Sec. 77.01 is hereby added to read as follows: RESPONSIBILITY FOR ENFORCEMENT. The Director of Public Works, referred to in this Article as the "Director", shall be responsible for the administration and enforcement of this Article as provided herein. In addition, the Fire and Police Departments shall have authority to enforce regulatory provisions set forth herein, provided further that the Director shall be notified of any enforcement action taken by Fire or Police Departments.

Sec. 77.02 is hereby added to read as follows: APPLICATION OF ARTICLE.

(a) This Article shall apply to all persons, firms, corporations, partnerships, governmental agencies, and associations storing, handling, or using explosive or blasting agents and to the owner or lessee of any building, premises, or equipment in or on which explosives or blasting agents are stored, handled, or used.

(b) A permit as provided by Section 77.104(a) will not be required to transport explosives or blasting agents where the explosives or blasting agents are not being shipped from, or delivered to a location within the corporate boundaries of the City of Leawood, provided that said explosives or blasting agents are being transported in accordance with applicable regulations of other governmental agencies having jurisdiction, including the Federal Department of Transportation.

(c) The provisions of this Article shall apply to all private and public property within the City.

(d) The provisions of this Article shall not be construed to relieve from or lessen the responsibility of any person, firm, corporation, partnership, governmental agency or association storing, handling, or using the explosive or blasting agents or to relieve from or lessen the responsibility of the owner or lessee of any building, premises, or equipment in or on which explosives or blasting agents are

stored, handled, or used, nor shall the City or any of its agents be held as assuming any such liability by reason of the inspections authorized by this Article or any permits or certificates of inspection issued by this Article.

Sec. 77.103 (c) is hereby added to read as follows: PERMIT DEFINED. "Permit" whenever used in the Article means the written authorization of the Director of Public Works and Fire Chief or their designees authorizing any person, firm, corporation, partnership, governmental agency or association to manufacture, store, possess, transport, sell, and use explosive materials and blasting agents.

Sec. 77.103 (d) is hereby added to read as follows: PRE-APPLICATION CONFERENCE. At the time an application is obtained a pre-application conference will be scheduled with the Director of Public Works and the Fire Chief to discuss the requirements of the ordinance and the expectations of the Public Works Director and the Fire Chief. The pre-application conference shall be scheduled a minimum of three (3) working days prior to submission of the application.

Sec. 77.103 (e) is hereby added to read as follows: RE-ISSUING OF PERMITS. All permits issued in accordance with the provisions of this Article shall, when reissued, be subject to any amendments to this Article.

Sec. 77.103 (f) is hereby added to read as follows: FEE. Each applicant for a permit shall pay to the City at the time of application a nonrefundable application fee as determined by the fee resolution adopted annually by the Governing Body.

Sec. 77.103 (g) is hereby added to read as follows: SCALE DRAWING. Before a permit shall be issued, the applicant shall furnish to the Director of Public Works a scale drawing accurately showing the surrounding land and all improvements thereon, all dimensions and all distances relative thereto. The scale drawing shall show distances to all houses, buildings, or other facilities within 500 feet of the blasting or demolition work. The scale drawing accompanying an application for a permit to store explosives or blasting agents must show distances to buildings and other features in accordance with the American Table of Distances for Storage of Explosives (UFC Appendix VI-E). All permit applications which are not accompanied by a scale drawing shall be refused and will not be considered until such scale drawing accompanies the application for permit. In addition, the Director of Public Works shall have authority to establish additional written standards for the submission of scaled drawings or other portions of the application process.

Sec. 77.103 (h) is hereby added to read as follows: BLASTING PLAN. The application for the permit must be accompanied by a Blasting Plan for the blasting operation. This Blasting Plan shall include specific information on the operation as follows:

1. charge weights;
2. delays;
3. depths;
4. patterns;
5. protective mats or coverings required;
6. seismographic monitoring shall be provided by an independent firm, approved by the Director of Public Works, reporting directly to the City at the contractor's expense.
7. pre-blast surveys shall be performed on all buildings within 500 feet of a blast site unless permission for the survey is denied by the occupant or owner. Contractor shall provide a copy of the pre-blast survey to all property owners requesting same at contractor's expense.
8. written notification of property or utility owners within 500 feet of a blast site. Notice shall be approved by the City and shall include the following:
    1. notice of intent to blast;
    2. name of blasting contractor;
    3. agency making the pre-blast survey;
    4. insurance company providing the coverage and claims process including the telephone number of the claims agent;
    5. notice to property owner to contact the Director of Public Works within three (3) days of notification to request a copy of the pre-blast survey of their home; notification shall include a copy of the blasting ordinance.
9. Contractor shall meet with affected property owners in advance of commencement of blast operations to explain blasting operations when requested within five (5) working days of notification.
10. After pre-blast surveys are available to the property owners,there shall be a five (5) working day grace period for property owners to obtain an independent pre-blast survey at their own expense prior to issuance of a permit.
11. The applicant for a blasting permit, on being advised by the Director of Public Works of his or her intention to issue a blasting permit, shall send written notice of such intent and also notice of the appeal provisions of this ordinance to all property owners within 500 feet of a proposed blast site. The notice required by this section shall be mailed by certified mail not less than ten days prior to issuance of a blasting permit.

Regardless of distance to nearby facilities, the blasting operations shall be carried out in such a manner that they will not cause fly rock or damage from air blast overpressure or ground vibration. Seismic recordings may be

required by the Director. The maximum peak particle velocity at any such recording site must not exceed one inch per second in any one of three mutually perpendicular directions. Proposed specific location(s) of the seismic recording(s) shall be included in the Blasting Plan.

Sec. 77.103 (i) is hereby added to read as follows: INSURANCE REQUIRED. Before a permit is issued, as required by Section 77.103 (a) and (c), the applicant shall secure and maintain the following occurrence form insurance coverages:

1. Workers Compensation, Kansas Statutory Coverage shall be provided.

2. Employers Liability:

Bodily Injury by Accident	$1,000,000 each accident
Bodily Injury by Disease	$1,000,000 policy limit
Bodily Injury by Disease	$1,000,000 each employee

3. Commercial General Liability:
Bodily Injury and Property Damage
$1,000,000 Combined Single Limit
$2,000,000 Aggregate

4. Business Automobile Policy:
Bodily Injury and Property Damage
$1,000,000 Combined Single Limit

Bodily Injury	$1,000,000 per Person
Bodily Injury	$1,000,000 per Accident
Property Damage	$1,000,000 per Accident

Sec. 77.103 (j) is hereby added to read as follows: PERMITS NONTRANSFERABLE. Permits shall not be transferable.

Sec. 77.103 (k) is hereby added to read as follows: DURATION OF PERMIT. Each permit granted by the city shall be valid for such a period of time as may be specified but not to exceed one (1) year, or until revoked, whichever shall first occur.

Sec. 77.103 (l) is hereby added to read as follows: SEPARATE PERMITS REQUIRED FOR EACH OPERATION. Separate and distinct permits shall be required for each operation listed.

Sec. 77.103 (m) is hereby added to read as follows: APPROVAL SUBJECT TO INSPECTION. Application for a permit to construct or erect facilities for the storage, handling, or use of explosives or blasting agents required in this Article shall be made in writing to the Director of Public Works. Prior to issuing any permit, the Director of Public Works shall determine that the applicant has a valid user's permit and storage permit issued by the State Fire Marshal. If the applicant has a valid user's permit issued by the State Fire

Marshal, the Director of Public Works shall then cause an inspection to be made of the premises and equipment proposed to be used. If said premises and equipment are found to be in compliance with this Article, a statement to that effect shall be included on the application and signed by the person making the inspection. If the Director determines to his or her best information and belief that the requirements of this ordinance have been complied with, he or she shall issue a permit as applied for or under such conditions as he or she shall determine necessary. During the inspection of any premises or equipment in connection with any application for a permit, the Director or his or her designee may inspect premises, buildings, installations, or equipment to determine compliance with the applicable law for the storage, handling, or use of explosives or blasting agents. If a violation of this Article is found to exist, the Director or designee shall file with the owner, occupant, or operator a notice citing the violation and ordering its correction within a specified time period. No permit shall be issued by the Director until he or she has determined that any known violations of this Article have been corrected.

Sec. 77.103 (n) is hereby added to read as follows: INSPECTIONS FOLLOWING ISSUANCE OF PERMIT. As a condition of the issuance of a permit the applicant shall consent that during the period of issuance of the permit the buildings, premises, installations, or equipment in or on which explosives or blasting agents are to be stored, handled or used may be inspected by the Director of Public Works or his or her designee so as to enable the Director or his or her designee to determine that the applicant or holder of the permit is complying with the requirements of this ordinance and any conditions for issuance of the permit. If a violation of this Article is found to exist during any such inspection, the Director or designee shall serve the owner, occupant, or operator with a notice citing the violation and ordering its correction within a specified time period. If such order is not complied with, the Director shall revoke the permit issued for such facility.

Sec. 77.103 (o) is hereby added to read as follows: BLASTING OPERATIONS. All blasting operations shall be carried out only by skilled and experienced personnel who are currently licensed by the State of Kansas to conduct blasting operations. A daily blasting log and storage log, if applicable, shall be kept for all blasting operations and be made available for inspection by the Director or other authority having jurisdiction.

Sec. 77.103 (p) is hereby added to read as follows: BLASTING RECORDS. The Director of Public Works shall maintain records pertaining to all blasting permits issued by the

City for a period of five years. In addition to the records required by the ordinance, the Director shall include records regarding compliance with this ordinance by all persons and entities that have received blasting permits from the City.

Sec. 77.103 (q) is hereby added to read as follows: PERMITS NOT ISSUED TO ENTITIES VIOLATING ORDINANCE. In addition to the penalties provided by this ordinance, it is the policy of the City that the Director of Public Works, in reviewing applications for blasting permits, shall consider the applicants' prior history of compliance with the requirements of this ordinance. The Director of Public Works may refuse to issue a blasting permit to any person or entity that has violated the ordinance within the preceding five years.

Sec. 77.103.1 is hereby added to read as follows: APPEALS. The owner, lessee, agent, operator, or occupant of property located within five hundred feet of a blast site who is aggrieved by any decision, order or permit issued pursuant to this Article may file an appeal to the City Council. The appeal shall be in written form and shall be made to the Director of Public Works. Any such appeals must be filed within ten days of the date that the written notice of intent of the City to issue a blasting permit is mailed as provided by Section 77.103(h)(11) of this ordinance. Any appeal or appeals filed within the time established by this ordinance shall be heard at the next available City Council meeting. However, there shall be only one hearing for each blasting permit issued or intended to be issued. Such appeal shall stay the execution of any decision, order or permit issued pursuant to this Article until said order has been heard and reviewed, vacated, or confirmed by the City Council. The City Council shall at same hearing confirm, modify, revoke or vacate such decision, order or issuance of permit. Unless revoked or vacated, such decision, order or permit shall then be complied with. Nothing contained in this Article shall be deemed to deny the right of any person, firm, corporation, copartnership, or voluntary association to appeal such decision to a court of competent jurisdiction.

Sec. 77.103.2 is hereby added to read as follows: COURT APPEALS. No decision, order or permit issued pursuant to this Article shall be stayed by appeal to a court having appellate jurisdiction over the matter unless said court shall enter an order staying the execution of such decision, order or permit.

Sec. 77.103.3 is hereby added to read as follows: PENALTIES. Any person who fails to comply with the provisions of this Article including but not limited to Uniform Fire Code, Article 77, Explosives and Blasting Agents, as amended, National Fire Protection Association 495 Explosive Materials

Code (NFPA 495), 1990 edition, Kansas Administrative Regulations 22-4-2 through and including 22-4-3, Title 27 of the Code of Federal Regulations or with any order of the Director or other authority having jurisdiction issued pursuant thereto shall be subject to the penalties of Section 7-227 of the Code of the City of Leawood.

Section 2. Repeal of Existing Section. Existing Section 7-218 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1275C)

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 November, 1994.

Approved by the Mayor the 21st day of November, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
4800 Town Center Dr.
Leawood KS 66211

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

11/22/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
11/22/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $126.65

Ord. # 1449

$126.65

ORDINANCE NO. 1449 C

First published in The Legal Record, Tuesday, November 22, 1994.

ORDINANCE NO. 1449 C

AN ORDINANCE AMENDING SECTION 7-218 OF THE CODE OF THE CITY OF LEAWOOD DEALING WITH THE SUBJECT OF EXPLOSIVES AND BLASTING AGENTS.

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

Section 1. Code Amended. Section 7-218 of the Code of the City of Leawood is hereby amended to read as follows:

7-218. SAME; ARTICLE 77, EXPLOSIVES AND BLASTING AGENTS. Article 77, Explosives and Blasting Agents, is hereby enacted in its entirety with the following changes and additions:

Sec. 77.01 is hereby added to read as follows: RESPONSIBILITY FOR ENFORCEMENT. The Director of Public Works, referred to in this Article as the "Director", shall be responsible for the administration and enforcement of this Article as provided herein. In addition, the Fire and Police Departments shall have authority to enforce regulatory provisions set forth herein, provided further that the Director shall be notified of any enforcement action taken by Fire or Police Departments.

Sec. 77.02 is hereby added to read as follows: APPLICATION OF ARTICLE.

(a) This Article shall apply to all persons, firms, corporations, partnerships, governmental agencies, and associations storing, handling, or using explosive or blasting agents and to the owner or lessee of any building, premises, or equipment in or on which explosives or blasting agents are stored, handled, or used.

(b) A permit as provided by Section 77.104(a) will not be required to transport explosives or blasting agents where the explosives or blasting agents are not being shipped from, or delivered to a location within the corporate boundaries of the City of Leawood, provided that said explosives or blasting agents are being transported in accordance with applicable regulations of other governmental agencies having jurisdiction, including the Federal Department of Transportation.

(c) The provisions of this Article shall apply to all private and public property within the City.

(d) The provisions of this Article shall not be construed to relieve from or lessen the responsibility of any person, firm, corporation, partnership, governmental agency or association storing, handling, or using the explosive or blasting agents or to relieve from or lessen the responsibility of the owner or lessee of any building, premises, or equipment in or on which explosives or blasting agents are stored, handled, or used, nor shall the City or any of its agents be held as assuming any such liability by reason of the inspections authorized by this Article or any permits or certificates of inspection issued by this Article.

Sec. 77.103 (c) is hereby added to read as follows: PERMIT DEFINED. "Permit" whenever used in the Article means the written authorization of the Director of Public Works and Fire Chief or their designees authorizing any person, firm, corporation, partnership, governmental agency or association to manufacture, store, possess, transport, sell, and use explosive materials and blasting agents.

Sec. 77.103 (d) is hereby added to read as follows: PRE-APPLICATION CONFERENCE. At the time an application is obtained a pre-application conference will be scheduled with the Director of Public Works and the Fire Chief to discuss the requirements of the ordinance and the expectations of the Public Works Director and the Fire Chief. The pre-application conference shall be scheduled a minimum of three (3) working days prior to submission of the application.

Sec. 77.103 (e) is hereby added to read as follows: REISSUING OF PERMITS. All permits issued in accordance with the provisions of this Article shall, when reissued, be subject to any amendments to this Article.

Sec. 77.103 (f) is hereby added to read as follows: FEE. Each applicant for a permit shall pay to the City at the time of application a nonrefundable application fee as determined by the fee resolution adopted annually by the Governing Body.

Sec. 77.103 (g) is hereby added to read as follows: SCALE DRAWING. Before a permit shall be issued, the applicant shall furnish to the Director of Public Works a scale drawing accurately showing the surrounding land and all improvements thereon, all dimensions and all distances relative thereto. The scale drawing shall show distances to all houses, buildings, or other facilities within 500 feet of the blasting or demolition work. The scale drawing accompanying an application for a permit to store explosives or blasting agents must show distances to buildings and other features in accordance with the American Table of Distances for Storage of Explosives (UFC Appendix VI-E). All permit applications which are not accompanied by a scale drawing shall be refused and will not be considered until such scale drawing accompanies the application for permit. In addition, the Director of Public Works shall have authority to establish additional written standards for the submission of scaled drawings or other portions of the application process.

Sec. 77.103 (h) is hereby added to read as follows: BLASTING PLAN. The application for the permit must be accompanied by a Blasting Plan for the blasting operation. This Blasting Plan shall include specific information on the operation as follows:

1. charge weights;
2. delays;
3. depths;
4. patterns;
5. protective mats or coverings required;
6. seismographic monitoring shall be provided by an independent firm, approved by the Director of Public Works, reporting directly to the City at the contractor's expense.
7. pre-blast surveys shall be performed on all buildings within 500 feet of a blast site unless permission for the survey is denied by the occupant or owner. Contractor shall provide a copy of the pre-blast survey to all property owners requesting same at contractor's expense.
8. written notification of property or utility owners within 500 feet of a blast site. Notice shall be approved by the City and shall include the following:
   1. notice of intent to blast;
   2. name of blasting contractor;
   3. agency making the pre-blast survey;
   4. insurance company providing the coverage and claims process including the telephone number of the claims agent;
   5. notice to property owner to contact the Director of Public Works within three (3) days of notification to request a copy of the pre-blast survey of their home; notification shall include a copy of the blasting ordinance.
9. Contractor shall meet with affected property owners in advance of commencement of blast operations to explain blasting operations when requested within five (5) working days of notification.
10. After pre-blast surveys are available to the property owners, there shall be a five (5) working day grace period for property owners to obtain an independent pre-blast survey at their own expense prior to issuance of a permit.
11. The applicant for a blasting permit, on being advised by the Director of Public Works of his or her intention to issue a blasting permit, shall send written notice of such intent and also notice of the appeal provisions of this ordinance to all property owners within 500 feet of a proposed blast site. The notice required by this section shall be mailed by certified mail not less than ten days prior to issuance of a blasting permit.

Regardless of distance to nearby facilities, the blasting operations shall be carried out in such a manner that they will not cause fly rock or damage from air blast overpressure or ground vibration. Seismic recordings may be required by the Director. The maximum peak particle velocity at any such recording site must not exceed one inch per second in any one of three mutually perpendicular directions. Proposed specific location(s) of the seismic recording(s) shall be included in the Blasting Plan.

Sec. 77.103 (i) is hereby added to read as follows: INSURANCE REQUIRED. Before a permit is issued, as required by Section 77.103 (a) and (c), the applicant shall secure and maintain the following occurrence form insurance coverages:

1. Workers Compensation, Kansas Statutory Coverage shall be provided.

2. Employers Liability:

Bodily Injury by Accident	$1,000,000 each accident
Bodily Injury by Disease	$1,000,000 policy limit
Bodily Injury by Disease	$1,000,000 each employee

3. Commercial General Liability:
   Bodily Injury and Property Damage
   $1,000,000 Combined Single Limit
   $2,000,000 Aggregate

4. Business Automobile Policy:
   Bodily Injury and Property Damage
   $1,000,000 Combined Single Limit

Bodily Injury	$1,000,000 per Person
Bodily Injury	$1,000,000 per Accident
Property Damage	$1,000,000 per Accident

Sec. 77.103 (j) is hereby added to read as follows: PERMITS NONTRANSFERABLE. Permits shall not be transferable.

Sec. 77.103 (k) is hereby added to read as follows: DURATION OF PERMIT. Each permit granted by the city shall be valid for such a period of time as may be specified but not to exceed one (1) year, or until revoked, whichever shall first occur.

Sec. 77.103 (l) is hereby added to read as follows: SEPARATE PERMITS REQUIRED FOR EACH OPERATION. Separate and distinct permits shall be required for each operation listed.

Sec. 77.103 (m) is hereby added to read as follows: APPROVAL SUBJECT TO INSPECTION. Application for a permit to construct or erect facilities for the storage, handling, or use of explosives or blasting agents required in this Article shall be made in writing to the Director of Public Works. Prior to issuing any permit, the Director of Public Works shall determine that the applicant has a valid user's permit and storage permit issued by the State Fire Marshal. If the applicant has a valid user's permit issued by the State Fire Marshal, the Director of Public Works shall then cause an inspection to be made of the premises and equipment proposed to be used. If said premises and equipment are found to be in compliance with this Article, a statement to that effect shall be included on the application and signed by the person making the inspection. If the Director determines to his or her best information and belief that the requirements of this ordinance have been complied with, he or she shall issue a permit as applied for or under such conditions as he or she

CONTINUED ON PAGE 12

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shall determine necessary. During the inspection of any premises or equipment in connection with any application for a permit, the Director or his or her designee may inspect premises, buildings, installations, or equipment to determine compliance with the applicable law for the storage, handling, or use of explosives or blasting agents. If a violation of this Article is found to exist, the Director or designee shall file with the owner, occupant, or operator a notice citing the violation and ordering its correction within a specified time period. No permit shall be issued by the Director until he or she has determined that any known violations of this Article have been corrected.

Sec. 77.103 (n) is hereby added to read as follows: INSPECTIONS FOLLOWING ISSUANCE OF PERMIT. As a condition of the issuance of a permit the applicant shall consent that during the period of issuance of the permit the buildings, premises, installations, or equipment in or on which explosives or blasting agents are to be stored, handled or used may be inspected by the Director of Public Works or his or her designee so as to enable the Director or his or her designee to determine that the applicant or holder of the permit is complying with the requirements of this ordinance and any conditions for issuance of the permit. If a violation of this Article is found to exist during any such inspection, the Director or designee shall serve the owner, occupant, or operator with a notice citing the violation and ordering its correction within a specified time period. If such order is not complied with, the Director shall revoke the permit issued for such facility.

Sec. 77.103 (o) is hereby added to read as follows: BLASTING OPERATIONS. All blasting operations shall be carried out only by skilled and experienced personnel who are currently licensed by the State of Kansas to conduct blasting operations. A daily blasting log and storage log, if applicable, shall be kept for all blasting operations and be made available for inspection by the Director or other authority having jurisdiction.

Sec. 77.103 (p) is hereby added to read as follows: BLASTING RECORDS. The Director of Public Works shall maintain records pertaining to all blasting permits issued by the City for a period of five years. In addition to the records required by the ordinance, the Director shall include records regarding compliance with this ordinance by all persons and entities that have received blasting permits from the City.

Sec. 77.103 (q) is hereby added to read as follows: PERMITS NOT ISSUED TO ENTITIES VIOLATING ORDINANCE. In addition to the penalties provided by this ordinance, it is the policy of the City that the Director of Public Works, in reviewing applications for blasting permits, shall consider the applicants' prior history of compliance with the requirements of this ordinance. The Director of Public Works may refuse to issue a blasting permit to any person or entity that has violated the ordinance within the preceding five years.

Sec. 77.103.1 is hereby added to read as follows: APPEALS. The owner, lessee, agent, operator, or occupant of property located within five hundred feet of a blast site who is aggrieved by any decision, order or permit issued pursuant to this Article may file an appeal to the City Council. The appeal shall be in written form and shall be made to the Director of Public Works. Any such appeals must be filed within ten days of the date that the written notice of intent of the City to issue a blasting permit is mailed as provided by Section 77.103(h)(11) of this ordinance. Any appeal or appeals filed within the time established by this ordinance shall be heard at the next available City Council meeting. However, there shall be only one hearing for each blasting permit issued or intended to be issued. Such appeal shall stay the execution of any decision, order or permit issued pursuant to this Article until said order has been heard and reviewed, vacated, or confirmed by the City Council. The City Council shall at same hearing confirm, modify, revoke or vacate such decision, order or issuance of permit. Unless revoked or vacated, such decision, order or permit shall then be complied with. Nothing contained in this Article shall be deemed to deny the right of any person, firm, corporation, copartnership, or voluntary association to appeal such decision to a court of competent jurisdiction.

Sec. 77.103.2 is hereby added to read as follows: COURT APPEALS. No decision, order or permit issued pursuant to this Article shall be stayed by appeal to a court having appellate jurisdiction over the matter unless said court shall enter an order staying the execution of such decision, order or permit.

Sec. 77.103.3 is hereby added to read as follows: PENALTIES. Any person who fails to comply with the provisions of this Article including but not limited to Uniform Fire Code, Article 77, Explosives and Blasting Agents, as amended, National Fire Protection Association 495 Explosive Materials Code (NFPA 495), 1990 edition, Kansas Administrative Regulations 22-4-2 through and including 22-4-3, Title 27 of the Code of Federal Regulations or with any order of the Director or other authority having jurisdiction issued pursuant thereto shall be subject to the penalties of Section 7-227 of the Code of the City of Leawood.

Section 2. Repeal of Existing Section. Existing Section 7-218 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1275C)

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 November, 1994.

Approved by the Mayor the 21st day of November, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

ORDINANCE NO. 1448

AN ORDINANCE ACCEPTING A DEED FOR STREET PURPOSES (OVERBROOK CONNECTING HALLBROOK PHASE V TO THE HALLBROOK COUNTRY CLUB PLAT).

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

Section 1. That the City of Leawood hereby accepts a deed for street purposes, the legal description of which is as follows:

From Hallbrook Farms Associates, L.P.: All that part of fractional Section 14, Township 13, Range 25, in Leawood, Johnson County, Kansas, being more particularly described as follows: Commencing at the Northeast corner of Lot 19, Block 2, "Hallbrook Farms 5th Plat", a subdivision of land in said city, county, and state; thence North 82°32'48" East along the North line of said subdivision, a distance of 42.50 feet to the true point of beginning of the centerline of an 85.00 foot wide tract of land, 42.50 feet on each side of said centerline, to be herein described; thence Northwesterly along a curve to the left having an initial tangent bearing of North 7°27'12" West, having a radius of 775.00 feet and a central angle of 34° 38'48", an arc distance of 468.64 feet; thence Northwesterly along a curve to the right tangent to the last described course, having a radius of 700.00 feet and a central angle of 39°29'24", an arc distance of 482.46 feet; thence North 2°36'36" West, tangent to the last described course, a distance of 39.06 feet to the point of termination. Also, all that part of the North 1/2 of said fractional Section 14, being more particularly described as follows: Commencing at a point on the South line of the North 1/2 of said fractional Section 14 that is South 87°53'23" West, a distance of 437.85 feet from the Southeast corner of the North 1/2 of said fractional Section 14; thence North 2°36'36" West, a distance of 33.37 feet to the true point of beginning of the tract of land to be herein described; thence North 2° 36'36" West, a distance of 197.98 feet; thence South 87°23'24" West, a distance of 42.50 feet; thence South 2° 36'36" East, a distance of 197.98 feet; thence North 87°23'24" East, a distance of 42.50 feet to the point of beginning. Both of the above described tracts contain 92,585 square feet or 2.126 acres, more or less.

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 17th day of October, 1994.

Approved by the Mayor the 17th day of October, 1994.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/18/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/18/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $27.27

d. # 1448

ORDINANCE NO. 1448

First published in The Legal Record, Tuesday, October 18, 1994.

ORDINANCE NO. 1448

AN ORDINANCE ACCEPTING A DEED FOR STREET PURPOSES (OVERBROOK CONNECTING HALLBROOK PHASE V TO THE HALLBROOK COUNTRY CLUB PLAT).

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

Section 1. That the City of Leawood hereby accepts a deed for street purposes, the legal description of which is as follows:

From Hallbrook Farms Associates, L.P.: All that part of fractional Section 14, Township 13, Range 25, in Leawood, Johnson County, Kansas, being more particularly described as follows: Commencing at the Northeast corner of Lot 19, Block 2, "Hallbrook Farms 5th Plat", a subdivision of land in said city, county, and state; thence North 82°32'48" East along the North line of said subdivision, a distance of 42.50 feet to the true point of beginning of the centerline of an 85.00 foot wide tract of land, 42.50 feet on each side of said centerline, to be herein described; thence Northwesterly along a curve to the left having an initial tangent bearing of North 7°27'12" West, having a radius of 775.00 feet and a central angle of 34° 38'48", an arc distance of 468.64 feet; thence Northwesterly along a curve to the right tangent to the last described course, having a radius of 700.00 feet and a central angle of 39°29'24", an arc distance of 482.46 feet; thence North 2°36'36" West, tangent to the last described course, a distance of 39.06 feet to the point of termination. Also, all that part of the North 1/2 of said fractional Section 14, being more particularly described as follows: Commencing at a point on the South line of the North 1/2 of said fractional Section 14 that is South 87°53'23" West, a distance of 437.85 feet from the Southeast corner of the North 1/2 of said fractional Section 14; thence North 2°36'36" West, a distance of 33.37 feet to the true point of beginning of the tract of land to be herein described; thence North 2° 36'36" West, a distance of 197.98 feet; thence South 87°23'24" West, a distance of 42.50 feet; thence South 2° 36'36" East, a distance of 197.98 feet; thence North 87°23'24" East, a distance of 42.50 feet to the point of beginning. Both of the above described tracts contain 92,585 square feet or 2.126 acres, more or less.

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 17th day of October, 1994.

Approved by the Mayor the 17th day of October, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

$27.27

ORDINANCE NO. 1447 C

AN ORDINANCE AMENDING ARTICLE 1 OF CHAPTER IX OF THE CODE OF THE CITY OF LEAWOOD BY ADDING NEW SECTIONS 9-109.1, 9-109.2 AND 9-109.3 RELATING TO THE CITY ATTORNEY AND THE ASSISTANT CITY ATTORNEY.

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

Section 1. Code amended. Article 1 of Chapter IX of the Code of the City of Leawood is hereby amended by adding new sections 9-109.1, 9-109.2 and 9-109.3 which provisions shall read as follows:

9-109.1 QUALIFICATIONS OF CITY ATTORNEY AND ASSISTANT CITY ATTORNEY. The City Attorney and Assistant City Attorney shall be residents of Johnson County, Kansas; practicing attorneys in and licensed by the State of Kansas and shall have so practiced for a period of three years.

9-109.2 SELECTION OF CITY ATTORNEY AND ASSISTANT CITY ATTORNEY. (a) On the occurrence of a vacancy in the office of the City Attorney or Assistant City Attorney and prior to the Mayor's appointment of the City Attorney or Assistant City Attorney as provided for in Section 1-404 of the Code, the Mayor, with the consent of the Council, shall appoint a selection committee to screen candidates for the position of City Attorney or Assistant City Attorney. 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 Council members 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 City Attorney and Assistant City Attorney. 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 City Attorney and Assistant City Attorney.

(b) No attorney serving as an advisor to the committee shall be considered for, or be appointed to, the position of City Attorney or Assistant City Attorney.

9-109.3 PERIODIC EVALUATION OF MUNICIPAL JUDGE, CITY ATTORNEY AND ASSISTANT CITY ATTORNEY. The Governing Body shall meet with the Municipal Judge, City Attorney and Assistant Attorney on a periodic basis, but not less than biannually, to review and evaluate their performance and to discuss matters of mutual concern relative to their work on behalf of the City. The evaluation process shall

be conducted by the Governing Body pursuant to such process and criteria as it shall deem appropriate.

Section 2. 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 October, 1994.

Approved by the Mayor the 17th day of October, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, 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 28th day of, October 19 94, with subsequent publications being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribe and sworn to before me this 28th day of October 19 94

Deanna J. Martasin
NOTARY PUBLIC

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

My Commission Expires 1/25/96

Printer's Fees 120.35

Additional copies $_____

First Published in The Johnson County Sun, Friday, October 28, 1994.

ORDINANCE NO. 1447 C

AN ORDINANCE AMENDING ARTICLE 1 OF CHAPTER IX OF THE CODE OF THE CITY OF LEAWOOD BY ADDING NEW SECTIONS 9-109.1 AND 9-109.3 RELATING TO THE CITY ATTORNEY AND THE ASSISTANT CITY ATTORNEY.

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

Section 1. Code amended. Article 1 of Chapter IX of the Code of the City of Leawood is hereby amended by adding new sections 9-109.1, 9-109.2 and 9-109.3 which provisions shall read as follows:

9-109.1 QUALIFICATIONS OF CITY ATTORNEY AND ASSISTANT CITY ATTORNEY. The City Attorney and Assistant City Attorney shall be residents of Johnson County, Kansas; practicing attorneys in and licensed by the State of Kansas and shall have so practiced for a period of three years.

9-109.2 SELECTION OF CITY ATTORNEY AND ASSISTANT CITY ATTORNEY. (a) On the occurrence of a vacancy in the office of the City Attorney or Assistant City Attorney and prior to the Mayor's appointment of the City Attorney or Assistant City Attorney as provided for in Section 1-404 of the Code, the Mayor, with the consent of the Council, shall appoint a selection committee to screen candidates for the position of City Attorney or Assistant City Attorney. 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 Council members 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 City Attorney and Asistant City Attorney. 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 City Attorney and Assistant City Attorney.

(b) No attorney serving as an advisor to the committee shall be considered for, or be appointed to, the position of City Attorney or Assistant City Attorney.

9-109.3 PERIODIC EVALUATION OF MUNICIPAL JUDGE, CITY ATTORNEY AND ASISTANT CITY ATTORNEY. The Governing Body shall meet with the Municipal Judge, City Attorney and Assistant Attorney on a periodic basis, but not less than biannually, to review and evaluate their performance and to discuss matters of mutual concern relative to their work on behalf of the City. The evaluation process shall be conducted by the Governing Body pursuant to such process and criteria as it shall deem appropriate.

Section 2. 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 October, 1994.

Approved by the Mayor the 17th day of October, 1994.

(SEAL)

(s) Marcia Rinehart, Mayor

Attest:

(s) Martha Heizer,
City Clerk

APPROVED FOR FORM:

(s) R. S. Wetzler,
City Attorney

(14017 1F-JC)

ORDINANCE NO. 1446 C

AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER V OF THE CODE OF THE CITY OF LEAWOOD DEALING WITH THE SUBJECT OF SOLICITORS, CONVASSERS, PEDDLERS, TRANSIENT MERCHANTS BY AMENDING SECTIONS 5-202, 5-204, 5-205, 5-211 AND 5-213 AND REPEAL OF EXISTING SECTIONS.

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

Section 1. Code amended. Sections 5-202, 5-204, 5-205, 5-211 AND 5-213 of the Code of the City of Leawood ~~is~~ are hereby amended to read as follows:

5-202 DEFINITIONS.

(a) "Canvass" as used in this Article means opinion sampling, poll-taking, or other similar activity, either by foot, wagon, automobile, motor truck, or any other type of conveyance, from house to house, door to door, street to street, or from place to place.

(b) "Canvasser" as used in this Article means any person who engages in canvassing in person for himself or any other person.

(c) "Charitable" as used in this Article means any activity represented as carried on from unselfish, civic, or humanitarian motives, or for the benefit of others, and not for private gain, and may include, without limitation, patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, cultural, scientific, historical, athletic, medical, or religious activities, either actual or implied.

(d) "City" as used in this Article means the City of Leawood, Kansas.

(e) "Peddle" as used in this Article means to operate from a temporary stand, display or similar facility, or to travel from house to house, door to door, street to street or from place to place, carrying, conveying, or transporting goods, wares, or merchandise for the purpose of offering and exposing the same for sale.

(f) "Peddler" as used in this Article means a person who peddles for himself or for any other person.

(g) "Person" as used in this Article means any individual, firm partnership, corporation, company, religious sect or denomination, society, organization or league, and includes any trustee, director, member, partner, officer, receiver, assignee, employee, agent or other similar representative thereof.

(h) "Solicit" and "solicitation" as used in this Article mean and include any one or more of the following:

(1) Selling or taking orders for or offering to sell or take orders for goods, merchandise,

wares, or other items of value for further delivery, or services to be performed in the future, for commercial purposes; or

(2) Requesting contribution of funds, property, or anything of value, or the pledge of any type of future donation, or selling or offering for sale any type of property, including but not limited to goods, tickets, books, and pamphlets, for political, charitable, religious, or other non-commercial purposes; or

(3) Canvassing or peddling as defined in this section.

(4) Throwing, depositing or distributing any commercial handbill in or upon any premises within the City of Leawood.

A "solicitation" as defined herein shall be deemed completed when made, whether or not the person making the solicitation receives any contribution or makes any sale.

(i) "Solicitor" as used in this Article means a person who solicits for himself or any other person.

(j) "Commercial handbill" is any printed or written matter, any sample or device, circular, leaflet, pamphlet, paper booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

(1) Which advertises for sale any merchandise, product, commodity or thing; or

(2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales.

(3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit.

(4) Exemption for mail and newspapers. For purposes of this ordinance the term "commercial handbill" shall not be construed to include mail delivered by the United States Postal Service or newspapers duly entered with the Post Office Department of the United States and newspapers filed and recorded with any recording officer as provided by general law or any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.

5-204 INFORMATION REQUIRED ON APPLICATION FOR SOLICITATION PERMIT. An applicant for a solicitation permit shall furnish to the city administrator an application containing the following information:

(1) The name and address of the principal office of the person applying for the permit (including both local and non-local principal officers where such exist);

(2) If the applicant is not an individual, the names and addresses of the applicants principal officers and executives;

(3) The purpose for which the solicitation is to be made;

(4) The name and address of the person or persons who will be making the solicitations;

(5) The time when the solicitations will be made, giving the expected dates for the commencement and termination of the solicitations, subject to the limitations on time for solicitations contained in this Article;

(6) A statement to the effect that if a permit is granted:

(a) It will not be used or represented in any way as an endorsement by the City of Leawood or by any department or officer thereof; and

(b) That during the period specified in the permit, if there is nay change in fact, policy or method that would alter the information given in the application, the applicant will notify the city administrator in writing thereof within forty-eight (48) hours after such change; and

(c) That at no time during the period of solicitation will the applicant or his or her agents solicit at any residence within the city where there is clearly and visibly posted any sign requesting "No Solicitation," or "No Trespassing" or words of similar import.

(d) That the applicant and all persons for whom application is made will carry on their person a copy of the solicitation permit issued by the City.

(7) A sample of the identification badge or card that each person participating in the solicitation shall wear or carry, indicating that person's name and the name of the organization for which he or she is soliciting. Such badge or card shall be furnished by the organization and be approved by the city administrator.

(8) A statement that no person or entity authorized to solicit under the permit for which application is made has, within the five years preceding the date of filing of an application for solicitation permit, been convicted of a felony, misdemeanor or other violation of the laws of the United States or of any state or city of the United States where such conviction was for an offense

involving force or threat of force, theft, dishonesty, fraud, or sexual misconduct or has, within the twelve months preceding the date of filing of an application for solicitation permit, been convicted of a violation of this ordinance or the solicitation ordinance of any other city.

5-205 STANDARDS FOR ISSUANCE. (a) The City Administrator shall, except as provided by this ordinance, issue a solicitation permit provided for by this Article upon receiving a completed application form from the applicant or there representative.

(b) The City Administrator shall not issue a solicitation permit to any person or entity that has, within the five years preceding the date of filing of an application for solicitation permit, been convicted of a felony, misdemeanor or other violation of the laws of the United States or of any state or city of the United States where such conviction was for an offense involving force or threat of force, theft, dishonesty, fraud, or sexual misconduct or to any person or entity that has, within the twelve months preceding the date of filing of an application for solicitation permit, been convicted of violating this ordinance or the solicitation ordinance of any other city.

(c) Any person who is aggrieved by the refusal of the City Administrator to issue a solicitation permit may appeal said refusal to the Governing Body. On refusal, the City Administrator shall notify the applicant by registered mail of the refusal to issue a solicitation permit and that the applicant may appeal said refusal to the Governing Body by requesting a hearing before the Governing Body not later than thirty (30) days following receipt of the notice of refusal. The notice of refusal shall contain a statement of the facts upon which the City Administrator acted in refusing to issue a permit. On receipt of a request for hearing before the Governing Body the City Administrator shall schedule the matter to be heard before the next regularly scheduled meeting of the Governing Body unless the applicant shall request that the hearing be scheduled at a later date. In no event shall such hearing be held more than thirty (30) days following receipt of the applicant's request for hearing. At the hearing the applicant may offer evidence to support any contention that a permit should be issued.

5-211 SUSPENSION OR REVOCATION OF PERMITS. Any determination by the city administrator that the holder of a city permit has violated any provisions of this Article or of the permit issued pursuant thereto or that the holder of the permit has made false representations in the application for the permit, shall cause the city administrator to give notice to the permit holder that

the permit is immediately suspended. The notice of immdeiate suspension is to be mailed to the permit holder by registered or certified mail, and shall notify the holder that a hearing will be had before the governing body at its next regular or special meeting for the purposes of determining whether or not the permit should be revoked. The notice shall contain s stataement of the facts upon which the city administrator acted in suspending the permit and at that hearing the permit holder may offer evidence to support any contgention its permit should not be revoked. No solicitation shall be made during the period of supension or rvocation of a permit.

5-213 PROHIBITED ACTS.

(a) It shall be unlawful for any solicitor to ring the bell, or knock on the door, or otherwise attempt to gain admittance for the purpose of soliciting at ta residence, dwelling or apartment at which a sign bearing the words "No Solicitors," "No Trespassers," or words of similaar import indicating that such persons are not wanted on thepremises, is painted, affixed or otherwise exposed to public view; provided that this paragraph shall not apply to any solicitor who gains admittance to such residence at the invitation or with the consent of the occupant thereof. For purposes of this section, the No Solicitors decal issued by the City Clerk prominently displayed on the door shall constitute sufficient notice to all solicitors. However, other similar signs, as defined above, are also sufficient.

(b) It shall be unlawful for any solicitor to solicit prior to 10:00 a.m. or afater 9:00 p.m. local time, of any day.

(c) It shall be unlawful for any solicitor to engage in soliciting upon any premises or in any dwelling house, apartment or other residence after having been asked by the owner or occupant thereof to leave the premises or residence.

(d) It shall be unlawful for any solicitor to make more than one solicitation call at the same residential premises for identical goods, services, or contributions within any consecutive sixty (60) day period, without receiving a prior invitation therefor from the occupants of the premises. This provision shall be construed to include solicitation upon the same premises by employees, ageants, or other persons acting on behalf of the same person more than once during the aforesaid period without a prior invitation as herein provided.

(e) It shall be unlawful for any solicitor to fail to provide, at the request of the purchaser, a written receipt, for purchases exceeding Five Dollars ($5.00) in cash or tangible property which receipt shall be signed by the person making the sale and shall set forth a brief

description of the goods or services sold, the total purchase price thereof, amount of cash payment, if any, and the balance due and terms of payment; or for any charitable solicitor or organization accepting any contribution exceeding Five Dollars ($5.00) in cash or tangible property to fail to provide at the request of the donor a written receipt acknowledging such contribution and personally signed by the person accepting such contribution.

(f) It shall be unlawful for any solicitor to fail at the outset to disclose to the prospective buyer, prospective donor, or canvassee his/her name and the name of the company, product or organizqtion he/she represents.

(g) It shall be unlawful for any solicitor to make any assertion, representation or stataement which misrepresents the purpose of his/her call, or use any plan, scheme, or use which misrepresents such purpose.

(h) It shall be unlawful for any solicitor to conduct his/her business in sulch a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant, incrfease traffic congestion or delay, or constitute a hazard to traffic, life or porperty, or an obstrulction to adequate access to fire, police or sanitation vehicles.

(i) It shall be unlawful for any person or entity to solicit within the City of Leawood that has been convicted of a felony, misdemeanor, or ordinance violation involving force, violence, deceit, or fraud within the past five (5) years or that has, within the past twelve months been convicted of violating this ordinance or the solicitation ordinance of any other city.

(j) It shall be unlawful for any person to solicit or attempt to solicit at a place of residence at any entrance other than the main entrance of the residence.

(k) It shall be unlawful for any person to solicit or attempt to solicit without carrying upon their person a copy of the permit issuled by the Cityl of Leawood authorizing solicitation and an identification badge or card as described in Section 5-204 (7) of this ordinance.

Section 2. Existing section of Code repealed. Sections 5-202, 5-204, 5-205, 5-211 AND 5-213 of the Code of the City of Leawood ~~is~~ are hereby repealed. (Prior law: Sections 5-202 and 5-205; Ord. No. 1043C; and Sections 5-204, 5-211, and 5-213; Ord. No. 1002C.)

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 October, 1994.

Approved by the Mayor the 17th day of October, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, 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 28th day of, October 19 94, with subsequent publications being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribe and sworn to before me this 28th day of October 19 94

Deanna J Martasin
NOTARY PUBLIC

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

My Commission Expires 1/25/96

Printer's Fees 200.06

Additional copies $_____

First published in The Johnson County Sun, Friday, October 28, 1994

ORDINANCE NO. 1446 C

AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER V OF THE CODE OF THE CITY OF LEAWOOD DEALING WITH THE SUBJECT OF SOLICITORS, CONVASSERS, PEDDLERS, TRANSIENT MERCHANTS BY AMENDING SECTIONS 5-202, 5-204, 5-205, 5-211 AND 5-213 AND REPEAL OF EXISTING SECTIONS.

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

Section 1. Code amended. Sections 5-202, 5-204, 5-205, 5-211 AND 5-213 of the Code of the City of Leawood ~~is~~ are hereby amended to read as follows:

5-202 DEFINITIONS.

(a) "Canvass" as used in this Article means opinion sampling, poll-taking, or other similar activity, either by foot, wagon, automobile, motor truck, or any other type of conveyance, from house to house, door to door, street to street, or from place to place.

(b) "Canvasser" as used in this Article means any person who engages in canvassing in person for himself or any other person.

(c) "Charitable" as used in this Article means any activity represented as carried on from unselfish, civic, or humanitarian motives, or for the benefit of others, and not for private gain, and may include, without limitation, patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, cultural, scientific, historical, athletic, medical, or religious activities, either actual or implied.

(d) "City" as used in this Article means the City of Leawood, Kansas.

(e) "Peddle" as used in this Article means to operate from a temporary stand, display or similar facility, or to travel from house to house, door to door, street to street or from place to place, carrying, conveying, or transporting goods, wares, or merchandise for the purpose of offering and exposing the same for sale.

(f) "Peddler" as used in this Article means a person who peddles for himself or for any other person.

(g) "Person" as used in this Article means any individual, firm partnership, corporation, company, religious sect or denomination, society, organization or league, and includes any trustee, director, member, partner, officer, receiver, assignee, employee, agent or other similar representative thereof.

(h) "Solicit" and "solicitation" as used in this Article mean and include any one or more of the following:

(1) Selling or taking orders for or offering to sell or take orders for goods, merchandise, *wares, or other items of value for further* delivery, or services to be performed in the future, for commercial purposes; or

(2) Requesting contribution of funds, property, or anything of value, or the pledge of any type of future donation, or selling or offering for sale any type of property, including but not limited to goods, tickets, books, and pamphlets, for political, charitable, religious, or other non-commercial purposes; or

(3) Canvassing or peddling as defined in this section.

(4) Throwing, depositing or distributing any commercial handbill in or upon any premises within the City of Leawood.

A "solicitation" as defined herein shall be deemed completed when made, whether or not the person making the solicitation receives any contribution *or makes any sale.*

(i) "Solicitor" as used in this Article means a person who solicits for himself or any other person.

(j) "Commercial handbill" is any printed or written matter, any sample or device, circular, leaflet, pamphlet, paper booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

(1) Which advertises for sale any merchandise, product, commodity or thing; or

(2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales.

(3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit.

(4) Exemption for mail and newspapers. For *purposes of this ordinance the term "commercial* handbill" shall not be construed to include mail delivered by the United States Postal Service or newspapers duly entered with the Post Office Department of the United States and newspapers filed and recorded with any recording officer as provided by general law or any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.

5-204 INFORMATION REQUIRED ON APPLICATION FOR SOLICITATION PERMIT. An applicant for a solicitation permit shall furnish to the city administrator an application containing the following information:

(1) The name and address of the principal office of the person applying for the permit (including both local and non-local principal officers where such exist);

(2) If the applicant is not an individual, the names and addresses of the applicants principal officers and executives;

(3) The purpose for which the solicitation is to be made;

(4) The name and address of the person or persons who will be making the solicitations;

(5) The time when the solicitations will be made, giving the expected dates for the commencement and termination of the solicitations, subject to the limitations on time for solicitations contained in this Article;

(6) A statement to the effect that if a permit is granted:

(a) It will not be used or represented in any way as an endorsement by the City of

Leawood or by any department or officer thereof; and

(b) That during the period specified in the permit, if there is nay change in fact, policy or method that would alter the information given in the application, the applicant will notify the city administrator in writing thereof within forty-eight (48) hours after such change; and

(c) That at no time during the period of solicitation will the applicant or his or her agents solicit at any residence within the city where there is clearly and visibly posted any sign requesting "No Solicitation," or "No Trespassing" or words of similar import.

(d) That the applicant and all persons for whom application is made will carry on their person a copy of the solicitation permit issued by the City.

(7) A sample of the identification badge or card that each person participating in the solicitation shall wear or carry, indicating that person's name and the name of the organization for which he or she is soliciting. Such badge or card shall be furnished by the organization and be approved by the city administrator.

(8) A statement that no person or entity authorized to solicit under the permit for which application is made has, within the five years preceding the date of filing of an application for solicitation permit, been convicted of a felony, misdemeanor or other violation of the laws of the United States or of any state or city of the United States where such conviction was for an offense involving force or threat of force, theft, dishonesty, fraud, or sexual misconduct or has, within the twelve months preceding the date of filing of an application for solicitation permit, been convicted of a violation of this ordinance or the solicitation ordinance of any other city.

5-205 STANDARDS FOR ISSUANCE. (a) The City Administrator shall, except as provided by this ordinance, issue a solicitation permit provided for by this Article upon receiving a completed application form from the applicant or there representative.

(b) The City Administrator shall not issue a solicitation permit to any person or entity that has, within the five years preceding the date of filing of an application for solicitation permit, been convicted of a felony, misdemeanor or other violation of the laws of the United States or of any state or city of the United States where such conviction was for an offense involving force or threat of force, theft, dishonesty, fraud, or sexual misconduct or to any person or entity that has, within the twelve months preceding the date of filing of an application for solicitation permit, been convicted of violating this ordinance or the solicitation ordinance of any other city.

(c) Any person who is aggrieved by the refusal of the City Administrator to issue a solicitation permit may appeal said refusal to the Governing Body. On refusal, the City Administrator shall notify the applicant by registered mail of the refusal to issue a solicitation permit and that the applicant may appeal said refusal to the Governing Body by requesting a hearing before the Governing Body not later than thirty (30) days following receipt of the notice of refusal. The notice of refusal shall contain a statement of the facts upon which the City Administrator acted in refusing to issue a permit. On receipt of a request for hearing before the Governing Body the City Administrator shall schedule the matter to be heard before the next regularly scheduled meeting of the Governing Body unless the applicant shall request that the hearing be scheduled at a later date. In no event shall such hearing be held more than thirty (30) days following receipt of the applicant's request for hearing. At the hearing the applicant may offer evidence to support any contention that a permit should be issued.

5-211 SUSPENSION OR REVOCATION OF PERMITS. Any determination by the city administrator that the holder of a city permit has violated any provisions of this Article or of the permit issued pursuant thereto or that the holder of the permit has made false representations in the application for the permit, shall cause the city administrator to give notice to the permit holder that the permit is immediately suspended. The notice of immdeiate suspension is to be mailed to the permit holder by registered or certified mail, and shall notify the holder that a hearing will be had before the governing body at its next regular or special meeting for the purposes of determining whether or not the permit should be revoked. The notice shall contain s stataement of the facts upon which the city administrator acted in suspending the permit and at that hearing the permit holder may offer evidence to support any contgention its permit should not be revoked. No solicitation shall be made during the period of supension or rvocation of a permit.

5-213 PROHIBITED ACTS.

(a) It shall be unlawful for any solicitor to ring the bell, or knock on the door, or otherwise attempt to gain admittance for the purpose of soliciting at ta residence, dwelling or apartment at which a sign bearing the words "No Solicitors," "No Trespassers," or words of similaar import indicating that such persons are not wanted on thepremises, is painted, affixed or otherwise exposed to public view; provided that this paragraph shall not apply to any solicitor who gains admittance to such residence at the invitation or with the consent of the occupant thereof. For purposes of this section, the No Solicitors decal issued by the City Clerk prominently displayed on the door shall constitute sufficient notice to all solicitors. However, other similar signs, as defined above, are also sufficient.

(b) It shall be unlawful for any solicitor to solicit prior to 10:00 a.m. or afater 9:00 p.m. local time, of any day.

(c) It shall be unlawful for any solicitor to engage in soliciting upon any premises or in any dwelling house, apartment or other residence after having been asked by the owner or occupant thereof to leave the premises or residence.

(d) It shall be unlawful for any solicitor to make more than one solicitation call at the same residential premises for identical goods, services, or contributions within any consecutive sixty (60) day period, without receiving a prior invitation therefor from the occupants of the premises. This provision shall be construed to include solicitation upon the same premises by employees, ageants, or other persons acting on behalf of the same person more than once during the aforesaid period without a prior invitation as herein provided.

(e) It shall be unlawful for any solicitor to fail to provide, at the request of the purchaser, a written receipt, for purchases exceeding Five Dollars ($5.00) in cash or tangible property which receipt shall be signed by the person making the sale and shall set forth a brief description of the goods or services sold, the total purchase price thereof, amount of cash payment, if any, and the balance due and terms of payment; or for any charitable solicitor or organization accepting any contribution exceeding Five Dollars ($5.00) in cash or tangible property to fail to provide at the request of the donor a written receipt acknowledging such contribution and personally signed by the person accepting such contribution.

(f) It shall be unlawful for any solicitor to fail at the outset to disclose to the prospective buyer, prospective donor, or canvassee his/her name and the name of the company, product or organizqtion he/she represents.

(g) It shall be unlawful for any solicitor to make any assertion, representation or stataement which misrepresents the purpose of his/her call, or use any plan, scheme, or use which misrepresents such purpose.

(h) It shall be unlawful for any solicitor to conduct his/her business in sulch a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant, incrfease traffic congestion or delay, or constitute a hazard to traffic, life or porperty, or an obstrulction to adequate access to fire, police or sanitation vehicles.

(i) It shall be unlawful for any person or entity to solicit within the City of Leawood that has been convicted of a felony, misdemeanor, or ordinance violation involving force, violence, deceit, or fraud within the past five (5) years or that has, within the past twelve months been convicted of violating this ordinance or the solicitation ordinance of any other city.

(j) It shall be unlawful for any person to solicit or attempt to solicit at a place of residence at any entrance other than the main entrance of the residence.

(k) It shall be unlawful for any person to solicit or attempt to solicit without carrying upon their person a copy of the permit issuled by the Cityl of Leawood authorizing solicitation and an identification badge or card as described in Section 5-204 (7) of this ordinance.

Section 2. Existing section of Code repealed. Sections 5-202, 5-204, 5-205, 5-211 AND 5-213 of the Code of the City of Leawood are hereby repealed. (Prior law: Sections 5-202 and 5-205; Ord. No. 1043C; and Sections 5-204, 5-211, and 5-213; Ord. No. 1002C.)

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 October, 1994.

Approved by the Mayor the 17th day of October, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer
City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

(14016-1F-JC)

ORDINANCE NO. 1445

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 144-94-31 (MISSION ROAD, 103RD - I-435), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, 103RD - I-435, 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 Mission Road, 103rd - I-435, 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. 1204 on February 4, 1991; and

WHEREAS, total cost of improvements to Mission Road, 103rd- I-435, is estimated to be $2,000,000; 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 144-94-31 (Mission Road, 103rd - I-435), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 144-94-31 (Mission Road, 103rd - I-435), shall consist of bearer notes numbered 1 through 2 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.90% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000

(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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;

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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-144

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Debra L. Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $117.79

rd. #1445

$117.79

ORDINANCE NO. 1445

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1445

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 144-94-31 (MISSION ROAD, 103RD - I-435), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, 103RD - I-435, 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 Mission Road, 103rd - I-435, 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. 1204 on February 4, 1991; and

WHEREAS, total cost of improvements to Mission Road, 103rd- I-435, is estimated to be $2,000,000; 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 144-94-31 (Mission Road, 103rd - I-435), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 144-94-31 (Mission Road, 103rd - I-435), shall consist of bearer notes numbered 1 through 2 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.90% of 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 appli-

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cable 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 "qualified tax-exempt obligations" within the meaning and for the purpo of Section 265 of the Tax Reform Act of 1986.

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

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

PASSED by the Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

ATTEST:

Marcia Rinehart

Marcia Rinehart, Mayor

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

/s/R.S. Wetzler

R. S. Wetzler, City Attorney

WII:tn-144

ORDINANCE NO. 1444

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 142-94-30 (BELL DRIVE AND IRON HORSE DRIVE), 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 BELL DRIVE, SAID ROADWAY TO BE CONSTRUCTED WITH CONCRETE CURB AND GUTTER, ASPHALTIC PAVEMENT, STORM DRAINAGE, SIDEWALKS, STREET LIGHTING AND OTHER APPURTENANCES.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1153 under K.S.A. 12-6a01 et seq and adopted by the Governing Body of the City of Leawood on February 7, 1994; 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 $1,642,000; 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 142-94-30 (Bell Drive and Iron Horse Drive), 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 142-94-30, 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 October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.90% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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;

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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-beldr

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $95.03

#1444

$95.03

ORDINANCE NO. 1444

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1444

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 142-94-30 (BELL DRIVE AND IRON HORSE DRIVE), 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 BELL DRIVE, SAID ROADWAY TO BE CONSTRUCTED WITH CONCRETE CURB AND GUTTER, ASPHALTIC PAVEMENT, STORM DRAINAGE, SIDEWALKS, STREET LIGHTING AND OTHER APPURTENANCES.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1153 under K.S.A. 12-6a01 et seq and adopted by the Governing Body of the City of Leawood on February 7, 1994; 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 $1,642,000; 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 142-94-30 (Bell Drive and Iron Horse Drive), 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 142-94-30, 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 October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.90% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
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(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
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(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 in an aggregate amount in excess of $10,000,000;

3. Other than the temporary notes, the City has not issued and does not ex-

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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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.90% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(1) Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2) Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3) Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4) Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5) Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6) Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7) Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8) Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9) Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10) Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11) Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12) Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13) Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14) Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15) Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16) Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17) Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18) Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19) Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(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

WII:tn-83

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pect 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 affect and be in force after its publication as provided by law.

PASSED by the Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(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

WII:tn-beldr

mental 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

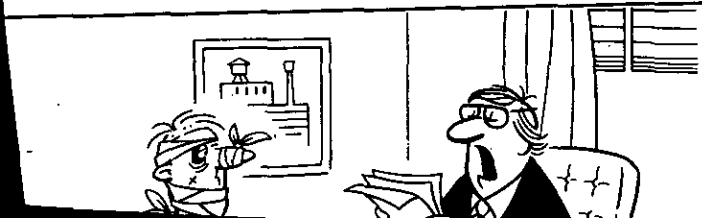
Martha Heizer, City Clerk

APPROVED FOR FORM:

/s/R.S. Wetzler

R. S. Wetzler, City Attorney

II:tn-144



ORDINANCE NO. 1443

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 140-94-29 (83RD STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $300,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF 83RD STREET, 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 83rd 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. 1424 on August 15, 1994; and

WHEREAS, total cost of improvements to 83rd Street is estimated to be $2,070,000; 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 140-94-29 (83rd Street), 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 140-94-29 (83rd Street), shall consist of bearer notes numbered 1 through 3 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.90% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000

(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-83

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $119.00

rd. #1443

$119.00

ORDINANCE NO. 1443

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1443

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 140-94-29 (83RD STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $300,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF 83RD STREET, 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 83rd 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. 1424 on August 15, 1994; and

WHEREAS, total cost of improvements to 83rd Street is estimated to be $2,070,000; 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 140-94-29 (83rd Street), 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 140-94-29 (83rd Street), shall consist of bearer notes numbered 1 through 3 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

The City of Leawood, Kansas, reserves the right to redeem and pay said

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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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.90% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(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

WII:tn-83

ORDINANCE NO. 1442

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 138-94-28 (MISSION ROAD, 151ST - 155TH STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $1,400,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, 151ST - 155TH STREET, 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 Mission Road, 151st - 155th 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. 1347 on May 17, 1993; and

WHEREAS, total cost of improvements to Mission Road, 151st - 155th Street, is estimated to be $1,500,000; 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 138-94-28 (Mission Road, 151st - 155th Street), in the aggregate principal amount of One Million Four Hundred Thousand Dollars ($1,400,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 138-94-28 (Mission Road, 151st - 155th Street), shall consist of bearer notes numbered 1 through 14 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 de-

scribed 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 99.875% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000

(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-138

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $113.87

rd. #1442

$113.87

ORDINANCE NO. 1442

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1442

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 138-94-28 (MISSION ROAD, 151ST - 155TH STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $1,400,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, 151ST - 155TH STREET, 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 Mission Road, 151st - 155th 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. 1347 on May 17, 1993; and

WHEREAS, total cost of improvements to Mission Road, 151st - 155th Street, is estimated to be $1,500,000; 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 138-94-28 (Mission Road, 151st - 155th Street), in the aggregate principal amount of One Million Four Hundred Thousand Dollars ($1,400,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 138-94-28 (Mission Road, 151st - 155th Street), shall consist of bearer notes numbered 1 through 14 inclusive, each in the denomination of $100,000: Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.875% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000

CONTINUED ON PAGE 24

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(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(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

WII:tn-138

ORDINANCE NO. 1441

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 136-94-27 (STATE LINE ROAD, PHASE III), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY 123RD STREET AND APPROXIMATELY 135TH STREET; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

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 State Line Road, approximately 123rd Street to approximately 135th 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. 1399 on May 2, 1994; and

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

WHEREAS, the total estimated cost of the improvement is estimated to be $3,300,000.00; 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, 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 136-94-27 (State Line Road, Phase III), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000.00), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 136-94-27 (State Line Road, Phase III), shall consist of bearer notes numbered 1 through 2 inclusive, each in the denomination of $100,000. Each of said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 3.99% 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, K.S.A. 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.91% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000

(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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;

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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:sliii

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $111.18

d. #1441

$111.18

ORDINANCE NO. 1441

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1441

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 136-94-27 (STATE LINE ROAD, PHASE III), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY 123RD STREET AND APPROXIMATELY 135TH STREET; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

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 State Line Road, approximately 123rd Street to approximately 135th 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. 1399 on May 2, 1994; and

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

WHEREAS, the total estimated cost of the improvement is estimated to be $3,300,000.00; 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, 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 136-94-27 (State Line Road, Phase III), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000.00), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 136-94-27 (State Line Road, Phase III), shall consist of bearer notes numbered 1 through 2 inclusive, each in the denomination of $100,000. Each of said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 3.99% 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, K.S.A. 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 at maturity.

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

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of the particular note chosen for redemption), at any date prior to the stated maturity date of said notes by written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.91% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

ISSUE	DATE	PRINCIPAL AMOUNT
(1) Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2) Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3) Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4) Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5) Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6) Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7) Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8) Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9) Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10) Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11) Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12) Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13) Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14) Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15) Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16) Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17) Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18) Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19) Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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;

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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(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

WII:slii

ORDINANCE NO. 1440

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 134-94-26 (STATE LINE ROAD, PHASE II), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $900,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY 112TH TERRACE TO APPROXIMATELY 123RD STREET; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1106 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on May 3, 1993; and

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 State Line Road, approximately 112th Terrace to approximately 123rd 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. 1348 on May 17, 1993; and

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

WHEREAS, the total estimated cost of the improvement is estimated to be $1,476,000.00; 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, K.S.A. 12-689, 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 134-94-26 (State Line Road, Phase II), in the aggregate principal amount of Nine Hundred Thousand Dollars ($900,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 134-94-26 (State Line Road, Phase II), shall consist of bearer notes numbered 1 through 9 inclusive, each in the denomination of $100,000. Each of said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 3.99% 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, K.S.A. 12-689, 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.91% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000

(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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;

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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-slrii

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $114.84

rd. #1440

$114.84

ORDINANCE NO. 1440

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1440

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 134-94-26 (STATE LINE ROAD, PHASE II), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $900,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY 112TH TERRACE TO APPROXIMATELY 123RD STREET; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1106 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on May 3, 1993; and

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 State Line Road, approximately 112th Terrace to approximately 123rd 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. 1348 on May 17, 1993; and

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

WHEREAS, the total estimated cost of the improvement is estimated to be $1,476,000.00; 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, K.S.A. 12-689, 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 134-94-26 (State Line Road, Phase II), in the aggregate principal amount of Nine Hundred Thousand Dollars ($900,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 134-94-26 (State Line Road, Phase II), shall consist of bearer notes numbered 1 through 9 inclusive, each in the denomination of $100,000. Each of said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 3.99% 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, K.S.A. 12-689, 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.91% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000

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(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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;

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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

Marcia Rinehart

Marcia Rinehart, Mayor

APPROVED FOR FORM:

/s/R.S. Wetzler

R. S. Wetzler, City Attorney

MII:tm-elrii

ORDINANCE NO. 1439

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 132-94-25 (STATE LINE ROAD, PHASE I), 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 AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY FIVE HUNDRED THIRTEEN FEET SOUTH OF THE CENTERLINE OF 112TH TERRACE AND APPROXIMATELY ONE HUNDRED TWENTY-TWO FEET SOUTH OF THE CENTERLINE OF CARONDOLET DRIVE; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1054 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on January 27, 1992; 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 $1,115,112.33; 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 132-94-25 (State Line Road, Phase I), 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 132-94-25, shall consist of bearer notes numbered 1 through 3 inclusive, each in the denomination of $100,000. Each of said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a

rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.825% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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;

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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-slri

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $98.21

rd. #1439

$98.21

ORDINANCE NO. 1439

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1439

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 132-94-25 (STATE LINE ROAD, PHASE I), 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 AND RECONSTRUCTION OF STATE LINE ROAD BETWEEN APPROXIMATELY FIVE HUNDRED THIRTEEN FEET SOUTH OF THE CENTERLINE OF 112TH TERRACE AND APPROXIMATELY ONE HUNDRED TWENTY-TWO FEET SOUTH OF THE CENTERLINE OF CARONDOLET DRIVE; SAID IMPROVEMENTS TO BE EITHER A FIVE-LANE UNDIVIDED ROADWAY OR A SIX-LANE DIVIDED ROADWAY OF ASPHALTIC CEMENT CONCRETE PAVEMENT, WITH RAISED TRAFFIC MEDIANS, PROTECTED LEFT TURN LANES, CURB AND GUTTERS, STORM SEWERS, SIDEWALK, STREET LIGHTS, AND OTHER APPURTENANCES TO MAKE A COMPLETE PARKWAY ROAD SYSTEM.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1054 under K.S.A. 12-6a01 et seq. and adopted by the Governing Body of the City of Leawood on January 27, 1992; and

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

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ORDINANCE NO. 1439

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WHEREAS, the total estimated cost of construction is estimated to be $1,115,112.33; 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 132-94-25 (State Line Road, Phase I), 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 132-94-25, shall consist of bearer notes numbered 1 through 3 inclusive, each in the denomination of $100,000. Each of said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.825% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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;

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

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after its publication as provided by law.

PASSED by the Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

Marcia Rinehart

Marcia Rinehart, Mayor

APPROVED FOR FORM:

/s/R.S. Wetzler

R. S. Wetzler, City Attorney

WII:tn-glri

ORDINANCE NO. 1438

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 131-94-24 (NALL AVENUE, 119TH-135TH STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF NALL AVENUE, 119TH-135TH STREET, 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 Nall Avenue, 119th-135th 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. 1433 on October 3, 1994; and

WHEREAS, total cost of improvements to Nall Avenue, 119th-135th Street is estimated to be $7,040,195; 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 131-94-24 (Nall Avenue, 119th-135th Street), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 131-94-24 (Nall Avenue, 119th-135th Street), shall consist of bearer notes numbered 1 through 2 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.825% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000

(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-nall

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $119.00

Ord. #1438

$119.00

ORDINANCE NO. 1438

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1438

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY
MPORARY NOTES, SERIES 131-94-24 (HALL AVENUE, 119TH-135TH STREET),
E CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEM-
Y FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF HALL AVE-
119TH-135TH STREET, INCLUDING GRADING, REGRADING, CURBING, RECURB-
GUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING,
ADAMIZING, CONSTRUCTING, RECONSTRUCTING, OPENING, WIDENING, EXTEND-
ING, ROUNDING CORNERS, STRAIGHTENING, RELOCATING, CONSTRUCTION OR RECON-
STRUCTION OF ANY NECESSARY BRIDGES AND APPROACHES THERETO, VIADUCTS,
OVERPASSES, UNDERPASSES, CULVERTS, STORM DRAINAGE, TRAFFICWAY ILLUMINA-
TION, 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 Hall Avenue, 119th-135th 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._____ on October 3, 1994; and

WHEREAS, total cost of improvements to Hall Avenue, 119th-135th Street is estimated to be $7,040,195; 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 131-94-24 (Hall Avenue, 119th-135th Street), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 131-94-24 (Hall Avenue, 119th-135th Street), shall consist of bearer notes numbered 1 through 2 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: Said notes shall be in customary form as provided by law, shall be signed by the mayor and attested by the City Clerk of

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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 99.825% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St. (K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132 East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

Marcia Rinehart

Marcia Rinehart, Mayor

APPROVED FOR FORM:

/s/R.S. Wetzler

R. S. Wetzler, City Attorney

WII:tn-nall

ORDINANCE NO. 1437

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 128-94-23 (OLD KENNETH ROAD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF OLD KENNETH ROAD BETWEEN K-150 AND KENNETH PARKWAY; SAID IMPROVEMENTS TO CONSIST OF A 2-LANE UNDIVIDED ROADWAY WITH CONCRETE CURB AND GUTTER, AND ALSO INCLUDING ALL NECESSARY STORM DRAINAGE FACILITIES, SIDEWALKS, STREET LIGHTING AND OTHER APPURTENANCES.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1101 under K.S.A. 12 6a01 et seq. and adopted by the Governing Body of the City of Leawood on March 15, 1993; 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 $635,834.00 or approximately $288 per abutting front foot; 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 128-94-23 (Old Kenneth Road), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 128-94-23 (Old Kenneth Road), shall consist of bearer notes numbered 1 and 2, each in the denomination of $100,000. Each of said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes

shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.825% of 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, 1994, the City has not issued any bonds or temporary notes other than the following-described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000

(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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;

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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED AS TO FORM:

R.S. Wetzler, City Attorney

WII:tn-kenn

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $101.88

Ord. #1437

$101.88

ORDINANCE NO. 1437

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1437

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 128-94-23 (OLD KENNETH ROAD), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF OLD KENNETH ROAD BETWEEN K-150 AND KENNETH PARKWAY; SAID IMPROVEMENTS TO CONSIST OF A 2-LANE UNDIVIDED ROADWAY WITH CONCRETE CURB AND GUTTER, AND ALSO INCLUDING ALL NECESSARY STORM DRAINAGE FACILITIES, SIDEWALKS, STREET LIGHTING AND OTHER APPURTENANCES.

WHEREAS, an improvement district has been established pursuant to Resolution No. 1101 under K.S.A. 12 6a01 et seq. and adopted by the Governing Body of the City of Leawood on March 15, 1993; 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 $635,834.00 or approximately $288 per abutting front foot; 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 128-94-23 (Old Kenneth Road), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000), which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 128-94-23 (Old Kenneth Road), shall consist of bearer notes numbered 1 and 2, each in the denomination of $100,000. Each of said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from their dated date, payable at maturity or upon redemption prior thereto, at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or by the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.825% of 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, 1994, the City has not issued any bonds or temporary notes other than the following-described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Mall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000

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(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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;

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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

Marcia Rinehart

Marcia Rinehart, Mayor

APPROVED AS TO FORM:

/s/R.S. Wetzler

R.S. Wetzler, City Attorney

WII:tn-kenn

ORDINANCE NO. 1436

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 126-94-22 (MISSION ROAD, 95TH STREET-103RD STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, 95TH STREET-103RD STREET, 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 Mission Road, 95th Street-103rd 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. 1330 on January 18, 1993; and

WHEREAS, total cost of improvements to Mission Road, 95th Street-103rd Street, is estimated to be $1,571,300; 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 126-94-22 (Mission Road, 95th Street-103rd Street), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 126-94-22 (Mission Road, 95th Street-103rd Street), shall consist of bearer notes number 1 and 2 in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.825% of 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, 1994, the City has not issued any bonds or temporary notes other than the following-described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000

(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-miss3

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $114.12

rd. #1436

$114.12

ORDINANCE NO. 1436

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1436

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 126-94-22 (MISSION ROAD, 95TH STREET-103RD STREET), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, 95TH STREET-103RD STREET, 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 Mission Road, 95th Street-103rd 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. 1330 on January 18, 1993; and

WHEREAS, total cost of improvements to Mission Road, 95th Street-103rd Street, is estimated to be $1,571,300; and

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

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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 126-94-22 (Mission Road, 95th Street-103rd Street), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 126-94-22 (Mission Road, 95th Street-103rd Street), shall consist of bearer notes number 1 and 2 in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.825% of 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, 1994, the City has not issued any bonds or temporary notes other than the following-described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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

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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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

ATTEST:

Marcia Rinehart

Marcia Rinehart, Mayor

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

/s/R.S.Wetzler

R. S. Wetzler, City Attorney

WII:tn-misc3

ORDINANCE NO. 1435

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 124-94-21 (135TH STREET [K-150], STATE LINE-NALL AVENUE), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 135TH STREET [K-150], STATE LINE-NALL AVENUE, 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, 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 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 135th Street (K-150), State Line-Nall, 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. 1203 on February 4, 1991; and

WHEREAS, the City of Leawood's share of the total cost of improvements to 135th Street (K-150), State Line-Nall, is estimated to be $3,146,400.00; 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, acquisition of right-of-way, 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 124-94-21 (135th Street [K-150], State Line-Nall Avenue), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 124-94-21 (135th Street [K-150], State Line-Nall Avenue), shall consist of bearer notes numbered 1 through 2 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% per annum. The notes shall be callable upon 10 days notice as hereunder 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. 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 at maturity.

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 note by written notice to known holder or the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.90% of 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; and

2. Since January 1, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000

(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 in an aggregate amount in excess of $10,000,000; and

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 financing for the project 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-K150

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $111.42

rd. #1435

$111.42

ORDINANCE NO. 1435

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1435

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 124-94-21 (135TH STREET [K-150], STATE LINE-NALL AVENUE), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $200,000 TO PROVIDE TEMPORARY FINANCING OF THE CITY'S SHARE OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO 135TH STREET (K-150), STATE LINE-NALL AVENUE, 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, APPROACHES [illegible] DRAINAGE, TRAFFICWAY ILLUMINATION, TRAFFIC CONTROL DEVICES, PEDESTRIAN WAYS, BICYCLE WAYS, OR OTHER IMPROVEMENTS OF ANY TWO OR MORE OF SUCH IMPROVEMENTS OR REIMPROVEMENTS 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 135th Street (K-150), State Line-Nall, 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. 1203 on February 4, 1991; and

WHEREAS, the City of Leawood's share of the total cost of improvements to 135th Street (K-150), State Line-Nall, is estimated to be $3,146,400.00; 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, acquisition of right-of-way, 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 124-94-21 (135th Street [K-150], State Line-Nall Avenue), in the aggregate principal amount of Two Hundred Thousand Dollars ($200,000.00) which amount does not exceed the total estimated costs of said improvements.

Section Two: Said issue of Temporary Notes, Series 124-94-21 (135th Street [K-150], State Line-Nall Avenue), shall consist of bearer notes numbered 1 through 2 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% per annum. The notes shall be callable upon 10 days notice as hereunder 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. 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 at maturity.

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 note by written notice to known holder or the publication of notice and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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

CONTINUED ON PAGE 14

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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 99.90% of 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; and

2. Since January 1, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 in an aggregate amount in excess of $10,000,000; and

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 financing for the project 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

Marcia Rinehart

Marcia Rinehart, Mayor

APPROVED FOR FORM:

/s/R.S.Wetzler

R. S. Wetzler, City Attorney

WII:tn-X150

ORDINANCE NO. 1434

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 115-94-20 (MISSION ROAD, COLLEGE BOULEVARD - I-435), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $400,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, COLLEGE BOULEVARD - I-435, INCLUDING GRADING, REGRADING, CURBING, RE-CURBING, GUTTERING, REGUTTERING, PAVING, REPAVING, MACADAMIZING, RE-MACADAMIZING, 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 Mission Road, College Boulevard - I-435, 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. 1204 on February 4, 1991; and

WHEREAS, total cost of improvements to Mission Road, College Boulevard - I-435, is estimated to be $2,000,000; 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 115-94-20 (Mission Road, College Boulevard - I-435), 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.

Section Two: Said issue of Temporary Notes, Series 115-94-20 (Mission Road, College Boulevard - I-435), shall consist of bearer notes numbered 1 through 4 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.90% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
(2)	Temporary Notes, 130-94-2 Town Center Drive	February 1, 1994	$ 600,000
(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 Mission Road, 103rd-College	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000

(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000
(11)	Temporary Notes, 124-94-11 135th St.(K-150), State Line-Nall	May 16, 1994	$1,000,000
(12)	Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13)	Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14)	Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15)	Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16)	Temporary Notes, 126-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17)	Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18)	Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19)	Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

Marcia Rinehart

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer

Martha Heizer, City Clerk

APPROVED FOR FORM:

R. S. Wetzler, City Attorney

WII:tn-miss

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/4/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/4/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $110.44

d. #1434

$110.44

ORDINANCE NO. 1434

First published in The Legal Record, Tuesday, October 4, 1994.

ORDINANCE NO. 1434

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND DELIVERY OF TEMPORARY NOTES, SERIES 115-94-20 (MISSION ROAD, COLLEGE BOULEVARD - I-435), OF THE CITY OF LEAWOOD, KANSAS, IN THE AMOUNT OF $400,000 TO PROVIDE TEMPORARY FINANCING OF THE COST OF IMPROVEMENT OR REIMPROVEMENT OF MISSION ROAD, COLLEGE BOULEVARD - I-435, 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 Mission* Road, College Boulevard - I-435, 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. 1204 on February 4, 1991; and

WHEREAS, total cost of improvements to Mission Road, College Boulevard - I-435, is estimated to be $2,000,000; 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 115-94-20 (Mission Road, College Boulevard - I-435), 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.

Section Two: Said issue of Temporary Notes, Series 115-94-20 (Mission Road, College Boulevard - I-435), shall consist of bearer notes numbered 1 through 4 inclusive, each in the denomination of $100,000. Said notes shall be dated October 10, 1994, and shall have the stated maturity date of July 7, 1995. The notes shall bear interest from the dated date, payable at maturity or upon redemption prior thereto at a rate of interest of 3.99% 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 at maturity.

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 written notice to known holder or the publication of notice at least one time and payment of said notes, the last publication of such notice or written notification of redemption to the known holder to be at least ten days prior to the redemption date fixed in such notice.

Section Three: 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 99.90% of 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, 1994, the City has not issued any bonds or temporary notes other than the following described obligations:

	ISSUE	DATE	PRINCIPAL AMOUNT
(1)	Temporary Notes, 135-94-1 Golf Course Land	February 1, 1994	$ 700,000
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(3)	Temporary Notes, 132-94-3 State Line Road, Phase I	February 1, 1994	$ 300,000
(4)	Temporary Notes, 138-94-4 Mission Road, south of 151st	February 1, 1994	$1,000,000
(5)	Temporary Notes, 115-94-5 *Mission Road, 103rd-College*	February 1, 1994	$ 200,000
(6)	Temporary Notes, 124-94-6 135th Street (K-150), State Line-Nall	February 1, 1994	$ 200,000
(7)	Temporary Notes, 128-94-7 Old Kenneth Road	February 1, 1994	$ 200,000
(8)	Temporary Notes, 134-94-8 State Line Road, Phase II	February 1, 1994	$ 900,000
(9)	Temporary Notes, 130-94-9 Town Center Drive	May 16, 1994	$ 400,000
(10)	Temporary Notes, 115-94-10 Mission Road, 103rd-College Blvd.	May 16, 1994	$ 400,000

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(11) Temporary Notes, 124-94-11 135th St.(K-150), State Line-Wall	May 16, 1994	$1,000,000
(12) Temporary Notes, 132-94-12 State Line Road, Phase I	May 16, 1994	$1,000,000
(13) Temporary Notes, 133-94-13 Municipal Golf Course	May 16, 1994	$3,400,000
(14) Temporary Notes, 129-94-14 143rd Street, Mission-132' East	May 16, 1994	$ 400,000
(15) Temporary Notes, 137-94-15 State Line Road, Phase IV	May 16, 1994	$ 100,000
(16) Temporary Notes, 125-94-16 Mission Road, 95th-103rd	May 16, 1994	$ 100,000
(17) Temporary Notes, 134-94-17 State Line Road, Phase II	May 16, 1994	$ 300,000
(18) Temporary Notes, 142-94-18 Bell Drive & Iron Horse Drive	May 16, 1994	$ 300,000
(19) Temporary Notes, 136-94-19 State Line Road, Phase III	May 16, 1994	$ 700,000

The City does not reasonably anticipate issuing qualified tax-exempt obligations during calendar year 1994 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 financing for the project, 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 nor will such proceeds or project 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 Council the 3rd day of October, 1994.

APPROVED by the Mayor the 3rd day of October, 1994.

(S E A L)

ATTEST:

Marcia Rinehart

Martha Heizer

Marcia Rinehart, Mayor

Martha Heizer, City Clerk

APPROVED FOR FORM:

/s/R.S.Wetzler

R. S. Wetzler, City Attorney

WII:tn-miss

ORDINANCE NO. 1433

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTION OF NALL AVENUE,A MAIN TRAFFICWAY, BEGINNING AT A POINT ON THE WEST LINE OF SECTION 28-13-25, 2651 FEET NORTH OF THE CENTER LINE OF 135TH STREET SAID POINT BEING THE COMMON CITY LIMIT LINES OF LEAWOOD, KANSAS AND OVERLAND PARK, KANSAS; THENCE NORTH 3985 FEET ALONG THE WEST LINE OF SECTION 28-13-25 AND SECTION 21-13-25 TO A POINT ON THE COMMON CITY LIMIT LINES OF LEAWOOD, KANSAS AND OVERLAND PARK, KANSAS SAID POINT BEING 3997 FEET SOUTH OF THE CENTER LINE OF 119TH STREET, WITHIN THE CITY OF LEAWOOD, AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF AND EXPRESSING THE INTENT TO REIMBURSE COSTS OF THE PROJECT SO INCURRED FROM PROCEEDS OF GENERAL OBLIGATION BONDS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, " designated that portion of Nall Avenue 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 obligation bonds; and

WHEREAS, Section 1.103-18 of the Income Tax Regulations issued by the Internal Revenue Service (the "Regulations") requires that the City make a prior declaration of its intent to reimburse itself for project expenditures made by the City prior to the date of issuance of notes or bonds, and the City desires to comply with the requirements of the Regulations with respect to this Project.

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove certain portions of

Nall Avenue, beginning at a point on the West line of section 28-13-25, 2651 feet north of the center line of 135th street said point being the common city limit lines of Leawood, Kansas and Overland Park, Kansas; thence north 3985 feet along the West line of section 28-13-25 and section 21-13-25 to a point on the common city limit lines of Leawood, Kansas and Overland Park, Kansas said point being 3997 feet south of the center line of 119th Street, within the City of Leawood, 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 Nall Avenue, beginning at a point on the West line of section 28-13-25, 2651 feet north of the center line of 135th street said point being the common city limit lines of Leawood, Kansas and Overland Park, Kansas; thence north 3985 feet along the West line of section 28-13-25 and section 21-13-25 to a point on the common city limit lines of Leawood, Kansas and Overland Park, Kansas said point being 3997 feet south of the center line of 119th Street, 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, and contingencies, is $7,604,683.00 and shall be chargeable to the City at large and may 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. That the costs incurred in connection with the Project shall be paid for from the proceeds of temporary notes to be issued from time to time as said costs are so incurred, and the Project shall be permanently financed with the proceeds of the sale of general obligation bonds of the City in an amount not to exceed $7,604,683.00

Section 4. That to the extent the City shall pay all or any portion of the costs of the Project from available funds on hand prior to the issuance of temporary notes or bonds, the City hereby declares that it reasonably expects to reimburse such expenditures out of the proceeds of such temporary notes and such general obligation bonds. All such expenditures so reimbursed shall be capital expenditures with the meaning of Section 1.150-1(h) of the Income Tax Regulations (the "Regulations").

This declaration is a declaration of official intent adopted pursuant to Section 1.103-18 of the Regulations.

Section 5. That as of the date hereof, there are not City funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved,

allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than pursuant to the issuance of temporary notes or the bonds. This Ordinance, therefore is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 6. That this Ordinance shall be filed within 30 days of its adoption in the publicly available official books and records of the City. This Ordinance shall be available for inspection at the office of the City Clerk at City Hall during normal business hours of the City on every business day until the date of issuance of the bonds.

Section 7. That the City's Director of Finance shall be responsible for making any "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the notes or the bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the notes or the bonds, shall specifically identify the actual reimbursement of a fund or account in accordance with Section 1.103-18, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the notes or the bonds from any restriction under the ordinance or other documents authorizing the issuance of such notes or the bonds, and under any applicable state statute, which would apply to the unspent proceeds of the notes or the bonds.

Section 8. 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 3rd day of October, 1994.

Approved by the Mayor this 3rd day of October, 1994

Marcia Rinehart
Marcia Rinehart Mayor

ATTEST:

Martha Heizer
Martha Heizer City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, 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 7th day of, October 19 94, with subsequent publications being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribe and sworn to before me this 7th day of October 19 94

Deanna J. Martasin
NOTARY PUBLIC

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

My Commission Expires 1/25/96

Printer's Fees 100.66

Additional copies $_____

First Published In The Johnson County Sun, Friday, October 7, 1994.

ORDINANCE NO. 1433

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTION OF NALL AVENUE,A MAIN TRAFFICWAY, BEGINNING AT A POINT ON THE WEST LINE OF SECTION 28-13-25, 2651 FEET NORTH OF THE CENTER LINE OF 135TH STREET SAID POINT BEING THE COMMON CITY LIMIT LINES OF LEAWOOD, KANSAS AND OVERLAND PARK, KANSAS; THENCE NORTH 3985 FEET ALONG THE WEST LINE OF SECTION 28-13-25 AND SECTION 21-13-25 TO A POINT ON THE COMMON CITY LIMIT LINES OF LEAWOOD, KANSAS AND OVERLAND PARK, KANSAS SAID POINT BEING 3997 FEET SOUTH OF THE CENTER LINE OF 119TH STREET, WITHIN THE CITY OF LEAWOOD, AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF AND EXPRESSING THE INTENT TO REIMBURSE COSTS OF THE PROJECT SO INCURRED FROM PROCEEDS OF GENERAL OBLIGATION BONDS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, " designated that portion of Nall Avenue 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 obligation bonds; and

WHEREAS, Section 1.103-18 of the Income Tax Regulations issued by the Internal Revenue Service (the "Regulations") requires that the City make a prior declaration of its intent to reimburse itself for project expenditures made by the City prior to the date of issuance of notes or bonds, and the City desires to comply with the requirements of the Regulations with respect to this Project.

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove certain portions of Nall Avenue, beginning at a point on the West line of section 28-13-25, 2651 feet north of the center line of 135th street said point being the common city limit lines of Leawood, Kansas and Overland Park, Kansas; thence north 3985 feet along the West line of section 28-13-25 and section 21-13-25 to a point on the common city limit lines of Leawood, Kansas and Overland Park, Kansas said point being 3997 feet south of the center line of 119th Street, within the City of Leawood, 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 Nall Avenue, beginning at a point on the West line of section 28-13-25, 2651 feet north of the center line of 135th street said point being the common city limit lines of Leawood, Kansas and Overland Park, Kansas; thence north 3985 feet along the West line of section 28-13-25 and section 21-13-25 to a point on the common city limit lines of Leawood, Kansas and Overland Park, Kansas said point being 3997 feet south of the center line of 119th Street, 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, and contingencies, is $7,604,683.00 and shall be chargeable to the City at large and may 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. That the costs incurred in connection with the Project shall be paid for from the proceeds of temporary notes to be issued from time to time as said costs are so incurred, and the Project shall be permanently financed with the proceeds of the sale of general obligation bonds of the City in an amount not to exceed $7,604,683.00

Section 4. That to the extent the City shall pay all or any portion of the costs of the Project from available funds on hand prior to the issuance of temporary notes or bonds, the City hereby declares that it reasonably expects to reimburse such expenditures out of the proceeds of such temporary notes and such general obligation bonds. All such expenditures so reimbursed shall be capital expenditures with the meaning of Section 1.150-1(h) of the Income Tax Regulations (the "Regulations").

This declaration is a declaration of official intent adopted pursuant to Section 1.103-18 of the Regulations.

Section 5. That as of the date hereof, there are not City funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than pursuant to the issuance of temporary notes or the bonds. This Ordinance, therefore is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 6. That this Ordinance shall be filed within 30 days of its adoption in the publicly available official books and records of the City. This Ordinance shall be available for inspection at the office of the City Clerk at City Hall during normal business hours of the City on every business day until the date of issuance of the bonds.

Section 7. That the City's Director of Finance shall be responsible for making any "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the notes or the bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the notes or the bonds, shall specifically identify the actual reimbursement of a fund or account in accordance with Section 1.103-18, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the notes or the bonds from any restriction under the ordinance or other documents authorizing the issuance of such notes or the bonds, and under any applicable state statute, which would apply to the unspent proceeds of the notes or the bonds.

Section 8. 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 3rd day of October, 1994.

Approved by the Mayor this 3rd day of October, 1994

Marcia Rinehart
Marcia Rinehart Mayor

ATTEST:

Martha Heizer
Martha Heizer City Clerk

APPROVED AS TO FORM

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

(13936 1F-JC)

ORDINANCE NO. 1432C

AN ORDINANCE AMENDING SECTION 11-606 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR DRUG OFFENSES.

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

Section 1. Code Amended. That Section 11-606 of the Code of the City of Leawood is hereby amended to read as follows:

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", 1994 Edition, as incorporated by reference by Section 11-101 of this Chapter.

Section 2. Repeal of Existing Section. That existing Section 11-606 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1361C)

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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer by Fran Kessler City Clerk

APPROVED AS TO FORM:
R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, 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 28th day of, September 19 94, with subsequent publications being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribe and sworn to before me this 28th day of September 19 94

Deanna J. Martasin
NOTARY PUBLIC

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

My Commission Expires 1/25/96

Printer's Fees 13.16

Additional copies $_____

First Published In The Johnson County Sun, Wednesday, September 28, 1994.

ORDINANCE NO. 1432C

AN ORDINANCE AMENDING SECTION 11-606 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR DRUG OFFENSES.

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

Section 1. Code Amended. That Section 11-606 of the Code of the City of Leawood is hereby amended to read as follows:

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", 1994 Edition, as incorporated by reference by Section 11-101 of this Chapter.

Section 2. Repeal of Existing Section. That existing Section 11-606 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1361C)

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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(SEAL)

(s) Marcia Rinehart,
Mayor

Attest:

(s) Martha Helzer,
City Clerk
by Fran Kessler

APPROVED FOR FORM:

(s) R. S. Wetzler,
City Attorney

(13876 1W-JC)

ORDINANCE NO. 1431C

AN ORDINANCE AMENDING SECTION 11-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR LOCAL PUBLIC OFFENSE VIOLATIONS.

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

Section 1. Code Amended. That 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", 1994 Edition, as incorporated by reference by Section 11-101 of this Chapter.

Section 2. Repeal of Existing Section. That existing Section 11-201 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1360C)

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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer by Fran Kessler City Clerk

APPROVED AS TO FORM:
R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, 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 28th day of, September 19 94, with subsequent publications being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribe and sworn to before me this 28th day of September 19 94

Deanna J. Martasin
NOTARY PUBLIC

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

My Commission Expires 1/25/96

Printer's Fees 13.58

Additional copies $_____

First Published in The Johnson County Sun, Wednesday, September 28, 1994.

ORDINANCE NO. 1431C

AN ORDINANCE AMENDING SECTION 11-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR LOCAL PUBLIC OFFENSE VIOLATIONS.

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

Section 1. Code Amended. That 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", 1994 Edition, as incorporated by reference by Section 11-101 of this Chapter.

Section 2. Repeal of Existing Section. That existing Section 11-201 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1360C)

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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(SEAL)

(s) Marcia Rinehart,
Mayor

Attest:

(s) Martha Helzer,
City Clerk
by Fran Kessler

APPROVED FOR FORM:

(s) R. S. Wetzler,
City Attorney

(13875 1W-JC)

ORDINANCE NO. 1430C

AN ORDINANCE ADOPTING THE 1994 EDITION OF THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES".

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

Section 1. Code Amended. That Article 1 of Chapter 11 ("Public Offenses") of the Code of the City of Leawood is hereby amended to read as follows:

ARTICLE 1. UNIFORM OFFENSE CODE

11-101. UNIFORM CODE INCORPORATED. There is hereby incorporated by reference the "Uniform Public Offense Code for Kansas Cities", 1994 Edition, prepared and published 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 uniform 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.

11-102. SAME; AMENDMENT. Section 6.16 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

6.16. GIVING A WORTHLESS CHECK.

(a) Giving a worthless check is the making, drawing, issuing or delivering or causing or directing the making, drawing, issuing or delivering of any check, order or draft on any bank, credit union, savings and loan association or depository for the payment of money or its equivalent with intent to defraud and knowing, at the time of the making, drawing, issuing or delivering of such check, order or draft, that the maker or drawer has no deposit in or credits with the drawee or has not sufficient funds in, or credits with, the drawee for the payment of such check, order or draft in full upon its presentation.

(b) In any prosecution against the maker or drawer of a check, order or draft payment, of which has been refused by the drawee on account of insufficient funds, the making, drawing, issuing or delivering of such check shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in, or on deposit with, the drawee unless the maker or drawer pays the holder thereof the amount due thereon and a service charge as established and in effect by

the adoption of the annual City fee resolution, within seven days after notice has been given to the maker or drawer that such check, draft or order has not been paid by the drawee. As used in this section, notice includes oral or written notice to the person entitled thereto. Written notice shall be presumed to have been given when deposited as restricted matter in the United States mail, addressed to the person to be given notice at such person's address as it appears on such check, draft or order.

(c) It shall be a defense to a prosecution under this section that the check, draft or order upon which such prosecution is based:

(1) Was postdated, or

(2) Was given to a payee who had knowledge or had been informed, when the payee accepted such check, draft or order, that the maker did not have sufficient funds in the hands of the drawee to pay such check, draft or order upon presentation. (K.S.A. Supp. 21-3707, as amended)

Giving a worthless check is a Class A violation if the check, draft or order is drawn for less than $500 except when the person has, within five years immediately preceding commission of the offense, been convicted of giving a worthless check two or more times, in which case it is a felony under state statute.

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, slingshot, 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 shall be 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.

11-105. SAME. Section 10.6 of the Uniform Code incorporated in Section 11-101 above shall be amended to read as follows:

10.6 AIR GUN, AIR RIFLE, BOW AND ARROW, SLINGSHOT OR BB GUN.

(a) The unlawful operation of an air gun, air rifle, bow and arrow, slingshot or BB gun is the shooting, discharging or operating of any air gun, air rifle, bow and arrow, slingshot or BB gun, within the city, except within the confines of a building or other structure from which the projectiles cannot escape.

Unlawful operation of an air gun, air rifle, bow and arrow, slingshot or BB gun is a Class C violation.

(b) The unlawful possession of an air gun, air rifle, bow and arrow, slingshot or BB gun is the possession of an air gun, air rifle, bow and arrow, slingshot or BB gun with

the intent to shoot, discharge, or operate the air gun, air rifle, bow and arrow, slingshot or BB gun within the city, except within the confines of a building or other structure from which the projectiles cannot escape.

Unlawful possession of an air gun, air rifle, bow and arrow, slingshot or BB gun is a Class C violation.

Section 2. Repeal of Existing Article. That existing Article 1 of Chapter 11 (Sections 11-101:104) of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1359C)

Section 3. Validity of Ordinance. That 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. 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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer by Fran Kessler City Clerk

APPROVED AS TO FORM:
R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, 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 28th day of, September 19 98, with subsequent publications being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribe and sworn to before me this 28th day of September 19 94

Deanna J. Martasin
NOTARY PUBLIC

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

My Commission Expires 1/25/94

Printer's Fees 143.99

Additional copies $_____

First Published In The Johnson County Sun, Wednesday, September 28, 1994.

ORDINANCE NO. 1430C

AN ORDINANCE ADOPTING THE 1994 EDITION OF THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES".

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

Section 1. Code Amended. That Article 1 of Chapter 11 ("Public Offenses") of the Code of the City of Leawood is hereby amended to read as follows:

ARTICLE 1. UNIFORM OFFENSE CODE

11-101. UNIFORM CODE INCORPORATED. There is hereby incorporated by reference the "Uniform Public Offense Code for Kansas Cities", 1994 Edition, prepared and published 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 uniform 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.

11-102. SAME; AMENDMENT. Section 6.16 of the Uniform Code incorporated in Section 11-101 above is hereby amended to read as follows:

6.16. GIVING A WORTHLESS CHECK.

(a) Giving a worthless check is the making, drawing, issuing or delivering or causing or directing the making, drawing, issuing or delivering of any check, order or draft on any bank, credit union, savings and loan association or depository for the payment of money or its equivalent with intent to defraud and knowing, at the time of the making, drawing, issuing or delivering of such check, order or draft, that the maker or drawer has no deposit in or credits with the drawee or has not sufficient funds in, or credits with, the drawee for the payment of such check, order or draft in full upon its presentation.

(b) In any prosecution against the maker or drawer of a check, order or draft payment, of which has been refused by the drawee on account of insufficient funds, the making, drawing, issuing or delivering of such check shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in, or on deposit with, the drawee unless the maker or drawer pays the holder thereof the amount due thereon and a service charge as established and in effect by the adoption of the annual City fee resolution, within seven days after notice has been given to the maker or drawer that such check, draft or order has not been paid by the drawee. As used in this section, notice includes oral or written notice to the person entitled thereto. Written notice shall be presumed to have been given when deposited as restricted matter in the United States mail, addressed to the person to be given notice at such person's address as it appears on such check, draft or order.

(c) It shall be a defense to a prosecution under this section that the check, draft or order upon which such prosecution is based:

(1) Was postdated, or

(2) Was given to a payee who had knowledge or had been informed, when the payee accepted such check, draft or order, that the maker did not have sufficient funds in the hands of the drawee to pay such check, draft or order upon presentation. (K.S.A. Supp. 21-3707, as amended)

Giving a worthless check is a Class A violation if the check, draft or order is drawn for less than $500 except when the person has, within five years immediately preceding commission of the offense, been convicted of giving a worthless check two or more times, in which case it is a felony under state statute.

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, slingshot, 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 shall be 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.

11-105. SAME. Section 10.6 of the Uniform Code incorporated in Section 11-101 above shall be amended to read as follows:

10.6 AIR GUN, AIR RIFLE, BOW AND ARROW, SLINGSHOT OR BB GUN.

(a) The unlawful operation of an air gun, air rifle, bow and arrow, slingshot or BB gun is the shooting, discharging or operating of any air gun, air rifle, bow and arrow, slingshot or BB gun, within the city, except within the confines of a building or other structure from which the projectiles cannot escape.

Unlawful operation of an air gun, air rifle, bow and arrow, slingshot or BB gun is a Class C violation.

(b) The unlawful possession of an air gun, air rifle, bow and arrow, slingshot or BB gun is the possession of an air gun, air rifle, bow and arrow, slingshot or BB gun with the intent to shoot, discharge, or operate the air gun, air rifle, bow and arrow, slingshot or BB gun within the city, except within the confines of a building or other structure from which the projectiles cannot escape.

Unlawful possession of an air gun, air rifle, bow and arrow, slingshot or BB gun is a Class C violation.

Section 2. Repeal of Existing Article. That existing Article 1 of Chapter 11 (Sections 11-101:104) of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1359C)

Section 3. Validity of Ordinance. That 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. 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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer, City Clerk

APPROVED AS TO FORM:
R.S. Wetzler
City Attorney

ORDINANCE NO. 1429C

AN ORDINANCE AMENDING SECTION 14-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR VIOLATIONS OF LOCAL TRAFFIC REGULATIONS.

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

Section 1. Code Amended. That Section 14-201 of the Code of the City of Leawood is hereby amended to read as follows:

14-201. PENALTIES. Unless otherwise specified, the penalties for violation of any provision of this article will be the same as set out in Section 201(d) of the "Standard Traffic Ordinance for Kansas Cities", 1994 Edition, as incorporated by reference by Section 14-101 of this Chapter.

Section 2. Repeal of Existing Section. That existing Section 14-201 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1358C)

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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer by Fran Kessler City Clerk

APPROVED AS TO FORM:
R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, 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 28th day of, September 19 94, with subsequent publications being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribe and sworn to before me this 28th day of September 19 94

Deanna J. Martasin
NOTARY PUBLIC

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

My Commission Expires 1/25/96

Printer's Fees 13.58

Additional copies $_____

First Published in The Johnson County Sun, Wednesday, September 28, 1994.

ORDINANCE NO. 1429C

AN ORDINANCE AMENDING SECTION 14-201 OF THE CODE OF THE CITY OF LEAWOOD RELATING TO PENALTIES FOR VIOLATIONS OF LOCAL TRAFFIC REGULATIONS.

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

Section 1. Code Amended. That Section 14-201 of the Code of the City of Leawood is hereby amended to read as follows:

14-201. PENALTIES. Unless otherwise specified, the penalties for violation of any provision of this article will be the same as set out in Section 201(d) of the "Standard Traffic Ordinance for Kansas Cities", 1994 Edition, as incorporated by reference by Section 14-101 of this Chapter.

Section 2. Repeal of Existing Section. That existing Section 14-201 of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1358C)

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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(SEAL)

(s) Marcia Rinehart,
Mayor

Attest:

(s) Martha Heizer,
City Clerk
by Fran Kessler

APPROVED FOR FORM:

(s) R. S. Wetzler,
City Attorney

(13874 1W-JC)

ORDINANCE NO. 1428C

AN ORDINANCE ADOPTING THE 1994 EDITION OF THE "STANDARD TRAFFIC ORDINANCE".

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

Section 1. Code Amended. That Article 1 of Chapter 14 ("Traffic") of the Code of the City of Leawood is hereby amended to read as follows:

ARTICLE 1. STANDARD TRAFFIC ORDINANCE

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 1994, 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. SAME; AMENDMENT. Section 33 of the standard traffic ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Sec. 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. 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.

14-104. SAME. Section 136 of the standard traffic ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Sec. 136. Use of Coasters, Roller Skates and Similar Devices Restricted. (a) No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall:

(1) go upon any roadway except while crossing a street at a crosswalk and except upon streets set aside as play streets.

(2) operate such a device on any public tennis court.

(3) operate such a device on any private parking area or lot where signs are posted giving notice of such prohibition. This prohibition shall not be applicable unless the following signage is clearly and properly posted at all entrances to said private parking lot or area, to wit:

NOTICE

> Pursuant to Section 14-104 of the Code of the City of Leawood, Kansas, no roller skates, coaster, rollerblades, skateboard, toy vehicle or similar device may be operated in this parking lot or area. Conviction will result in a $25.00 fine.

(b) Whenever any person is operating such a device upon a useable path or sidewalk, such person shall yield the right of way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

(c) Any person found guilty of a violation of this section shall be fined $25.00.

<u>Section 2</u>. Repeal of Existing Article. That existing Article 1 of Chapter 14 (Sections 14-101:104) of the Code of

the City of Leawood is hereby repealed. (Prior law: Ord. No. 1357C)

Section 3. Validity of Ordinance. That 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. 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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer by Fran Kessler City Clerk

APPROVED AS TO FORM:
R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, 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.

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Georgiann Thacker

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Deanna J. Martasin
NOTARY PUBLIC

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

My Commission Expires 1/25/96

Printer's Fees 102.41

Additional copies $_____

First Published In The Johnson County Sun, Wednesday, September 28, 1994.

ORDINANCE NO. 1428C

AN ORDINANCE ADOPTING THE 1994 EDITION OF THE "STANDARD TRAFFIC ORDINANCE".

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

Section 1. Code Amended. That Article 1 of Chapter 14 ("Traffic") of the Code of the City of Leawood is hereby amended to read as follows:

ARTICLE 1. STANDARD TRAFFIC ORDINANCE

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 1994, 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. SAME; AMENDMENT. Section 33 of the standard traffic ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Sec. 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. 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.

14-104. SAME. Section 136 of the standard traffic ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Sec. 136. Use of Coasters, Roller Skates and Similar Devices Restricted. (a) No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall:

(1) go upon any roadway except while crossing a street at a crosswalk and except upon streets set aside as play streets.

(2) operate such a device on any public tennis court.

(3) operate such a device on any private parking area or lot where signs are posted giving notice of such prohibition. This prohibition shall not be applicable unless the following signage is clearly and properly posted at all entrances to said private parking lot or area, to wit:

NOTICE

Pursuant to Section 14-104 of the Code of the City of Leawood, Kansas, no roller skates, coaster, rollerblades, skateboard, toy vehicle or similar device may be operated in this parking lot or area. Conviction will result in a $25.00 fine.

(b) Whenever any person is operating such a device upon a useable path or sidewalk, such person shall yield the right of way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

(c) Any person found guilty of a violation of this section shall be fined $25.00.

Section 2. Repeal of Existing Article. That existing Article 1 of Chapter 14 (Sections 14-101:104) of the Code of the City of Leawood is hereby repealed. (Prior law: Ord. No. 1357C)

Section 3. Validity of Ordinance. That 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. 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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED AS TO FORM: R.S. Wetzler City Attorney

(13872 1W-JC)

ORDINANCE NO. 1427

AN ORDINANCE AUTHORIZING AND PROVIDING FOR ACQUISITION OF PRIVATE PROPERTY FOR THE USE OF THE CITY AND AUTHORIZING SURVEY AND DESCRIPTION OF THE LAND AND INTEREST TO BE CONDEMNED.

WHEREAS, the Governing Body of the City of Leawood did by resolution approve on September 19, 1994, 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 Governing Body of the City of Leawood hereby determines that the lands and interests described hereinafter are necessary for the purposes of improving and reimproving Nall Avenue and does hereby authorize and provide for the acquisition said lands by condemnation.

Section 2. 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 Nall Avenue in the City of Leawood, Johnson County, Kansas. Specifically, the City Attorney is authorized and directed to institute eminent domain proceedings to acquire the following described property:

Tract No. L100
Right-of-Way
Parcel No. 1
All that part of Lot 144, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 144; thence N 87° 51′ 24" E along the existing Southerly Right-of-Way of 127th Street and the North line of said Lot 144 a distance of 54.96 feet; thence along said Right-of-Way and said North line of said Lot 144 on a curve to the right, said curve having an initial tangent bearing of N 87° 51′ 24" E, a deflection angle of 15° 33′ 47", a radius of 270.00 feet, and an arc length of 73.34 feet, to a point of reverse curvature; thence along the said Right-of-Way line and the North line of said Lot 144 on a curve to the left, said curve having an initial tangent bearing of S 76° 34′ 49" E, a deflection angle of 5° 19′ 18", a radius of 330.00 feet, and an arc length of 30.65 feet, to the Northeast corner of the said Lot 144; thence N 89° 57′ 51" W a distance of 115.13 feet; thence S 39° 24′ 01" W a distance of 63.54 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 144; thence N 02° 13′ 23" W along said Right-of-Way and said West line of said Lot 144 a distance of 59.92 feet to the point of beginning; said parcel of land containing 2,557 square feet, more or less.

Tract No. L100
Temporary Construction Easement
Parcel No. 1
All that part of Lot 144, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northeast corner of the said Lot 144; thence S 19° 33′ 00" E along the East line of said Lot 144 a distance of 12.12 feet; thence S 84° 58′ 41" W a distance of 107.22 feet; thence S 40° 01′ 59" W a distance

of 35.34 feet; thence S 02° 13′ 23" E along a line parallel to the West line of said Lot 144 a distance of 42.58 feet to the South line of said Lot 144; thence N 63° 17′ 39" W along said South line of said Lot 144 a distance of 34.28 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 144; thence N 02° 13′ 23" W along the said Right-of-Way and the West line of the said Lot 144 a distance of 26.00 feet; thence N 39° 24′ 02" E a distance of 63.54 feet; thence S 89° 57′ 51" E a distance of 115.13 feet to the point of beginning; said parcel of land containing 3,976 square feet, more or less.

Tract No. L100
Permanent Drainage Easement
Parcel No. 1
All that part of Lot 144, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Northwest corner of the said Lot 144; thence S 02° 13′ 23" W along the West lot line of said Lot 144 a distance of 15.00 feet; thence N 87° 51′ 24" E a distance of 15.00 feet, to the true point of beginning; thence continuing N 87° 51′ 24" E along a line parallel to the North line of said Lot 144 a distance of 24.96 feet; thence along a curve to the right, said curve having an initial tangent bearing of N 87° 51′ 24" E, a deflection angle of 1° 59′ 51", a radius of 240.00 feet, and an arc length of 8.37 feet; thence S 46° 05′ 07" W a distance of 44.63 feet; thence N 2° 13′ 23" W a distance of 29.88 feet to the true point of beginning; said parcel of land containing 499 square feet, more or less.

Tract No. L101
Temporary Construction Easement
Parcel No. 1
All that part of Lot 143, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 143; thence S 63° 17′ 39" E along the North line of said Lot 143 a distance of 34.28 feet; thence S 2° 13′ 23" E a distance of 7.42 feet; thence S 87° 46′ 37" W a distance of 10.00 feet; thence S 02° 13′ 23" E along a line parallel to the West line of said Lot 143 a distance of 151.22 feet to the South line of said Lot 143; thence S 69° 10′ 20" W along the said South line of said Lot 143 a distance of 21.10 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 143; thence N 02° 13′ 23" W along the said Right-of-Way and the West line of the said Lot 143 a distance of 181.95 feet to the point of beginning; said parcel of land containing 3,563 square feet, more or less.

Tract No. L102
Temporary Construction Easement
Parcel No. 1
All that part of Lot 142, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Westerly corner of the said Lot 142; thence N 69° 10′ 20" E along the North line of said Lot 142 a distance of 21.10 feet; thence S 02° 13′ 23" E a distance of 17.05 feet to the South line of Lot 142; thence N 64° 55′ 39" W along said South line of said Lot 142 a distance of 22.51 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and to the point of beginning; said parcel of land containing 171 square feet, more or less.

Tract No. L103
Temporary Construction Easement
Parcel No. 1
All that part of Lot 141, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 141; thence S 64° 55′ 39" E along the North line of said Lot 141 a distance of 31.51 feet; thence S 07° 40′ 14" W a distance of 104.76 feet to the South line of said Lot 141; thence N 72° 09′ 18" W along said South line of said Lot 141 a distance of 10.65 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 141; thence N 02° 13′ 23" W along the said Right-of-Way and the West line of the said Lot 141 a distance of 114.00 feet to the point of beginning; said parcel of land containing 2,145 square feet, more or less.

Tract No. L104
Temporary Construction Easement

Parcel No. 1
All that part of Lot 140, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 10.00 feet of said Lot 140; said parcel of land containing 1,178 square feet, more or less.

Tract No. L105
Temporary Construction Easement
Parcel No. 1
All that part of Lot 139, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 10.00 feet of said Lot 139; said parcel of land containing 945 square feet, more or less.

Tract No. L106
Temporary Construction Easement
Parcel No. 1
All that part of Lot 138, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 10.00 feet of said Lot 138; said parcel of land containing 974 square feet, more or less.

Tract No. L107
Temporary Construction Easement
Parcel No. 1
All that part of Lot 153, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 15.00 feet of said Lot 153; said parcel of land containing 2,205 square feet, more or less.

Tract No. L108
Temporary Construction Easement
Parcel No. 1
All that part of Lot 152, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 20.00 feet of said Lot 152; said parcel of land containing 4,453 square feet, more or less.

Tract No. L109
Temporary Construction Easement
Parcel No. 1
All that part of Lot 151, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 20.00 feet of said Lot 151; said parcel of land containing 1,251 square feet, more or less.

Tract No. L110
Temporary Construction Easement
Parcel No. 1
All that part of Lot 132, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 20.00 feet of said Lot 132; said parcel of land containing 3,518 square feet, more or less.

Tract No. L111
Temporary Construction Easement
Parcel No. 1
All that part of Lot 131, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas,

described as follows: the West 20.00 feet of said Lot 131; said parcel of land containing 941 square feet, more or less.

Tract No. L113
Temporary Construction Easement
Parcel No. 1
All that part of Lot 145, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 145; thence N 87° 48′ 01" E along the North line of said Lot 145 a distance of 15.00 feet; thence S 00° 40′ 02" E a distance of 184.18 feet; thence S 77° 37′ 38" E a distance of 39.08 feet to a point on the existing Northerly Right-of-Way of 129th Terrace and the South line of said Lot 145; thence along said Right-of-Way and said South line of said Lot 145 on a curve to the right, said curve having an initial tangent bearing of S 82° 57′ 09" W, a deflection angle of 04° 49′ 29", a radius of 568.58 feet, and an arc length of 47.88 feet, to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 145; thence N 02° 13′ 23" W along said Right-of-Way and the West line of said Lot 145 a distance of 195.98 feet to the point of beginning; said parcel of land containing 2,650 square feet, more or less.

Tract No. L115
Temporary Construction Easement
Parcel No. 1
All that part of Lot 146, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 146; thence along the existing Southerly Right-of-Way and North line of said Lot 146 on a curve to the left, said curve having an initial tangent bearing of N 87° 46′ 37" E, a deflection angle of 04° 49′ 29", a radius of 618.58 feet, and an arc length of 52.09 feet; thence S 61° 57′ 51" W a distance of 46.69 feet; thence S 02° 13′ 23" E along a line parallel to the West line of said Lot 146 a distance of 101.18 feet to the South line of said Lot 146; thence S 83° 53′ 11" W along said South line of said Lot 146 a distance of 10.02 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 146; thence N 02° 13′ 23" W along said Right-of-Way and West line of said Lot 146 a distance of 120.00 feet to the point of beginning; said parcel of land containing 1,570 square feet, more or less.

Tract No. L116
Temporary Construction Easement
Parcel No. 1

All that part of Lot 162, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 10.00 feet of said Lot 162, said parcel of land containing 45 square feet, more or less.

Tract No. L117
Permanent Drainage Easement
Parcel No. 1
All that part of Lot 163, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Northwest corner of said Lot 163; thence S 02° 13′ 23" E along the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 163 a distance of 45.50 feet; thence N 87° 46′ 37" E a distance of 20.00 feet to the true point of beginning; thence continuing N 87° 46′ 37" E a distance of 22.59 feet; thence S 58° 33′ 24" W a distance of 25.88 feet; thence N 02° 13′ 23" W along a line parallel to the West line of said Lot 163 a distance of 12.63 feet to the true point of beginning; said parcel of land containing 143 square feet, more or less.

Tract No. L117
Temporary Construction Easement
Parcel No. 1
All that part of Lot 163, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 163; thence S 52° 14′ 20" E along the North line of said Lot 163 a distance of 58.73 feet; thence S 20° 51′ 29" W a distance of 76.52 feet; thence S 02° 13′ 23" E along a line parallel to the West line of said Lot 163 a distance of 70.65 feet to the South line of said Lot 163; thence S 74° 37′ 30" W along said South line of said Lot 163 a distance of 15.40 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 163; thence N 02° 13′ 23" W along said Right-of-Way and West line of said Lot 163 a distance of 182.29 feet to the point of beginning; said parcel of land containing 4,047 square feet, more or less.

Tract No. L118
Temporary Construction Easement
Parcel No. 1
All that part of Lot 164, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 15.00 feet of said Lot 164; said parcel of land containing 1,911 square feet, more or less.

Tract No. L121

Temporary Construction Easement
Parcel No. 1
All that part of Lot 173, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 173; thence N 87° 46′ 37" E along the North line of said Lot 173 a distance of 15.00 feet; thence S 03° 28′ 37" W a distance of 100.69 feet; thence S 62° 44′ 10" E a distance of 40.25 feet to a point on the Northerly Right-of-Way of 130th Terrace and the South line of said Lot 173; thence S 87° 46′ 37" W along said Right-of-Way and said South line of said Lot 173 a distance of 40.04 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 173; thence N 02° 13′ 23" W along said Right-of-Way and West line of said Lot 173 a distance of 120.00 feet to the point of beginning; said parcel of land containing 1,448 square feet, more or less.

Tract No. L122
Temporary Construction Easement
Parcel No. 1
All that part of Lot 194, CARRIAGE CROSSING, FOURTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 194; thence N 87° 46′ 37" E along the Southerly Right-of-Way of 130th Terrace and North line of said Lot 194 a distance of 39.96 feet; thence S 02° 10′ 25" E a distance of 10.08 feet; thence S 76° 13′ 02" W a distance of 25.47 feet; thence S 02° 13′ 23" E along a line parallel to the West line of said Lot 194 a distance of 248.55 feet to the South line of said Lot 194; thence S 65° 06′ 15" W along said South line of said Lot 194 a distance of 16.26 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 194; thence N 02° 13′ 23" W along said Right-of-Way and West line of said Lot 194 a distance of 270.00 feet to the point of beginning; said parcel of land containing 4,318 square feet, more or less.

Tract No. L123
Temporary Construction Easement
Parcel No. 1
All that part of Lot 193, CARRIAGE CROSSING, FOURTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 15.00 feet of said Lot 193; said parcel of land containing 2,514 square feet, more or less.

Tract No. L124
Temporary Construction Easement

Parcel No. 1
All that part of Lot 192, CARRIAGE CROSSING, FOURTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 15.00 feet of said Lot 192; said parcel of land containing 112 square feet, more or less.

Tract No. L85
<u>Right-of-Way</u>
Parcel No. 1
All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46′ 51" W, along the West line of said ¼ Section, a distance of 1000.00 feet; thence N 87° 51′ 24" E a distance of 20.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the true point of beginning; thence N 01° 46′ 51" W along a line parallel to the West line of said ¼ Section a distance of 332.33 feet to the City Limits Line of Overland Park and Leawood, Kansas; thence N 87° 50′ 14" E along said City Limits Line a distance of 40.00 feet; thence S 01° 46′ 51" E along a line parallel to the West line of said ¼ Section a distance of 540.87 feet to a point on the existing Easterly Right-of-Way of Nall Avenue; thence N 09° 58′ 30" W along said Right-of-Way a distance of 210.49 feet; thence S 87° 51′ 24" W along said Right-of-Way line a distance of 10.00 feet to the true point of beginning; said parcel of land containing 16,421 square feet more or less.

Parcel No. 2
All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46′ 51" W, along the West line of said ¼ Section, a distance of 633.25 feet; thence N 88° 13′ 09" E a distance of 66.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the true point of beginning; thence S 01° 46′ 52" E a distance of 108.25 feet; thence S 01° 46′ 51" E along a line parallel to the West line of said ¼ Section a distance of 75.00 feet; thence S 05° 03′ 43" W a distance of 50.36 feet; thence S 01° 46′ 51" E a distance of 121.04 feet; thence S 87° 51′ 24" W a distance of 10.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue; thence N 01° 46′ 51" W along said Right-of-Way a distance of 57.14 feet; thence N 01° 18′ 02" E along said Right-of-Way a distance of 297.65 feet to the true point of beginning; said parcel of land containing 2,415 square feet, more or less.

Tract No. L85

Temporary Construction Easement

Parcel No. 1

All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46′ 51" W, along the West line of said ¼ Section, a distance of 770.00 feet; thence N 88° 13′ 09" E a distance of 63.16 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and to the true point of beginning; thence N 09° 58′ 30" W along said Right-of-Way a distance of 22.14 feet; thence N 01° 46′ 51" W along a line parallel to the West line of said ¼ Section a distance of 540.87 feet to the City Limits Line of Overland Park and Leawood, Kansas; thence N 87° 50′ 14" E along said City Limits Line a distance of 17.18 feet; thence S 07° 24′ 41" E a distance of 334.51 feet; thence S 12° 15′ 20" W a distance of 103.08 feet; thence S 08° 21′ 46" E a distance of 130.86 feet; thence S 88° 13′ 09" W a distance of 36.84 feet to the true point of beginning; said parcel of land containing 19,122 square feet, more or less.

Parcel No. 2

All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46′ 51" W, along the West line of said ¼ Section, a distance of 610.00 feet; thence N 88° 13′ 09" E a distance of 66.00 feet to the true point of beginning; thence N 46° 47′ 46" E a distance of 45.34 feet; thence S 01° 46′ 51" E along a line parallel to the West line of the said ¼ Section a distance of 80.00 feet; thence N 88° 13′ 09" E a distance of 65.00 feet; thence S 35° 28′ 15" E a distance of 36.06 feet; thence S 41° 22′ 18" W a distance of 109.66 feet; thence S 09° 47′ 25" W a distance of 16.24 feet to the Northwest line of Lot 3, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas;thence S 49° 56′ 18" W along said Northwest line of said Lot 3 a distance of 14.96 feet to the Northwest corner of said Lot 3; thence S 11° 42′ 47" W along the West line of said Lot 3 a distance of 150.00 feet to the Southwest corner of said Lot 3; thence N 01° 46′ 51" W along a line parallel to the West line of said ¼ Section a distance of 121.04 feet; thence N 05° 03′ 43" W a distance of 50.36 feet; thence N 01° 46′ 51" W a distance of 75.00 feet; thence N 01° 46′ 52" W a distance of 85.00 feet to the true point of beginning; said parcel of land containing 15,551 square feet, more or less.

Tract No. L85
Permanent Drainage Easement
Parcel No. 1
All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46′ 51" W, along the West line of said ¼ Section, a distance of 791.92 feet; thence N 88° 13′ 09" E a distance of 60.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and to the true point of beginning; thence S 63° 03′ 44" E a distance of 45.61 feet; thence N 88° 13′ 09" E a distance of 75.00 feet; thence S 01° 46′ 51" E along a line parallel to the West line of said ¼ Section a distance of 70.00 feet; thence S 49° 33′ 34" W a distance of 96.05 feet; thence S 25° 49′ 57" W a distance of 73.36 feet; thence N 01° 46′ 52" W a distance of 58.25 feet; thence N 01° 47′ 43" W along said Right-of-Way a distance of 34.19 feet to the Southwest corner of the existing Permanent Drainage Easement East of Nall Avenue; thence N 61° 39′ 15" E along the South Line of said Permanent Drainage Easement a distance of 33.55 feet; thence N 01° 46′ 51" W along the East line of said Permanent Drainage Easement a distance of 68.00 feet; thence S 87° 51′ 24" W along said Permanent Drainage Easement a distance of 30.00 feet to a point on said Right-of-Way line; thence N 09° 58′ 30" W along said Right-of-Way a distance of 42.09 feet to the true point of beginning; said parcel of land containing 11,195 square feet, more or less.

Tract No. L87
Temporary Construction Easement
Parcel No. 1
All that part of Lot 3, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning a the Northwest corner of said Lot 3; thence N 49° 56′ 18" E along the Northwest line of the said Lot 3 a distance of 14.96 feet; thence S 09° 47′ 25" W a distance of 158.25 feet to the South line of said Lot 3; thence S 87° 51′ 24" W along said South line of said Lot 3 a distance of 15.00 feet to the Southwest corner of said Lot 3; thence N 11° 42′ 47" E along the West line of said Lot 3 a distance of 150.00 feet to the point of beginning; said parcel of land containing 1,855 square feet, more or less.

Tract No. L88
Temporary Construction Easement
Parcel No. 1
All that part of Lot 2, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas,

described as follows: Beginning at the Northwest corner of said Lot 2; thence N 87° 51′ 24" E along the North line of the said Lot 2 a distance of 15.00 feet; thence S 05° 41′ 53" E a distance of 109.92 feet to the South line of said Lot 2; thence S 87° 51′ 24" W along said South line of said Lot 2 a distance of 22.51 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 2; thence N 01° 46′ 51" W along said Right-of-Way and West line of said Lot 2 a distance of 109.71 feet to the point of beginning; said parcel of land containing 2,058 square feet, more or less.

Tract No. L89
Right-of-Way
Parcel No. 1
All that part of Lot 1, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning a the Southwest corner of said Lot 1; thence N 01° 46′ 51" W along the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 1 a distance of 34.62 feet; thence S 63° 05′ 52" E a distance of 56.27 feet; thence S 81° 01′ 53" E a distance of 63.82 feet to a point on the existing Northerly Right-of-Way of 127th Street and the South line of said Lot 1; thence along said Right-of-Way and said South line of said Lot 1 on a curve to the left, said curve having an initial tangent bearing of N 82° 09′ 25" W, a deflection angle of 09° 59′ 11", a radius of 330.00 feet, and an arc length of 57.52 feet, to a point of tangency; thence S 87° 51′ 24" W along said Right-of-Way and said South line of said Lot 1 a distance of 54.81 feet to the point of beginning; said parcel of land containing 1,202 square feet, more or less.

Tract No. L89
Temporary Construction Easement
Parcel No. 1
All that part of Lot 1, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 1; thence N 87° 51′ 24" E along the North line of said Lot 1 a distance of 22.51 feet; thence S 05° 41′ 53" E a distance of 109.65 feet; thence S 77° 29′ 14" E a distance of 113.31 feet to the East line of said Lot 1; thence S 02° 08′ 36" E along the East line of said Lot 1 a distance of 11.90 feet to a point on the existing Northerly Right-of-Way of 127th Street and the Southeast corner of said Lot 1; thence along said Right-of-Way and the South line of said Lot 1 on a curve to the left, said curve having an initial bearing of N 77° 13′ 01" W, a deflection angle of 04° 56′ 24", a radius of

330.00 feet, and an arc length of 28.45 feet, to a point of tangency; thence N 81° 01′ 53" W a distance of 63.82 feet; thence N 63° 05′ 53" W a distance of 56.27 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 1; thence N 01° 46′ 51" W along said Right-of-Way and said West line of said Lot 1 a distance of 104.25 feet to the point of beginning; said parcel of land containing 4,525 square feet, more or less.

Tract No. L90
Temporary Construction Easement
Parcel No. 1
All that part of Tract C, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Southeast corner of said Tract C; thence along the existing Northerly Right-of-Way of 127th Street and the South line of said Tract C on a curve to the right, said curve having an initial tangent bearing of N 86° 37′ 02" W, a deflection angle of 10° 02′ 19", a radius of 270.00 feet, and an arc length of 47.31 feet, to a point of reverse curvature; thence along said Right-of-Way and said South line of said Tract C on a curve to the left, said curve having an initial tangent bearing of N 76° 34′ 44" W, a deflection angle of 0° 38′ 20", a radius of 330.00 feet, and an arc length of 3.68 feet, to the Southwest corner of said Tract C; thence N 02° 08′ 36" W along the West line of said Tract C a distance of 17.59 feet; thence N 87° 48′ 24" E a distance of 50.00 feet to the East line of said Tract C; thence S 02° 08′ 36" E along the said East line of said Tract C a distance of 27.25 feet to the point of beginning; said parcel of land containing 1,161 square feet, more or less.

Tract No. L94
Temporary Construction Easement
Parcel No. 1
All that part of Tract C, LEAWOOD FOREST ESTATES, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Southwest corner of said Tract C; thence N 02° 08′ 36" W along the West line of said Tract C a distance of 20.75 feet; thence S 63° 05′ 12" E a distance of 45.30 feet to a point on the existing Northerly Right-of-Way of 127th Street and the South line of said Tract C; thence S 87° 51′ 24" W along said Right-of-Way and said South line of said Tract C a distance of 13.62 feet to a point of curvature; thence on a curve to the right, said curve having an initial tangent bearing of S 87° 51′ 24" W, a deflection angle of 05° 31′ 20", a radius of 270.00 feet, and an arc length of 26.02 feet, to the point of beginning; said tract of land containing 425 square feet, more or less.

Tract No. L99
Temporary Construction Easement
Parcel No. 1
All that part of Lot 145, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 145; thence along the existing Southerly Right-of-Way of 127th Street and North line of said Lot 145 on a curve to the left, said curve having an initial tangent bearing of S 81° 32′ 19" E, a deflection angle of 06° 18′ 57", a radius of 330.00 feet, and an arc length of 36.38 feet; thence S 75° 55′ 57" W a distance of 33.14 feet to the West line of said Lot 99; thence N 19° 33′ 00" W along said West line of said Lot 99 a distance of 12.12 feet to the point of beginning; said parcel of land containing 188 square feet, more or less.

Section ~~2.~~ 3. This Ordinance shall take effect and be enforced from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 19th DAY OF Sept., 1994.

Signed by the Mayor this 19th day of Sept., 1994.

(S E A L)

Marcia Rinehart, Mayor

ATTEST:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

Richard S. Wetzler
City Attorney

F:\USER\DICK\LEAWOOD\NALL.ORD

Ord. bk.

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

10/18/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
10/18/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1998

Publication Fees: $250.88

Ord. # 1427

$250.88

ORDINANCE NO. 1427

First published in The Legal Record, Tuesday, October 18, 1994.

ORDINANCE NO. 1427

AN ORDINANCE AUTHORIZING AND PROVIDING FOR ACQUISITION OF PRIVATE PROPERTY FOR THE USE OF THE CITY AND AUTHORIZING SURVEY AND DESCRIPTION OF THE LAND AND INTEREST TO BE CONDEMNED.

WHEREAS, the Governing Body of the City of Leawood did by resolution approve on September 19, 1994, 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 Governing Body of the City of Leawood hereby determines that the lands and interests described hereinafter are necessary for the purposes of improving and reimproving Nall Avenue and does hereby authorize and provide for the acquisition said lands by condemnation.

Section 2. 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 Nall Avenue in the City of Leawood, Johnson County, Kansas. Specifically, the City Attorney is authorized and directed to institute eminent domain proceedings to acquire the following described property:

Tract No. L100
Right-of-Way
Parcel No. 1
All that part of Lot 144, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 144; thence N 87° 51' 24" E along the existing Southerly Right-of-Way of 127th Street and the North line of said Lot 144 a distance of 54.96 feet; thence along said Right-of-Way and said North line of said Lot 144 on a curve to the right, said curve having an initial tangent bearing of N 87° 51' 24" E, a deflection angle of 15° 33' 47", a radius of 270.00 feet, and an arc length of 73.34 feet, to a point of reverse curvature; thence along the said Right-of-Way line and the North line of said Lot 144 on a curve to the left, said curve having an initial tangent bearing of S 76° 34' 49" E, a deflection angle of 5° 19' 18", a radius of 330.00 feet, and an arc length of 30.65 feet, to the Northeast corner of the said Lot 144; thence N 89° 57' 51" W a distance of 115.13 feet; thence S 39° 24' 01" W a distance of 63.54 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 144; thence N 02° 13' 23" W along said Right-of-Way and said West line of said Lot 144 a distance of 59.92 feet to the point of beginning; said parcel of land containing 2,557 square feet, more or less.

Tract No. L100
Temporary Construction Easement
Parcel No. 1
All that part of Lot 144, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northeast corner of the said Lot 144; thence S 19° 33' 00" E along the East line of said Lot 144 a distance of 12.12 feet; thence S 84° 58' 41" W a distance of 107.22 feet; thence S 40° 01' 59" W a distance of 35.34 feet; thence S 02° 13' 23" E along a line parallel to the West line of said Lot 144 a distance of 42.58 feet to the South line of said Lot 144; thence N 63° 17' 39" W along said South line of said Lot 144 a distance of 34.28 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 144; thence N 02° 13' 23" W along the said Right-of-Way and the West line of the said Lot 144 a distance of 26.00 feet; thence N 39° 24' 02" E a distance of 63.54 feet; thence S 89° 57' 51" E a distance of 115.13 feet to the point of beginning; said parcel of land containing 3,976 square feet, more or less.

Tract No. L100
Permanent Drainage Easement
Parcel No. 1
All that part of Lot 144, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Northwest corner of the said Lot 144; thence S 02° 13' 23" W along the West lot line of said Lot 144 a distance of 15.00 feet; thence N 87° 51' 24" E a distance of 15.00 feet, to the true point of beginning; thence continuing N 87° 51' 24" E along a line parallel to the North line of said Lot 144 a distance of 24.96 feet; thence along a curve to the right, said curve having an initial tangent bearing of N 87° 51' 24" E, a deflection angle of 1° 59' 51", a radius of 240.00 feet, and an arc length of 8.37 feet; thence S 46° 05' 07" W a distance of 44.63 feet; thence N 2° 13' 23" W a distance of 29.88 feet to the true point of beginning; said parcel of land containing 499 square feet, more or less.

Tract No. L101
Temporary Construction Easement
Parcel No. 1
All that part of Lot 143, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 143; thence S 63° 17' 39" E along the North line of said Lot 143 a distance of 34.28 feet; thence S 2° 13' 23" E a distance of 7.42 feet; thence S 87° 46' 37" W a distance of 10.00 feet; thence S 02° 13' 23" E along a line parallel to the West line of said Lot 143 a distance of 151.22 feet to the South line of said Lot 143; thence S 69° 10' 20" W along the said South line of said Lot 143 a distance of 21.10 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 143; thence N 02° 13' 23" W along the said Right-of-Way and the West line of the said Lot 143 a distance of 181.95 feet to the point of beginning; said parcel of land containing 3,563 square feet, more or less.

Tract No. L102
Temporary Construction Easement
Parcel No. 1
All that part of Lot 142, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Westerly corner of the said Lot 142; thence N 69° 10' 20" E along the North line of said Lot 142 a distance of 21.10 feet; thence S 02° 13' 23" E a distance of 17.05 feet to the South line of Lot 142; thence N 64° 55' 39" W along said South line of said Lot 142 a distance of 22.51 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and to the point of beginning; said parcel of land containing 171 square feet, more or less.

Tract No. L103
Temporary Construction Easement
Parcel No. 1
All that part of Lot 141, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 141; thence S 64° 55' 39" E along the North line of said Lot 141 a distance of 31.51 feet; thence S 07° 40' 14" W a distance of 104.76 feet to the South line of said Lot 141; thence N 72° 09' 18" W along said South line of said Lot 141 a distance of 10.65 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 141; thence N 02° 13' 23" W along the said Right-of-Way and the West line of the said Lot 141 a distance of 114.00 feet to the point of beginning; said parcel of land containing 2,145 square feet, more or less.

Tract No. L104
Temporary Construction Easement

Parcel No. 1
All that part of Lot 140, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 10.00 feet of said Lot 140; said parcel of land containing 1,178 square feet, more or less.

Tract No. L105
Temporary Construction Easement
Parcel No. 1
All that part of Lot 139, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 10.00 feet of said Lot 139; said parcel of land containing 945 square feet, more or less.

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Tract No. L106
Temporary Construction Easement
Parcel No. 1
All that part of Lot 138, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 10.00 feet of said Lot 138; said parcel of land containing 974 square feet, more or less.

Tract No. L107
Temporary Construction Easement
Parcel No. 1
All that part of Lot 153, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 15.00 feet of said Lot 153; said parcel of land containing 2,205 square feet, more or less.

Tract No. L108
Temporary Construction Easement
Parcel No. 1
All that part of Lot 152, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 20.00 feet of said Lot 152; said parcel of land containing 4,453 square feet, more or less.

Tract No. L109
Temporary Construction Easement
Parcel No. 1
All that part of Lot 151, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 20.00 feet of said Lot 151; said parcel of land containing 1,251 square feet, more or less.

Tract No. L110
Temporary Construction Easement
Parcel No. 1
All that part of Lot 132, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 20.00 feet of said Lot 132; said parcel of land containing 3,518 square feet, more or less.

Tract No. L111
Temporary Construction Easement
Parcel No. 1
All that part of Lot 131, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: the West 20.00 feet of said Lot 131; said parcel of land containing 941 square feet, more or less.

Tract No. L113
Temporary Construction Easement
Parcel No. 1
All that part of Lot 145, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 145; thence N 87° 48' 01" E along the North line of said Lot 145 a distance of 15.00 feet; thence S 00° 40' 02" E a distance of 184.18 feet; thence S 77° 37' 38" E a distance of 39.08 feet to a point on the existing Northerly Right-of-Way of 129th Terrace and the South line of said Lot 145; thence along said Right-of-Way and said South line of said Lot 145 on a curve to the right, said curve having an initial tangent bearing of S 82° 57' 09" W, a deflection angle of 04° 49' 29", a radius of 568.58 feet, and an arc length of 47.88 feet, to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 145; thence N 02° 13' 23" W along said Right-of-Way and the West line of said Lot 145 a distance of 195.98 feet to the point of beginning; said parcel of land containing 2,650 square feet, more or less.

Tract No. L115
Temporary Construction Easement
Parcel No. 1
All that part of Lot 146, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 146; thence along the existing Southerly Right-of-Way and North line of said Lot 146 on a curve to the left, said curve having an initial tangent bearing of N 87° 46' 37" E, a deflection angle of 04° 49' 29", a radius of 618.58 feet, and an arc length of 52.09 feet; thence S 61° 57' 51" W a distance of 46.69 feet; thence S 02° 13' 23" E along a line parallel to the West line of said Lot 146 a distance of 101.18 feet to the South line of said Lot 146; thence S 83° 53' 11" W along said South line of said Lot 146 a distance of 10.02 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 146; thence N 02° 13' 23" W along said Right-of-Way and West line of said Lot 146 a distance of 120.00 feet to the point of beginning; said parcel of land containing 1,570 square feet, more or less.

Tract No. L116
Temporary Construction Easement
Parcel No. 1
All that part of Lot 162, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 10.00 feet of said Lot 162, said parcel of land containing 45 square feet, more or less.

Tract No. L117
Permanent Drainage Easement
Parcel No. 1
All that part of Lot 163, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Northwest corner of said Lot 163; thence S 02° 13' 23" E along the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 163 a distance of 45.50 feet; thence N 87° 46' 37" E a distance of 20.00 feet to the true point of beginning; thence continuing N 87° 46' 37" E a distance of 22.59 feet; thence S 58° 33' 24" W a distance of 25.88 feet; thence N 02° 13' 23" W along a line parallel to the West line of said Lot 163 a distance of 12.63 feet to the true point of beginning; said parcel of land containing 143 square feet, more or less.

Tract No. L117
Temporary Construction Easement
Parcel No. 1
All that part of Lot 163, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 163; thence S 52° 14' 20" E along the North line of said Lot 163 a distance of 58.73 feet; thence S 20° 51' 29" W a distance of 76.52 feet; thence S 02° 13' 23" E along a line parallel to the West line of said Lot 163 a distance of 70.65 feet to the South line of said Lot 163; thence S 74° 37' 30" W along said South line of said Lot 163 a distance of 15.40 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 163; thence N 02° 13' 23" W along said Right-of-Way and West line of said Lot 163 a distance of 182.29 feet to the point of beginning; said parcel of land containing 4,047 square feet, more or less.

Tract No. L118
Temporary Construction Easement
Parcel No. 1
All that part of Lot 164, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 15.00 feet of said Lot 164; said parcel of land containing 1,911 square feet, more or less.

Tract No. L121
Temporary Construction Easement
Parcel No. 1
All that part of Lot 173, CARRIAGE CROSSING, THIRD PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 173; thence N 87° 46' 37" E along the North line of said Lot 173 a distance of 15.00 feet; thence S 03° 28' 37" W a distance of 100.69 feet; thence S 62° 44' 10" E a distance of 40.25 feet to a point on the Northerly Right-of-Way of 130th Terrace and the South line of said Lot 173; thence S 87° 46' 37" W along said Right-of-Way and said South line of said Lot 173 a distance of 40.04 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 173; thence N 02° 13' 23" W along said Right-of-Way and West line of said Lot 173 a distance of 120.00 feet to the point of beginning; said parcel of land containing 1,448 square feet, more or less.

Tract No. L122
Temporary Construction Easement
Parcel No. 1
All that part of Lot 194, CARRIAGE CROSSING, FOURTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 194; thence N 87° 46' 37" E along the Southerly Right-of-Way of 130th Terrace and North line of said Lot 194 a distance of 39.96 feet; thence S 02° 10' 25" E a distance of 10.08 feet; thence S 76° 13' 02" W a distance of 25.47 feet; thence S 02° 13' 23" E along a line parallel to the West line of said Lot 194 a distance of 248.55 feet to the South line of said Lot 194; thence S 65° 06' 15" W along said South line of said Lot 194 a distance of 16.26 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 194; thence N 02° 13' 23" W along said Right-of-Way and West line of said Lot 194 a distance of 270.00 feet to the point of beginning; said parcel of land containing 4,318 square feet, more or less.

Tract No. L123
Temporary Construction Easement
Parcel No. 1
All that part of Lot 193, CARRIAGE CROSSING, FOURTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 15.00 feet of said Lot 193; said parcel of land containing 2,514 square feet, more or less.

Tract No. L124
Temporary Construction Easement

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Parcel No. 1
All that part of Lot 192, CARRIAGE CROSSING, FOURTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: The West 15.00 feet of said Lot 192; said parcel of land containing 112 square feet, more or less.

Tract No. L85
Right-of-Way
Parcel No. 1
All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46' 51" W, along the West line of said ¼ Section, a distance of 1000.00 feet; thence N 87° 51' 24" E a distance of 20.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the true point of beginning; thence N 01° 46' 51" W along a line parallel to the West line of said ¼ Section a distance of 332.33 feet to the City Limits Line of Overland Park and Leawood, Kansas; thence N 87° 50' 14" E along said City Limits Line a distance of 40.00 feet; thence S 01° 46' 51" E along a line parallel to the West line of said ¼ Section a distance of 540.87 feet to a point on the existing Easterly Right-of-Way of Nall Avenue; thence N 09° 58' 30" W along said Right-of-Way a distance of 210.49 feet; thence S 87° 51' 24" W along said Right-of-Way line a distance of 10.00 feet to the true point of beginning; said parcel of land containing 16,421 square feet more or less.

Parcel No. 2
All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46' 51" W, along the West line of said ¼ Section, a distance of 633.25 feet; thence N 88° 13' 09" E a distance of 66.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the true point of beginning; thence S 01° 46' 52" E a distance of 108.25 feet; thence S 01° 46' 51" E along a line parallel to the West line of said ¼ Section a distance of 75.00 feet; thence S 05° 03' 43" W a distance of 50.36 feet; thence S 01° 46' 51" E a distance of 121.04 feet; thence S 87° 51' 24" W a distance of 10.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue; thence N 01° 46' 51" W along said Right-of-Way a distance of 57.14 feet; thence N 01° 18' 02" E along said Right-of-Way a distance of 297.65 feet to the true point of beginning; said parcel of land containing 2,415 square feet, more or less.

Tract No. L85
Temporary Construction Easement
Parcel No. 1
All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46' 51" W, along the West line of said ¼ Section, a distance of 770.00 feet; thence N 88° 13' 09" E a distance of 63.16 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and to the true point of beginning; thence N 09° 58' 30" W along said Right-of-Way a distance of 22.14 feet; thence N 01° 46' 51" W along a line parallel to the West line of said ¼ Section a distance of 540.87 feet to the City Limits Line of Overland Park and Leawood, Kansas; thence N 87° 50' 14" E along said City Limits Line a distance of 17.18 feet; thence S 07° 24' 41" E a distance of 334.51 feet; thence S 12° 15' 20" W a distance of 103.08 feet; thence S 08° 21' 46" E a distance of 130.86 feet; thence S 88° 13' 09" W a distance of 36.84 feet to the true point of beginning; said parcel of land containing 19,122 square feet, more or less.

Parcel No. 2
All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46' 51" W, along the West line of said ¼ Section, a distance of 610.00 feet; thence N 88° 13' 09" E a distance of 66.00 feet to the true point of beginning; thence N 46° 47' 46" E a distance of 45.34 feet; thence S 01° 46' 51" E along a line parallel to the West line of the said ¼ Section a distance of 80.00 feet; thence N 88° 13' 09" E a distance of 65.00 feet; thence S 35° 28' 15" E a distance of 36.06 feet; thence S 41° 22' 18" W a distance of 109.66 feet; thence S 09° 47' 25" W a distance of 16.24 feet to the Northwest line of Lot 3, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas;thence S 49° 56' 18" W along said Northwest line of said Lot 3 a distance of 14.96 feet to the Northwest corner of said Lot 3; thence S 11° 42' 47" W along the West line of said Lot 3 a distance of 150.00 feet to the Southwest corner of said Lot 3; thence N 01° 46' 51" W along a line parallel to the West line of said ¼ Section a distance of 121.04 feet; thence N 05° 03' 43" W a distance of 50.36 feet; thence N 01° 46' 51" W a distance of 75.00 feet; thence N 01° 46' 52" W a distance of 85.00 feet to the true point of beginning; said parcel of land containing 15,551 square feet, more or less.

Tract No. L85
Permanent Drainage Easement
Parcel No. 1
All that part of the Southwest ¼ of the Southwest ¼ of Section 21, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, described as follows: Commencing at the Southwest corner of the Southwest ¼ of said Section 21; thence N 01° 46' 51" W, along the West line of said ¼ Section, a distance of 791.92 feet; thence N 88° 13' 09" E a distance of 60.00 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and to the true point of beginning; thence S 63° 03' 44" E a distance of 45.61 feet; thence N 88° 13' 09" E a distance of 75.00 feet; thence S 01° 46' 51" E along a line parallel to the West line of said ¼ Section a distance of 70.00 feet; thence S 49° 33' 34" W a distance of 96.05 feet; thence S 25° 49' 57" W a distance of 73.36 feet; thence N 01° 46' 52" W a distance of 58.25 feet; thence N 01° 47' 43" W along said Right-of-Way a distance of 34.19 feet to the Southwest corner of the existing Permanent Drainage Easement East of Nall Avenue; thence N 61° 39' 15" E along the South Line of said Permanent Drainage Easement a distance of 33.55 feet; thence N 01° 46' 51" W along the East line of said Permanent Drainage Easement a distance of 68.00 feet; thence S 87° 51' 24" W along said Permanent Drainage Easement a distance of 30.00 feet to a point on said Right-of-Way line; thence N 09° 58' 30" W along said Right-of-Way a distance of 42.09 feet to the true point of beginning; said parcel of land containing 11,195 square feet, more or less.

Tract No. L87
Temporary Construction Easement
Parcel No. 1
All that part of Lot 3, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning a the Northwest corner of said Lot 3; thence N 49° 56' 18" E along the Northwest line of the said Lot 3 a distance of 14.96 feet; thence S 09° 47' 25" W a distance of 158.25 feet to the South line of said Lot 3; thence S 87° 51' 24" W along said South line of said Lot 3 a distance of 15.00 feet to the Southwest corner of said Lot 3; thence N 11° 42' 47" E along the West line of said Lot 3 a distance of 150.00 feet to the point of beginning; said parcel of land containing 1,855 square feet, more or less.

Tract No. L88
Temporary Construction Easement
Parcel No. 1
All that part of Lot 2, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 2; thence N 87° 51' 24" E along the North line of the said Lot 2 a distance of 15.00 feet; thence S 05° 41' 53" E a distance of 109.92 feet to the South line of said Lot 2; thence S 87° 51' 24" W along said South line of said Lot 2 a distance of 22.51 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the Southwest corner of said Lot 2; thence N 01° 46' 51" W along said Right-of-Way and West line of said Lot 2 a distance of 109.71 feet to the point of beginning; said parcel of land containing 2,058 square feet, more or less.

Tract No. L89
Right-of-Way
Parcel No. 1
All that part of Lot 1, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning a the Southwest corner of said Lot 1; thence N 01° 46' 51" W along the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 1 a distance of 34.62 feet; thence S 63° 05' 52" E a distance of 56.27 feet; thence S 81° 01' 53" E a distance of 63.82 feet to a point on the existing Northerly Right-of-Way of 127th Street and the South line of said Lot 1; thence along said Right-of-Way and said South line of said Lot 1 on a curve to the left, said curve having an initial tangent bearing of N 82° 09' 25" W, a deflection angle of 09° 59' 11", a radius of 330.00 feet, and an arc length of 57.52 feet, to a point of tangency; thence S 87° 51' 24" W along said Right-of-Way and said South line of said Lot 1 a distance of 54.81 feet to the point of beginning; said parcel of land containing 1,202 square feet, more or less.

Tract No. L89
Temporary Construction Easement
Parcel No. 1
All that part of Lot 1, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 1; thence N 87° 51' 24" E along the North line of said Lot 1 a distance of 22.51 feet; thence S 05° 41' 53" E a distance of 109.65 feet; thence S 77° 29' 14" E a distance of 113.31 feet to the East line of said Lot 1; thence S 02° 08' 36" E along the East line of said Lot 1 a distance of 11.90 feet to a point on the existing Northerly Right-of-Way of 127th Street and the Southeast corner of said Lot 1; thence along said Right-of-Way and the South line of said Lot 1 on a curve to the left, said curve having an initial bearing of N 77° 13' 01" W, a deflection angle of 04° 56' 24", a radius of

CONTINUED ON PAGE 12

CONTINUED FROM PAGE 11

330.00 feet, and an arc length of 28.45 feet, to a point of tangency; thence N 81° 01' 53" W a distance of 63.82 feet; thence N 63° 05' 53" W a distance of 56.27 feet to a point on the existing Easterly Right-of-Way of Nall Avenue and the West line of said Lot 1; thence N 01° 46' 51" W along said Right-of-Way and said West line of said Lot 1 a distance of 104.25 feet to the point of beginning; said parcel of land containing 4,525 square feet, more or less.

Tract No. L90
Temporary Construction Easement
Parcel No. 1
All that part of Tract C, PATRICIAN WOODS, SIXTH PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Southeast corner of said Tract C; thence along the existing Northerly Right-of-Way of 127th Street and the South line of said Tract C on a curve to the right, said curve having an initial tangent bearing of N 86° 37' 02" W, a deflection angle of 10° 02' 19", a radius of 270.00 feet, and an arc length of 47.31 feet, to a point of reverse curvature; thence along said Right-of-Way and said South line of said Tract C on a curve to the left, said curve having an initial tangent bearing of N 76° 34' 44" W, a deflection angle of 0° 38' 20", a radius of 330.00 feet, and an arc length of 3.68 feet, to the Southwest corner of said Tract C; thence N 02° 08' 36" W along the West line of said Tract C a distance of 17.59 feet; thence N 87° 48' 24" E a distance of 50.00 feet to the East line of said Tract C; thence S 02° 08' 36" E along the said East line of said Tract C a distance of 27.25 feet to the point of beginning; said parcel of land containing 1,161 square feet, more or less.

Tract No. L94
Temporary Construction Easement
Parcel No. 1
All that part of Tract C, LEAWOOD FOREST ESTATES, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Southwest corner of said Tract C; thence N 02° 08' 36" W along the West line of said Tract C a distance of 20.75 feet; thence S 63° 05' 12" E a distance of 45.30 feet to a point on the existing Northerly Right-of-Way of 127th Street and the South line of said Tract C; thence S 87° 51' 24" W along said Right-of-Way and said South line of said Tract C a distance of 13.62 feet to a point of curvature; thence on a curve to the right, said curve having an initial tangent bearing of S 87° 51' 24" W, a deflection angle of 05° 31' 20", a radius of 270.00 feet, and an arc length of 26.02 feet, to the point of beginning; said tract of land containing 425 square feet, more or less.

Tract No. L99
Temporary Construction Easement
Parcel No. 1
All that part of Lot 145, HIGHLANDS OF LEAWOOD, SECOND PLAT, a subdivision in the City of Leawood, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the said Lot 145; thence along the existing Southerly Right-of-Way of 127th Street and North line of said Lot 145 on a curve to the left, said curve having an initial tangent bearing of S 81° 32' 19" E, a deflection angle of 06° 18' 57", a radius of 330.00 feet, and an arc length of 36.38 feet; thence S 75° 55' 57" W a distance of 33.14 feet to the West line of said Lot 99; thence N 19° 33' 00" W along said West line of said Lot 99 a distance of 12.12 feet to the point of beginning; said parcel of land containing 188 square feet, more or less.

Section 3. This Ordinance shall take effect and be enforced from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 19th DAY OF Sept., 1994.

Signed by the Mayor this 19th day of Sept., 1994.

Marcia Rinehart

(S E A L) Marcia Rinehart, Mayor

ATTEST:

Martha Heizer
City Clerk

APPROVED AS TO FORM:

/s/ Richard S. Wetzler
Richard S. Wetzler
City Attorney

ORDINANCE NO. 1426

AN ORDINANCE REZONING PROPERTY LOCATED AT THE NORTHEAST CORNER OF TOWN CENTER DRIVE AND NALL AVENUE (COMMERCE BANK) FROM CP-0 (PLANNED OFFICE) TO CP-1 (PLANNED NEIGHBORHOOD RETAIL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

Lot 1, LEAWOOD COMMONS

now zoned CP-0, is hereby rezoned to CP-1.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer by Fran Keepler City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, JOHNSON COUNTY, ss: Georgiann Thacker 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, 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 28th day of, September 19 94, with subsequent publications being made on the following dates:

_____, 19____ _____, 19____

_____, 19____ _____, 19____

Georgiann Thacker

Subscribe and sworn to before me this 28th day of September 19 94

Deanna J. Martasin
NOTARY PUBLIC

DEANNA J. MARTASIN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. January 25, 1996

My Commission Expires 1/25/96

Printer's Fees 17.36

Additional copies $_____

First Published in The Johnson County Sun, Wednesday, September 28, 1994.

ORDINANCE NO. 1426

AN ORDINANCE REZONING PROPERTY LOCATED AT THE NORTHEAST CORNER OF TOWN CENTER DRIVE AND NALL AVENUE (COMMERCE BANK) FROM CP-0 (PLANNED OFFICE) TO CP-1 (PLANNED NEIGHBORHOOD RETAIL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

Lot 1, LEAWOOD COMMONS

now zoned CP-0, is hereby rezoned to CP-1.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 19th day of September, 1994.

Approved by the Mayor the 19th day of September, 1994.

(SEAL)

(s) Marcia Rinehart,
Mayor

Attest:

(s) Martha Helzer,
City Clerk
by Fran Kessler

APPROVED FOR FORM:

(s) R. S. Wetzler,
City Attorney

(13873 1W-JC)

ORDINANCE NO. 1425

AN ORDINANCE GRANTING A SANITARY SEWER EASEMENT TO LATERAL SEWER DISTRICT #6 OF TOMAHAWK CREEK SEWER SUB-DISTRICT #4.

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

Section 1. That the City of Leawood, Kansas, does hereby grant a right-of-way to Lateral Sewer District #6 of Tomahawk Creek Sewer Sub-District #4, over and through the following premises, to wit:

A strip of land 15.00 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 7.5 feet on each side of the following described centerline: Commencing at the Southwest corner of Lot 17, Block 1, "HALLBROOK FARMS SEVENTH PLAT", a subdivision of land in said city, county, and state; thence North 5°-35'-10" East, along the West line of said Lot 17, a distance of 162.52 feet to the point of beginning of the easement to be herein described; thence South 20°-09'-46" West, a distance of 56.18 feet; thence South 50°-20'-24" West, a distance of 167.50 feet to the point of termination of said easement.

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 6th day of September, 1994.

Approved by the Mayor the 6th day of September, 1994.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

9/13/94

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
9/13/94

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $18.18

d. 1425

ORDINANCE NO. 1425

First published in The Legal Record, Tuesday, September 13, 1994.

ORDINANCE NO. 1425

AN ORDINANCE GRANTING A SANITARY SEWER EASEMENT TO LATERAL SEWER DISTRICT #6 OF TOMAHAWK CREEK SEWER SUB-DISTRICT #4.

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

Section 1. That the City of Leawood, Kansas, does hereby grant a right-of-way to Lateral Sewer District #6 of Tomahawk Creek Sewer Sub-District #4, over and through the following premises, to wit:

A strip of land 15.00 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 7.5 feet on each side of the following described centerline: Commencing at the Southwest corner of Lot 17, Block 1, "HALLBROOK FARMS SEVENTH PLAT", a subdivision of land in said city, county, and state; thence North 5°-35'-10" East, along the West line of said Lot 17, a distance of 162.52 feet to the point of beginning of the easement to be herein described; thence South 20°-09'-46" West, a distance of 56.18 feet; thence South 50°-20'-24" West, a distance of 167.50 feet to the point of termination of said easement.

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 6th day of September, 1994.

Approved by the Mayor the 6th day of September, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

$18.18

ORDINANCE NO. 1424

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTION OF 83rd STREET,A MAIN TRAFFICWAY, BEGINNING AT A POINT ON THE KANSAS/MISSOURI STATE LINE WHICH IS THE CENTER LINE OF 83rd STREET AND 111.18 FEET EAST OF THE CENTER LINE OF STATE LINE ROAD AS IT CURRENTLY EXISTS; THENCE WEST ALONG THE CENTER LINE OF 83rd STREET TO A POINT ON THE WEST CORPORATE CITY LIMIT SAID POINT BEING APPROXIMATELY 650.10 FEET WEST OF THE CENTER LINE OF WENONGA ROAD (SOUTH), WITHIN THE CITY OF LEAWOOD, AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF AND EXPRESSING THE INTENT TO REIMBURSE COSTS OF THE PROJECT SO INCURRED FROM PROCEEDS OF GENERAL OBLIGATION BONDS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, " designated that portion of 83rd Street 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 obligation bonds; and

WHEREAS, Section 1.103-18 of the Income Tax Regulations issued by the Internal Revenue Service (the "Regulations") requires that the City make a prior declaration of its intent to reimburse itself for project expenditures made by the City prior to the date of issuance of notes or bonds, and the City desires to comply with the requirements of the Regulations with respect to this Project.

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove certain portions of 83rd

Street, beginning at a point on the Kansas/Missouri State line which is the center line of 83rd Street and 111.18 feet east of the center line of State Line Road as it currently exists; thence west along the center line of 83rd Street to a point on the west corporate city limit said point being approximately 650.10 feet west of the center line of Wenonga Road (south),within the City of Leawood, 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 83rd Street, beginning at a point on the Kansas/Missouri State Line which is the center line of 83rd Street and 111.18 feet east of the center line of State Line Road as it currently exists; thence west along the center line of 83rd Street to a point on the west corporate city limit said point being approximately 650.10 feet west of the center line of Wenonga Road (south) 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, and contingencies, is $3,095,816.00 and shall be chargeable to the City at large and may 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. That the costs incurred in connection with the Project shall be paid for from the proceeds of temporary notes to be issued from time to time as said costs are so incurred, and the Project shall be permanently financed with the proceeds of the sale of general obligation bonds of the City in an amount not to exceed $3,095,816.00

Section 4. That to the extent the City shall pay all or any portion of the costs of the Project from available funds on hand prior to the issuance of temporary notes or bonds, the City hereby declares that it reasonably expects to reimburse such expenditures out of the proceeds of such temporary notes and such general obligation bonds. All such expenditures so reimbursed shall be capital expenditures with the meaning of Section 1.150-1(h) of the Income Tax Regulations (the "Regulations").

This declaration is a declaration of official intent adopted pursuant to Section 1.103-18 of the Regulations.

Section 5. That as of the date hereof, there are not City funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than pursuant to the issuance of temporary notes or the bonds. This Ordinance, therefore is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 6. That this Ordinance shall be filed within 30 days of its adoption in the publicly available official books and records of the City. This Ordinance shall be available for inspection at the office of the City Clerk at City Hall during normal business hours of the City on every business day until the date of issuance of the bonds.

Section 7. That the City's Director of Finance shall be responsible for making any "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the notes or the bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the notes or the bonds, shall specifically identify the actual reimbursement of a fund or account in accordance with Section 1.103-18, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the notes or the bonds from any restriction under the ordinance or other documents authorizing the issuance of such notes or the bonds, and under any applicable state statute, which would apply to the unspent proceeds of the notes or the bonds.

Section 8. 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 15th day of August, 1994.

Approved by the Mayor this 15th day of August, 1994

Marcia Rinehart
Marcia Rinehart Mayor

ATTEST:

Martha Heizer
Martha Heizer City Clerk

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and ays that she is Legal Notices Administrator of The Legal Record hich is a newspaper printed in the State of Kansas, published in nd 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:

8/16/94

Legal Notices Administrator

Subscribed and sworn to before me on this date:
8/16/94

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $60.45

d. 1424

$60.45

ORDINANCE NO. 1424

First published in The Legal Record, Tuesday, August 16, 1994.

ORDINANCE NO. 1424

AN ORDINANCE AUTHORIZING THE IMPROVEMENT OF CERTAIN SECTION OF 83rd STREET, A MAIN TRAFFICWAY, BEGINNING AT A POINT ON THE KANSAS/MISSOURI STATE LINE WHICH IS THE CENTER LINE OF 83rd STREET AND 111.18 FEET EAST OF THE CENTER LINE OF STATE LINE ROAD AS IT CURRENTLY EXISTS; THENCE WEST ALONG THE CENTER LINE OF 83rd STREET TO A POINT ON THE WEST CORPORATE CITY LIMIT SAID POINT BEING APPROXIMATELY 650.10 FEET WEST OF THE CENTER LINE OF WENONGA ROAD (SOUTH), WITHIN THE CITY OF LEAWOOD, AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF AND EXPRESSING THE INTENT TO REIMBURSE COSTS OF THE PROJECT SO INCURRED FROM PROCEEDS OF GENERAL OBLIGATION BONDS.

WHEREAS, the City of Leawood has previously by Section 14-206 of the "Code of the City of Leawood, Kansas, " designated that portion of 83rd Street 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 obligation bonds; and

WHEREAS, Section 1.103-18 of the Income Tax Regulations issued by the Internal Revenue Service (the "Regulations") requires that the City make a prior declaration of its intent to reimburse itself for project expenditures made by the City prior to the date of issuance of notes or bonds, and the City desires to comply with the requirements of the Regulations with respect to this Project.

WHEREAS, said Governing Body finds and determines that it is necessary to improve and reimprove certain portions of 83rd Street, beginning at a point on the Kansas/Missouri State line which is the center line of 83rd Street and 111.18 feet east of the center line of State Line Road as it currently exists; thence west along the center line of 83rd Street to a point on the west corporate city limit said point being approximately 650.10 feet west of the center line of Wenonga Road (south), within the City of Leawood, 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 83rd Street, beginning at a point on the Kansas/Missouri State Line which is the center line of 83rd Street and 111.18 feet east of the center line of State Line Road as it currently exists; thence west along the center line of 83rd Street to a point on the west corporate city limit said point being approximately 650.10 feet west of the center line of Wenonga Road (south) 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, and contingencies, is $3,095,816.00 and shall be chargeable to the City at large and may 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. That the costs incurred in connection with the Project shall be paid for from the proceeds of temporary notes to be issued from time to time as said costs are so incurred, and the Project shall be permanently financed with the proceeds of the sale of general obligation bonds of the City in an amount not to exceed $3,095,816.00

Section 4. That to the extent the City shall pay all or any portion of the costs of the Project from available funds on hand prior to the issuance of temporary notes or bonds, the City hereby declares that it reasonably expects to reimburse such expenditures out of the proceeds of such temporary notes and such general obligation bonds. All such expenditures so reimbursed shall be capital expenditures with the meaning of Section 1.150-1(h) of the Income Tax Regulations (the "Regulations").

This declaration is a declaration of official intent adopted pursuant to Section 1.103-18 of the Regulations.

Section 5. That as of the date hereof, there are not City funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than pursuant to the issuance of temporary notes or the bonds. This Ordinance, therefore is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 6. That this Ordinance shall be filed within 30 days of its adoption in the publicly available official books and records of the City. This Ordinance shall be available for inspection at the office of the City Clerk at City Hall during normal business hours of the City on every business day until the date of issuance of the bonds.

Section 7. That the City's Director of Finance shall be responsible for making any "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the notes or the bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the notes or the bonds, shall specifically identify the actual reimbursement of a fund or account in accordance with Section 1.103-18, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the notes or the bonds from any restriction under the ordinance or other documents authorizing the issuance of such notes or the bonds, and under any applicable state statute, which would apply to the unspent proceeds of the notes or the bonds.

Section 8. 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 15th day of August, 1994.

Approved by the Mayor this 15th day of August, 1994.

(S E A L)

Marcia Rinehart — Mayor

ATTEST:

Martha Heizer — City Clerk

APPROVED AS TO FORM

R. S. Wetzler — City Attorney

impord

ORDINANCE NO. 1423

AN ORDINANCE REZONING PROPERTY (GEORGE'S IMPORTS) LOCATED AT APPROXIMATELY 80TH AND STATE LINE ROAD FROM CP-0 (PLANNED OFFICE) TO CP-2 (PLANNED GENERAL RETAIL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

> A parcel of land being all of Lot 29 and a portion of Lot 30, "Meadow Lake Lawn", a subdivision of land in the City of Leawood, Johnson County, Kansas, except the Westerly 15.00 feet thereof now in State Line Road, said parcel being more particularly described as follows: Beginning at the Northeast corner of said Lot 29; thence South 0° 03'18" West 284.77 feet, along the East line of said Lot 29 and Lot 30, to a point 34.43 feet South of the North line of said Lot 30; thence North 87° 22'31" West 34.28 feet, to a point on the East right-of-way line of State Line Road, as now established, said point also being 34.67 feet South of the North line of said Lot 30; thence North 2° 30'08" East 284.67 feet, along said East right-of-way line, to a point on the North line of said Lot 29; thence South 86° 54'52" East 22.12 feet, along said North line, to the "point-of-beginning" of the parcel herein described containing 8024 square feet or 0.1842 acres, more or less. Subject to all easements and restrictions of record.

now zoned CP-0, is hereby rezoned to CP-2.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 15th day of August, 1994.

Approved by the Mayor the 15th day of August, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

8/16/94

Legal Notices Administrator

Subscribed and sworn to before me on this date:
8/16/94

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $27.27

rd. 1423

ORDINANCE NO. 1423

First published in The Legal Record, Tuesday, August 16, 1994.

ORDINANCE NO. 1423

AN ORDINANCE REZONING PROPERTY (GEORGE'S IMPORTS) LOCATED AT APPROXIMATELY 80TH AND STATE LINE ROAD FROM CP-O (PLANNED OFFICE) TO CP-2 (PLANNED GENERAL RETAIL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

A parcel of land being all of Lot 29 and a portion of Lot 30, "Meadow Lake Lawn", a subdivision of land in the City of Leawood, Johnson County, Kansas, except the Westerly 15.00 feet thereof now in State Line Road, said parcel being more particularly described as follows: Beginning at the Northeast corner of said Lot 29; thence South 0° 03'18" West 284.77 feet, along the East line of said Lot 29 and Lot 30, to a point 34.43 feet South of the North line of said Lot 30; thence North 87° 22'31" West 34.28 feet, to a point on the East right-of-way line of State Line Road, as now established, said point also being 34.67 feet South of the North line of said Lot 30; thence North 2° 30'08" East 284.67 feet, along said East right-of-way line, to a point on the North line of said Lot 29; thence South 86° 54'52" East 22.12 feet, along said North line, to the "point-of-beginning" of the parcel herein described containing 8024 square feet or 0.1842 acres, more or less. Subject to all easements and restrictions of record.

now zoned CP-O, is hereby rezoned to CP-2.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 15th day of August, 1994.

Approved by the Mayor the 15th day of August, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

$27.27

ORDINANCE NO. 1422

AN ORDINANCE ESTABLISHING THE 1995 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

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

Section 1. 1995 ANNUAL ASSESSMENT. That pursuant to the terms of Section 15-104 of the Code of the City of Leawood, the following shall be the formula to establish the 1995 annual assessment for all users of the Leawood Sewer System:

User Charge = Volume Charge + Customer Service Charge + Replacement Cost Charge;

Volume Charge = $1.3895 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 = $78.87 per user per unit;

Replacement Cost = $136.39/account (for 1995);

Special Charge = $25.66/account; Debt Service, Public Works Facility; Sanitary Sewer Projects

Section 2. PUBLICATION. That this ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

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 1st day of August, 1994.

Approved by the Mayor the 1st day of August, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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 2 consecutive week(s) as follows:

8/2/94 8/9/94

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date: 8/9/94

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $36.36

RD. 1422

ORDINANCE NO. 1422

First published in The Legal Record, Tuesday, August 2, 1994.

ORDINANCE NO. 1422

AN ORDINANCE ESTABLISHING THE 1995 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

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

Section 1. 1995 ANNUAL ASSESSMENT. That pursuant to the terms of Section 15-104 of the Code of the City of Leawood, the following shall be the formula to establish the 1995 annual assessment for all users of the Leawood Sewer System:

User Charge = Volume Charge + Customer Service Charge + Replacement Cost Charge;

Volume Charge = $1.3895 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 = $78.87 per user per unit;

Replacement Cost = $136.39/account (for 1995);

Special Charge = $25.66/account; Debt Service, Public Works Facility; Sanitary Sewer Projects

Section 2. PUBLICATION. That this ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

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 1st day of August, 1994.

Approved by the Mayor the 1st day of August, 1994.

(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

$36.36

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS:
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

8/2/94

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
8/2/94

Patricia A. Dziadura
Notary Public

PATRICIA A. DZIADURA
Notary Public - State of Kansas
My Appt. Expires 2-9-97

My appointment expires February 9, 1997.

Publication Fees: $18.18

ORD. 1422

ORDINANCE NO. 1422

First published in The Legal Record, Tuesday, August 2, 1994.

ORDINANCE NO. 1422

AN ORDINANCE ESTABLISHING THE 1995 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

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

Section 1. 1995 ANNUAL ASSESSMENT. That pursuant to the terms of Section 15-104 of the Code of the City of Leawood, the following shall be the formula to establish the 1995 annual assessment for all users of the Leawood Sewer System:

User Charge = Volume Charge + Customer Service Charge + Replacement Cost Charge;

Volume Charge = $1.3895 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 = $78.87 per user per unit;

Replacement Cost = $136.39/account (for 1995);

Special Charge = $25.66/account; Debt Service, Public Works Facility; Sanitary Sewer Projects

Section 2. PUBLICATION. That this ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

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 1st day of August, 1994.

Approved by the Mayor the 1st day of August, 1994.

(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

$18.18

DATE: **July 27, 1994**

TO: **Martha Heizer, City Clerk**

FROM: **Ron Brandt, P.E., Director of Public Works**

RE: **1995 Leawood Sanitary Sewer System**
Sewer User Charges

The following is the cost allocation in accordance with Chapter XV of the CITY CODE of the City of Leawood, Kansas.

Treatment Cost Allocations:

Treatment Cost (K.C. Mo. Contract)	**$500,000**	**$500,000**
Personal Services:		
Wages @ 90%	241,255	
Overtime Wages	7,000	
Workman's Compensation @ 90%	12,600	
Indirect Labor Cost @ 90%	20,047	
Social Security		
Unemployment Compensation		
KPERS		
Insurance		
TOTAL:	**$280,902.00**	**$280,902.00**
Legal Services @ 25%	250	
TOTAL:	**$ 250.00**	**250.00**
Vehicle Cost		
Insurance Expense	$ 18,670	
Vehicle Maintenance/Operation	11,100	
Fuel, Oil, and Lubricants	7,500	
TOTAL:	**$ 37,270.00**	**$37,270.00**
Equipment Cost		
Rental	550	
Equipment Insurance	1,000	
Equipment Parts	2,000	
Equipment Maintenance/Operations	3,550	
Equipment Purchases/Lease	21,037	
TOTAL:	**$ 28,137.00**	**$28,137.00**
TOTAL TREATMENT COST ALLOCATION	**$846,559**	

Customer Service Cost Allocation

Wages @ 10%	$ 26,806
Indirect Labor Costs @ 10%	2,227
Workman's Compensation @10%	1,400
Uniform Rental and Accessories	3,000
Printing, Notices and Recording Fees	1,000
Administrative Expenses	78,750
Legal Services @ 75%	750
Engineering Services	15,000
Medical Examinations	750
Training, Seminars & Prof. Organiza.	2,100
Water Usage Data	800
Billing Cost (Jo.Co.)	450
Utility Allocation	7,290
Insurance (self insured)	3,000
Building/Grounds Maintenance	1,430
Materials and Supplies	9,000

TOTAL CUSTOMER SERVICE COST $151,053

Usage Data:

Contributed flow	429,000,000 Gallons
Infiltration/Inflow	215,000,000 Gallons
Total Flow	644,000,000 Gallons
Number of Connections	5,499
Treatment Cost Allocation	$846,559.00
Customer Service Cost	$151,053.00
Repair/Replacement Cost	$750,000.00
Debt Repayment	$141,103.00

The following calculations are used to determine the Annual User Cost to users of the Leawood Sanitary Sewer System.

Volume Charge (VC):

VC = Treatment Cost/Total Flow in 1,000 Gallons
VC = $846,559/644,000 (1,000 gal.)
VC = $1.3147/1,000 Gallons

Customer Service Charge (CS)

CS = Service Cost + (I/I)x(VC) / Number of Connections
CS = (151,053 + 215,000 x $1.31471/5,499
CS = $78.87 per connection

Replacement and Repair Costs (RC)

RC = Replacement and Repair Cost / No. of Connections
RC = 750,000.00 / 5,499
RC = $136.39 per connection

1995 Calculated Sanitary Sewer User Costs	
Volume Charge	**$1.3147 per 1000 gallons**
Customer Service Charge	**$78.87 per connection**
Replacement/Repair	**$136.39 per connection**

1994 Rate Comparison

	Year 1994		Year 1995	
Minimum user 33,000 gallon per year				
Volume Charge	$1.3516	44.60	$1.3147	43.39
Customer Service Charge	$75.80	75.80	$ 78.87	78.87
Replacement/Repair	$123.50	123.50	$136.39	136.39
TOTAL		**243.90**		**258.65**
Average user 80,000 gallons per year				
Volume Charge	$1.3516	108.13	$1.3147	105.18
Customer Service Charge	75.80	75.80	78.87	78.87
Replacement/Repair	123.50	123.50	136.37	136.37
TOTAL		**307.43**		**320.42**

Minimum User Increase	6.00%		
Average User Increase	4.2%		
User Revenue Generated	$1,747,721.00		
Revenue Required	$1,779,845.00	Deficit	$32,128.00

Recommended 1995 Sanitary Sewer User Fee

Volume Charge	$1.3895	per 1000 gallons
Customer Service Charge	$ 78.87	per connection
Replacement/Repair Charge	$136.39	per connection

Minimum User Costs (33,000 gallons per year)

Volume Charge	$1.3895	$45.85
Customer Service Charge	$78.87	$78.87
Replacement/Repair	$136.37	$136.37
	TOTAL	**$261.09**

Average User Cost (80,000 Gallons per Year)

Volume Charge	$1.3895	$111.16
Customer Service Charge	$78.87	$78.87
Replacement/Repair Charge	$136.37	$136.37
	TOTAL	**$326.40**

Comparison with Adopted 1994 Sanitary Sewer User Charge

Minimum User Increase	7.0%	
Average User Increase	6.17%	
User revenue generated	$1,779,810	
Revenue required	$1,779,845	Deficit $34.37

1995 SPECIAL BILLING

Special Billing for Debt Repayment for the Public Works Maintenance Facility, Somerset & Lee Sanitary Sewer Reconstruction, and the 83rd Street Sanitary Sewer Relief System. The following debt remains outstanding with final payouts shown in parenthesis.

Public Works Facility	$117,500.00	(1999)
Public Works Salt Storage	2,717.00	(1997)
Sanitary Sewer Projects	$270,000.00	(1997)
Refunding	$124,260.00	(1999)

The 1994 debt repayment of $141,103.00 including principal and interest is simply divided by the number of connections to the sanitary sewer system. This tabulation is shown below:

Bond Principal Repayment	$105,906.00
Bond Interest Payment	$35,197.00
Number of Connections	5,499

Special Bill (SB)

SB = Principal + Interest / number of connections
SB = $105,906.00 + $35,197./5,499
SB = $141,103 / 5,499
SB = $25.66 per connection

win/95user

ORDINANCE NO. 1421

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $8,300,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 1994-A, OF THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE THE COST OF CERTAIN PUBLIC IMPROVEMENTS WITHIN THE CITY INCLUDING ACQUISITION OF PARK LAND AND MAKING IMPROVEMENTS THERETO BY CONSTRUCTION OF A MUNICIPAL GOLF COURSE AND RELATED FACILITIES WITHIN THE CITY AND MAKING IMPROVEMENTS TO CERTAIN ROADS AND BRIDGES WITHIN THE CITY; PRESCRIBING THE FORM AND DETAILS OF SAID BONDS AND THE COVENANTS AND AGREEMENTS MADE BY THE CITY TO FACILITATE AND PROTECT THE PAYMENT THEREOF; MAKING PROVISION FOR THE COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND PROVIDING FOR EXECUTION OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH.

WHEREAS, pursuant to K.S.A. 12-685, et seq., as amended, and other provisions of the laws of the State of Kansas (the "State") applicable thereto, by proceedings duly had the governing body of the City has heretofore authorized the construction of improvements to Mission Road from 103rd Street to College Boulevard including necessary appurtenances, as authorized by Ordinance No. 1204 (the "Mission Road Improvement"); and

WHEREAS, the Mission Road Improvement has been completed and the governing body of the City hereby finds and determines that the total cost thereof including construction financing and related expenses is not less than $402,422.00 to be paid by the City at large; and

WHEREAS, pursuant to K.S.A. 12-6a01, et seq., as amended, and other provisions of the laws of the State applicable thereto, by proceedings duly had the governing body of the City has heretofore authorized construction of improvements to Town Center Drive including necessary appurtenances, as authorized by Resolution No. 1063 (the "Town Center Drive Improvement"); and

WHEREAS, all legal requirements pertaining to the Town Center Drive Improvement have been complied with, and the governing body of the City now finds and determines that the total cost of the Town Center Drive Improvement including construction financing and related expenses is not less than $994,000.00 with $559,113.00 of the cost to be paid by the owners of the property within the City benefitted by the Town Center Drive Improvement and $434,987.00 of the cost to be paid by the City at large, and that none of said property owners have paid their respective assessments on account of the Town Center Drive Improvement and there are no other funds available in the City Treasury to pay the remainder of the cost of the Town Center Drive Improvement leaving $994,000.00

to be paid by the issuance and sale of the City's general obligation bonds; and

WHEREAS, pursuant to K.S.A. 12-6a01, et seq., as amended, and other provisions of the laws of the State applicable thereto, by proceedings duly had the governing body of the City has authorized acquisition of park land in the vicinity of 151st Street and Nall Avenue, as authorized by Resolution No. 1154 (the "Park Land Improvement"); and

WHEREAS, all legal requirements pertaining to the Park Land Improvement have been complied with, and the governing body of the City now finds and determines that the total cost of the Park Land Improvement including construction financing and related expenses is not less than $653,578.00 with the entire cost to be paid by the owners of the property within the City benefitted by the Park Land Improvement, and that none of said property owners have paid their respective assessments on account of the Park Land Improvement and there are no other funds available in the City Treasury to pay the cost of the Park Land Improvement leaving $653,578.00 to be paid by the issuance and sale of the City's general obligation bonds; and

WHEREAS, pursuant to K.S.A. 12-1301, et seq., and other provisions of the laws of the State applicable thereto, by proceedings duly had, the governing body of the City called a special question election to be held in the City on February 7, 1992, for the purpose of submitting to the qualified voters of said City the following question:

> "Shall the following be adopted?
>
> Shall the City of Leawood issue its general obligation bonds pursuant to K.S.A. 12-1302 in an amount not to exceed $6,250,000 for the purpose of paying the cost of acquiring park land in the vicinity of 151st Street and Nall Avenue and making improvements thereto by constructing a public municipal golf course and related facilities?";

and

WHEREAS, said election was duly conducted and held in accordance with law and the returns of said election duly verified, the results thereof being that more than a majority of the qualified voters voting at said election voted in favor of the question and the issuance of said bonds for the purpose aforesaid, the vote at said election on said question having been found and determined to be 2,696 votes in favor of said question and the issuance of such bonds and 1,682 votes against said question; and

WHEREAS, preliminary plans and cost estimates have been prepared, and the governing body of the City now finds and determines that the total cost of acquisition of said park land and construction of said public municipal golf course (the "Public Golf Course Project"), including necessary construction financing and related expenses is not less than $6,250,000.00, and it is necessary and desirable at this time that the City offer for sale its general obligation bonds for the purpose of providing funds to pay the cost of the Public Golf Course Project; and

WHEREAS, the governing body of the City is authorized to issue pursuant to law general obligation bonds of the City to finance the costs of the Mission Road Improvement, the Town Center Drive Improvement, the Park Land Improvement and the Public Golf Course Project (collectively, the "City Improvement Projects"), and the governing body hereby finds and determines that it is necessary and desirable at this time to issue the General Obligation Improvement Bonds, Series 1994-A, of the City in the principal amount of $8,300,000 (the "Bonds") for said purpose; and

WHEREAS, the City intends that the Bonds be designated and has heretofore designated and hereby designates the Bonds "qualified tax-exempt obligations" within the meaning and for the purposes provided in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended;

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

ARTICLE I

DEFINITIONS

Section 101. Definitions of Words and Terms. In addition to words and terms defined in the recitals and elsewhere in this Ordinance, the following words and terms as used in this Ordinance shall have the following meanings, unless some other meaning is plainly intended:

"Bond Registrar" means the Treasurer of the State of Kansas in the City of Topeka, Kansas, and its successors or assigns.

"Cost of Issuance Fund" means the Series 1994 Cost of Issuance Fund created by Section 501 of this Ordinance.

"Ordinance" means this Ordinance as from time to time amended in accordance with the terms hereof.

"Paying Agent" means the Treasurer of the State of Kansas, in the City of Topeka, Kansas, and its successors and assigns.

"Principal and Interest Fund" means the Principal and Interest Fund for the City of Leawood, Kansas General Obligation Bonds, Series 1994, created by Section 501 of this Ordinance.

"Project Fund" means the Series 1994 City Improvement Project Fund created by Section 501 of this Ordinance.

"Underwriters" means George K. Baum & Company and associates.

ARTICLE II

AUTHORIZATION OF THE BONDS

Section 201. Authorization of the Bonds. The Bonds of the City are authorized and directed to be issued in the principal amount of $8,300,000 for the purpose of providing funds to finance the costs of the City Improvement Projects, as provided in this Ordinance.

Section 202. Security for the Bonds. The Bonds shall be general obligations of the City payable in part from special assessments levied against properties benefitted by the Town Center Improvement and the Park Land Improvement, and, if not so paid from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property, real and personal within the territorial limits of the City, and the balance shall be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property, real and personal, within the territorial limits of the City.

Section 203. Details of the Bonds. The Bonds will be issued as a single series designated "General Obligation Improvement Bonds, Series 1994-A", in the aggregate principal amount of $8,300,000.

The Bonds shall consist of fully registered certificated bonds without coupons in the denominations of $5,000 or any integral multiple thereof. The Bonds shall be substantially in the form described in Article IV hereof and shall be subject to registration, transfer and exchange as provided in Section 206 hereof. All of the Bonds shall be dated August 15, 1994, shall become due on September 1 in the years (the "Principal Payment Dates") and in the principal amounts (subject to redemption prior to maturity as provided in Article III hereof) and shall bear interest at the respective rates per annum as follows:

SERIES 1994-A BONDS

Maturity	Amount	Interest Rate Per Annum	Maturity	Amount	Interest Rate Per Annum
1995	$170,000	6.00%	2006	$375,000	5.40%
1996	165,000	6.00	2007	395,000	5.50
1997	350,000	6.00	2008	410,000	5.60
1998	360,000	6.00	2009	425,000	5.70
1999	365,000	6.00	2010	355,000	5.75
2000	370,000	4.80	2011	375,000	5.80
2001	380,000	4.90	2012	400,000	5.85
2002	390,000	5.00	2013	420,000	5.90
2003	400,000	5.10	2014	445,000	5.95
2004	415,000	5.20	2015	470,000	6.00
2005	365,000	5.30	2016	500,000	6.00

The Bonds shall bear interest at the rates aforesaid (computed on the basis of a 360-day year composed of twelve 30-day months) from the date thereof or from the most recent interest payment date to which interest has been paid or duly provided for, payable semiannually on March 1 and September 1 in each year, beginning on September 1, 1995 (the "Interest Payment Dates"), to the registered owners whose names appear on the books maintained by the Bond Registrar at the close of business on the 15th day of the month immediately preceding the Interest Payment Dates (the "Record Dates").

Section 204. Designation of Paying Agent and Bond Registrar. The Treasurer of the State of Kansas in the City of Topeka, Kansas, is hereby designated as the City's paying agent for the payment of principal of, premium, if any, and interest on the Bonds and bond registrar with respect to the registration, transfer and exchange of Bonds (the "Paying Agent" and "Bond Registrar").

The Mayor of the City and the City Clerk of the City are hereby authorized and empowered to execute on behalf of the City an agreement with the Treasurer of the State of Kansas for said Treasurer to act as Bond Registrar and Paying Agent for the Bonds.

Section 205. Method and Place of Payment of Bonds. The principal of, premium, if any, and interest on the Bonds shall be payable in lawful money of the United States of America by check or draft of the Paying Agent.

The principal of and premium, if any, on the Bonds shall be payable at the office of the Paying Agent upon presentation and surrender of such Bonds as they respectively become due.

The interest on the Bonds shall be payable to the order of the registered owners thereof mailed by the Paying Agent to the

addresses of such registered owners as they appear on the registration books maintained by the Bond Registrar or at such other address provided in writing by such registered owner to the Bond Registrar prior to the Record Dates.

The Paying Agent and Bond Registrar shall keep in its office a record of payment of principal of, premium, if any, and interest on the Bonds.

Section 206. Registration, Transfer and Exchange of Bonds. The City covenants that it will, as long as any of the Bonds herein authorized remain outstanding, cause to be kept at the office of the Bond Registrar books for the registration, transfer and exchange of Bonds as herein provided.

Upon presentation of the necessary documents as hereinafter described, the Bond Registrar shall transfer or exchange any Bond(s) for new Bond(s) in an authorized denomination of the same maturity and for the same aggregate principal amount as the Bond(s) presented for transfer or exchange.

All Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the registered owner thereof or by the registered owner's duly authorized agent. In addition, all Bonds presented for transfer or exchange shall be surrendered to the Bond Registrar for cancellation.

Prior to delivery of the new Bond(s) to the transferee, the Bond Registrar shall register the same in the registration books kept by the Bond Registrar for such purpose and shall authenticate each Bond.

The City shall provide for the payment out of the Bond proceeds of the fees of the Bond Registrar for registration and transfer of the Bonds and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the bondowners.

The City, the Bond Registrar and the Paying Agent may deem and treat the person in whose name any Bond shall be registered as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and redemption premium, if any, and interest on said Bond and for all other purposes, and all such payments so made to any such registered owner or upon such registered owner's order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Bond Registrar nor the

Paying Agent shall be affected by any notice to the contrary, but such registration may be changed as herein provided.

The Bond Registrar shall not be required to register, transfer or exchange Bonds for a period extending from the Record Date to the immediately following Interest Payment Date for the Bonds or to register, transfer or exchange any Bonds selected for redemption in whole or in part subsequent to the date notice of such redemption is given.

Section 207. Surrender and Cancellation of Bonds. Whenever any outstanding Bond shall be delivered to the Bond Registrar for cancellation pursuant to this Ordinance, upon payment of the principal amount thereof and interest thereon or for replacement pursuant to this Ordinance, such Bond shall be cancelled by the Bond Registrar and the cancelled Bond shall be returned to the City.

Section 208. Mutilated, Lost, Stolen or Destroyed Bonds. In the event any Bond is mutilated, lost, stolen or destroyed, the City may execute and the Bond Registrar may authenticate a new Bond of like date, maturity, denomination and interest rate as that mutilated, lost, stolen or destroyed; provided, that in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the City or the Bond Registrar, and, in the case of any lost, stolen or destroyed Bond there shall be first furnished to the Bond Registrar and the City evidence of such loss, theft or destruction and an indemnity satisfactory to them. In the event any such Bond shall have matured, instead of issuing a duplicate Bond, the City and Bond Registrar may pay the same without surrender thereof. The City and Bond Registrar may charge to the registered owner of such Bond their reasonable fees and expenses in connection with replacing such Bond or Bonds mutilated, stolen, lost or destroyed.

Section 209. Execution, Registration and Delivery of the Bonds. Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be signed by the manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the City Clerk and shall have the corporate seal of the City affixed thereto or imprinted thereon. In case any officer whose signature or facsimile thereof appears on any Bonds shall cease to be such officer before the delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond shall be the proper officers to sign such Bond, although at the date of such Bond such persons may not have been such officers.

The Mayor of the City and the City Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner hereinbefore specified, to cause the Bonds to be registered in the offices of the City Clerk and the State Treasurer as provided by law, and, when duly executed and registered, to deliver the Bonds to the Underwriters, upon receipt by the City of the purchase price of the Bonds, which purchase price shall be 100% of the principal amount of the Bonds plus accrued interest to the date of their delivery plus any premium thereon. The Mayor of the City and the City Clerk are also hereby further authorized to enter into an agreement with a depository trust company to have the executed, authenticated Bonds held in safe keeping prior to their delivery to the Underwriters.

The Bonds shall have endorsed thereon a Certificate of Authentication substantially in the form set forth in Exhibit A attached hereto, which shall be executed by the manual or facsimile signature of the Bond Registrar. No Bond shall be entitled to any security or benefit under the Ordinance nor shall it be valid or obligatory for any purpose unless and until such Certificate of Authentication shall have been duly executed by the Bond Registrar. Such executed Certificate of Authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under the Ordinance. The Certificate of Authentication on any Bond shall be deemed to have been duly executed if signed by any authorized officer or employee of the Bond Registrar, but it shall not be necessary that the same officer or employee sign the Certificate of Authentication on all of the Bonds that may be issued hereunder at any one time.

ARTICLE III

REDEMPTION PROVISIONS

Section 301. Optional Redemption. At the option of the City, Bonds maturing on September 1, 2002, and thereafter may be called for redemption and payment prior to maturity on September 1, 2001, and on any Interest Payment Date thereafter, in whole or in part (in integral multiples of $5,000 within a single maturity) at the redemption price of 100% of the principal amount so redeemed, plus accrued interest thereon to the date fixed for redemption, without premium.

Section 302. Notice of Redemption. In the event the City shall elect to redeem and pay any of the Bonds prior to the maturity thereof, the City shall publish once in the Kansas Register and in a financial journal published in New York, New York, a notice of the intention of the City to redeem and pay said Bonds, the same being described by number and maturity, said notice in said financial journal to be published not less than 30 days prior to the date on which said Bonds are called for redemption and payment and said notice in the Kansas Register to be published not

less than 15 days prior to said redemption date. The City shall also give written notice of its intention to redeem and pay said Bonds on a specified date, the same being described by number and maturity, said notice to be mailed by prepaid United States registered or certified mail addressed to the State Treasurer of the State of Kansas and to the Underwriters, said notice to be mailed not less than 45 days prior to the redemption date. The State Treasurer of Kansas will send notice of redemption by ordinary U.S. mail to the registered owners of said Bonds, said notices to be mailed not less than 30 days prior to the date fixed for redemption.

Section 303. Selection of Bonds to Be Redeemed. Bonds shall be redeemed only in the principal amount of $5,000 or any integral multiple thereof. When less than all of the outstanding Bonds are to be redeemed and paid prior to maturity, such Bonds shall be redeemed in such order as the City in its sole discretion shall determine, Bonds of less than a full maturity to be selected by the Paying Agent and Bond Registrar by lot in $5,000 units of face value in such equitable manner as the Paying Agent and Bond Registrar may determine.

In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than $5,000 are then outstanding, then for all purposes in connection with such redemption each $5,000 of face value shall be treated as though it were a separate Bond of the denomination of $5,000. If it is determined that one or more, but not all, of the $5,000 units of face value represented by any fully registered Bond is selected for redemption, then upon notice of intention to redeem such $5,000 unit or units, the owner of such fully registered Bond or the owner's duly authorized agent shall forthwith present and surrender such Bond to the Paying Agent and Bond Registrar (1) for payment of the redemption price (including the interest to the date fixed for redemption) of the $5,000 unit or units of face value called for redemption, and (2) for exchange, without charge to the owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such fully registered Bond. If the owner of any such fully registered Bond of a denomination greater than $5,000 shall fail to present such Bond to the Paying Agent and Bond Registrar for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of the $5,000 unit or units of face value called for redemption (and to that extent only).

Section 304. Effect of Call for Redemption. Whenever any Bond is called for redemption and payment as provided in this Article, all interest on such Bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

ARTICLE IV

FORM OF THE BONDS

Section 401. Form of Bonds. The Bonds shall be printed in accordance with the format required by the Attorney General of the State of Kansas and shall contain information and recitals substantially as set forth in Exhibit A attached hereto or as may be required by the Attorney General pursuant to the Notice of Systems of Registration for Kansas Municipal Bonds, 2 Kan. Reg. 921 (1983) in accordance with the Kansas Bond Registration Law, K.S.A. 10-620 to 10-632, inclusive, as amended.

ARTICLE V

ESTABLISHMENT OF FUNDS

Section 501. Creation of Funds. There are hereby created and ordered to be established in the treasury of the City the following separate funds to be known respectively as follows:

(a) Principal and Interest Fund for the City of Leawood, Kansas General Obligation Improvement Bonds, Series 1994-A (the "Principal and Interest Fund");

(b) Series 1994 City Improvement Project Fund (the "Project Fund"); and

(c) Series 1994 Cost of Issuance Fund (the "Cost of Issuance Fund").

Section 502. Administration of Funds. The funds established pursuant to the authority of Section 501 hereof shall be maintained and administered by the City solely for the purposes and in the manner as provided in this Ordinance so long as any of the Bonds remain outstanding and unpaid.

ARTICLE VI

APPLICATION OF BOND PROCEEDS

Section 601. Disposition of Bond Proceeds and Other Moneys. The proceeds received from the sale of the Bonds, including any premium and accrued interest thereon, shall be deposited simultaneously with the delivery of the Bonds, as follows:

(a) There shall be deposited in the Principal and Interest Fund any premium on the Bonds and any amount received on account of accrued interest on the Bonds.

(b) There shall be deposited in the Cost of Issuance Fund the sum of $166,000.00.

(c) The entire remaining balance of the proceeds shall be deposited in the Project Fund.

Section 602. Application of Moneys in the Project Fund. Moneys in the Project Fund shall be separately accounted for on the books and records of the City and attributed to each of the respective City Improvement Projects and used solely to pay the cost of such City Improvement Projects, including the retirement of temporary notes of the City previously issued to provide interim financing for the City Improvement Projects, and, in the event funds on deposit in the Cost of Issuance Fund shall be insufficient for the purpose, to pay costs of issuance of the Bonds. Upon completion of the City Improvement Projects and payment of all costs thereof, any moneys remaining in the Project Fund shall be deposited into the Principal and Interest Fund.

Section 603. Application of Moneys in the Cost of Issuance Fund. Moneys in the Cost of Issuance Fund shall be used to pay the cost of issuing the Bonds, including all printing, signing and mailing expenses, legal fees, accounting expenses, fees for ratings received on the Bonds and any fiscal fees incurred in marketing the Bonds. Any moneys remaining in the Cost of Issuance Fund on September 15, 1994, shall be transferred to the Project Fund.

ARTICLE VII

PAYMENT OF BONDS

Section 701. Levy of Taxes to Pay Bonds. The full faith, credit and resources of the City are hereby pledged to secure the payment of the principal of and interest on the Bonds as they severally become due and payable.

The governing body of the City shall make provision for the payment of said principal and interest on the Bonds by levying and collecting special assessments on property benefitted by the Town Center Drive Improvement and the Park Land Improvement and, to the extent of the City's portion of the cost of the City Improvement Projects and to the extent such special assessments shall not be so collected, by levying and collecting an annual tax on all taxable tangible property within the territorial limits of the City in amounts sufficient to pay the installments of said principal and interest on the Bonds as the same accrue and become payable.

Section 702. Transfer of Funds to Paying Agent. The Treasurer of the City is hereby authorized and directed to withdraw from the Principal and Interest Fund and transfer to the Paying

Agent sums sufficient to pay the principal of and interest on the Bonds and the fees of the Paying Agent and Bond Registrar when the same become due. If, through lapse of time or otherwise, the owners of Bonds shall no longer be entitled to enforce payment of their obligations, it shall be the duty of the Paying Agent forthwith to return said funds to the City. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Ordinance.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 801. Official Statement; Continuing Disclosure. Distribution of the Official Statement relating to the Bonds in substantially the form presented to the governing body of the City and the use thereof by the Underwriters of the Bonds is hereby approved, and the Mayor of the City and the City Clerk are hereby authorized to execute such Official Statement on behalf of the City, with such corrections, omissions, insertions or changes as they may approve.

The City agrees to provide a nationally recognized municipal securities information repository the information specified to be provided by an issuer pursuant to Rule 15c2-12 under the Securities Exchange Act of 1934 and any changes or amendments thereto, or substitutions or replacements thereof, during the time that any of the Bonds are outstanding, whether or not said obligations are issued prior to the effective date of the amendments to the rule with respect to the providing of such information.

Section 802. Special Tax Covenants. The City covenants to comply with each and every provision of the Internal Revenue Code of 1986 and the rules and regulations promulgated thereunder (the "Code"), which is or may be applicable to the Bonds or state and local obligations of the same character as the Bonds authorized and issued hereunder; provided, that, the City shall not be required to comply with any such provision if the City shall be provided with an opinion of nationally recognized bond counsel to the effect that such compliance is not required and to the effect that the failure to comply with any such provision will not cause interest on the Bonds to be subject to federal income taxation.

In particular, the City shall complete the City Improvement Projects that are financed with the proceeds of the Bonds not later than that day which is three years after the earlier of (i) the date of issue of the Bonds or (ii) the date construction of the City Improvement Projects began.

The City further covenants and agrees that no portion of the gross proceeds of the Bonds will be used (on a basis different from use by members of the general public of the City Improvement Projects) directly or indirectly in any trade or business carried on by any person (including exempt persons) other than the City, any other political subdivision of the State of Kansas or any governmental unit of the State of Kansas, or to make any loan to any such person.

The City will comply with all applicable information reporting requirements of the Code.

Section 803. Arbitrage Covenant. The City covenants and agrees that it will use the proceeds of the Bonds as soon as practicable and with all reasonable dispatch for the purpose for which the Bonds are issued as hereinbefore set forth, and that no part of the proceeds of the Bonds shall be invested in any securities or obligations except for the temporary period pending such use, nor used, at any time, directly or indirectly, in a manner which, if such use had been reasonably anticipated on the date of issuance of the Bonds, would have caused any of the Bonds to be or become "arbitrage bonds" within the meaning of Section 148 of the Code.

The City will abide by any applicable arbitrage rebate requirements of the Code; provided, that, the City shall not be required to abide by any such requirements if the City is provided with an opinion of nationally recognized bond counsel to the effect that such compliance is not required and to the effect that the failure of the City to abide by any such requirements will not cause the interest on the Bonds to be or become subject to federal income taxation.

Section 804. Covenants, Representations and Warranties Regarding Qualified Tax-Exempt Obligations. The governing body hereby finds, determines, represents and warrants, as follows:

(a) Since January 1, 1994, the City has not issued any bonds or obligations other than the Bonds and the following described obligations:

Project	Date Issued	Amount	Maturity Date
Golf Course Land, Series 135-94-1	02/01/94	$ 700,000	10-27-94
Town Center Drive, Series 130-94-2	02/01/94	600,000	10-27-94
State Line Road, Phase I Series 132-94-3	02/01/94	300,000	10-27-94

Mission Road, South of 151st Street, Series 138-94-4	02/01/94	1,000,000	10-27-94
Mission Road, 103rd Street to College Boulevard, Series 115-94-5	02/01/94	200,000	10-27-94
135th Street [K-150], State Line to Nall Avenue, Series 124-94-6	02/01/94	200,000	10-27-94
Old Kenneth Road Series 128-94-7	02/01/94	200,000	10-27-94
State Line Road, Phase II Series 134-94-8	02/01/94	900,000	10-27-94
Town Center Drive, Series 130-94-9	05/02/94	400,000	09-15-94
Mission Rd., 103rd College Boulevard, Series 115-94-10	05/02/94	400,000	09-15-94
135th Street [K150], State Line Road to Nall Avenue, Series 124-94-11	05/02/94	1,000,000	02-15-95
State Line Road, Phase I, Series 132-94-12	05/02/94	1,000,000	02-15-95
Municipal Golf Course, Series 133-94-13	05/02/94	3,400,000	09-15-94
143rd Street, Mission-1320 Feet East, Series 129-94-14	05/02/94	400,000	02-15-95
State Line Road, Phase IV, Series 137-94-15	05/02/94	100,000	02-15-95
Mission Road, 95th Street-103rd Street, Series 126-94-16	05/02/94	100,000	02-15-95
State Line Road, Phase II, Series 134-94-17	05/02/94	300,000	02-15-95
Bell Drive and Iron Horse, Drive, Series 142-94-18	05/02/94	300,000	02-15-95
State Line Road, Phase III, Series 136-94-19	05/02/94	700,000	02-15-95

(c) The City does not reasonably anticipate issuing tax-exempt obligations taken into account under Section 265(b)(3)(C) of the Code, during calendar year 1994 in an aggregate amount in excess of $10,000,000;

(d) Other than the Bonds, the City has not issued and does not expect to issue any other bonds or obligations the proceeds of which have been or will be used to provide project financing for the City Improvement Projects, other than temporary notes to be retired with the proceeds of the Bonds.

The City hereby covenants and agrees that it shall not issue more than $10,000,000 of tax-exempt obligations taken into account under Section 265(b)(3)(C) of the Code during calendar year 1994.

The City hereby reaffirms its designation of the Bonds as "qualified tax-exempt obligations" within the meaning and for the purposes provided in Section 265(b)(3) of the Code.

Section 805. Authority to Redeem Outstanding Temporary Notes. The governing body hereby finds and determines that it is necessary and advisable to redeem and prepay the following described outstanding temporary notes of the City:

Project	Date Issued	Amount	Maturity Date
Golf Course Land, Series 135-94-1	02/01/94	$ 700,000	10-27-94
Town Center Drive, Series 130-94-2	02/01/94	600,000	10-27-94
Municipal Golf Course Series 133-94-13	05/02/94	3,400,000	09-15-94
Mission Road, 103rd Street to College Boulevard, Series 115-94-10	05/02/94	400,000	09/15/94
Town Center Drive Series 130-94-9	05/02/94	400,000	09/15/94

The City Clerk is hereby authorized and directed to give notice of the City's intention to redeem and prepay the aforedescribed temporary notes on August 17, 1994, by publication or other means of notice to the holders thereof, substantially in the form attached as Exhibit B hereto (such publication at least once in the official newspaper of the City), not less than 10 days prior to the date fixed for such redemption and prepayment.

Section 806. Severability. If any section or other part of this Ordinance shall for any reason be held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Ordinance.

Section 807. Governing Law. This Ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

Section 808. Effective Date. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City and publication in the official newspaper of the City.

PASSED by the governing body of the City of Leawood, Kansas this 1st day of August, 1994.

APPROVED by the Mayor this 1st day of August, 1994.

(Seal)

Marcia Lunchard
Mayor

ATTEST:

Martha Heizer
City Clerk

APPROVED AS TO FORM AND CONTENT:

City Attorney

EXHIBIT A

(FORM OF FULLY REGISTERED BOND)

UNITED STATES OF AMERICA
STATE OF KANSAS

Registered
No. R-

Registered
$_____

CITY OF LEAWOOD, KANSAS

GENERAL OBLIGATION IMPROVEMENT BOND
SERIES 1994-A

Interest Rate	Maturity Date:	Dated Date:	CUSIP No.
_____%	September 1, ____	August 15, 1994	_____

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: _____ DOLLARS

THE CITY OF LEAWOOD in the County of Johnson, State of Kansas (the "City"), for value received, hereby promises to pay to the registered owner hereof shown above, or registered assigns, upon presentation and surrender of this Bond, the Principal Amount identified above, on the Maturity Date shown above, and to pay interest thereon from the Dated Date set forth above or from the most recent Interest Payment Date to which interest has been paid or duly provided for as provided in the Ordinance of the City authorizing the issuance of the Bonds (the "Ordinance"), at the Rate of Interest per annum shown above, payable semiannually on March 1 and September 1 in each year beginning September 1, 1995 (the "Interest Payment Dates"), until said Principal Amount shall have been paid.

The principal of and interest on this Bond shall be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, in the City of Topeka, Kansas (the "Paying Agent" and "Bond Registrar"). The principal of this Bond shall be payable to the registered owner hereof upon presentation of this Bond at the maturity or redemption date to the Paying Agent for payment and cancellation. The interest on this Bond shall be mailed to the registered owner hereof at the address appearing on the registration books of the City maintained by the Bond Registrar at the close of business on the 15th day of the month immediately preceding each Interest Payment Date (the "Record Date").

The Bonds are general obligations of the City payable as to both principal and interest in part from special assessments levied upon the property benefitted by certain improvements financed with the proceeds of the Bonds, and if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property within the territorial limits of the City, and the balance being payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property within the territorial limits of the City. The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due.

THE TERMS AND PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

This Bond has been duly registered in the office of the City Clerk and in the office of the Kansas State Treasurer.

It is hereby declared and certified that all acts, conditions and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and laws of the State of Kansas, and that the total indebtedness of said City, including this series of Bonds, does not exceed any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IN WITNESS WHEREOF, the governing body of the City has caused this Bond to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk, and its corporate seal to be imprinted hereon, all as of the Dated Date.

(facsimile seal) CITY OF LEAWOOD, KANSAS

(facsimile)
Mayor

ATTEST:

By (facsimile)
City Clerk

==========

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of a series of General Obligation Improvement Bonds, Series 1994-A, of the City of Leawood, Kansas, described in the within-mentioned Ordinance.

Registration Date _____

_____
Office of the State Treasurer, Topeka, Kansas, as Bond Registrar and Paying Agent

By_____

Registration Number _____

==========

FURTHER TERMS AND CONDITIONS

This Bond is one of an authorized issue of bonds of the City designated "General Obligation Improvement Bonds, Series 1994-A," in the aggregate principal amount of $8,300,000 (the "Bonds") issued for the purpose of providing funds to finance certain public improvements within the City as described in the Ordinance. The Bonds are issued by the authority of an election duly called and held in the City on February 7, 1992 and proceedings duly and legally had by the governing body of the City including the Ordinance, and the Bonds have been authorized and are issued in full compliance with the provisions, restrictions and limitations of the Constitution and laws of the State of Kansas, including K.S.A. 12-685, et seq., K.S.A. 12-6a01, et seq., and K.S.A. 12-1301, et seq., each as amended, and all other provisions of the laws of the State of Kansas applicable thereto.

Bonds of the series of which this Bond is a part becoming due on September 1, 2002, and thereafter may be redeemed and paid prior to maturity, at the option of the City on September 1, 2001, or on any Interest Payment Date thereafter, as a whole or in part (in integral multiples of $5,000 within a single maturity), and if in part in such order as the City in its sole discretion shall determine (selection of Bonds within the same maturity to be by lot by the Paying Agent and Bond Registrar in such equitable manner as it may determine) at the redemption price of 100% of the principal amount so redeemed, plus accrued interest thereon to the date fixed for redemption, without premium.

Whenever Bonds are to be selected for the purpose of redemption, the Paying Agent and Bond Registrar shall, in the case of Bonds in denominations greater than $5,000, if less than all of the Bonds then outstanding are to be called for redemption, treat

each $5,000 of face value of each such fully registered Bond as though it were a separate Bond of the denomination of $5,000.

If any Bonds are called for redemption and payment prior to maturity, the City shall publish once in the Kansas Register and in a financial journal published in New York, New York, a notice of the intention of the City to redeem and pay said Bonds, the same being described by number and maturity. The notice in said financial journal shall be published not less than 30 days prior to the date on which said Bonds are called for redemption and payment and the notice in the Kansas Register shall be published not less than 15 days prior to said redemption date. The City will also give written notice of its intention to redeem and pay such Bonds on a specified date, the same being described by number and maturity, said notice to be mailed by prepaid United States registered or certified mail addressed to the State Treasurer of Kansas and the Underwriters of the Bonds, said notice to be mailed not less than 45 days prior to the redemption date. The State Treasurer will send notice of redemption by ordinary mail to the registered owners of said Bonds, said notices to be mailed not less than 30 days prior to the date fixed for redemption. All Bonds so called for redemption and payment as aforesaid shall cease to bear interest from and after the date for which such call is made, provided funds are available for the payment of such Bonds at the price hereinbefore specified.

The Bonds are issued in fully registered form in the denomination of $5,000 or any integral multiple thereof. This Bond may be exchanged at the office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations upon the terms provided in the Ordinance.

The City and the Bond Registrar may deem and treat the registered owner hereof as the absolute owner hereof for purposes of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the City nor the Bond Registrar shall be affected by any notice to the contrary.

This Bond is transferable by the registered owner hereof in person or by the registered owner's agent duly authorized in writing, at the office of the Bond Registrar, but only in the manner, subject to the limitations and upon payment of the charges provided in the Ordinance and upon surrender and cancellation of this Bond. The City shall pay out of the proceeds of the Bonds all costs incurred in connection with the issuance, payment and initial registration of the Bonds and the cost of a reasonable supply of bond blanks.

==========

LEGAL OPINION

I, the undersigned, City Clerk of the City of Leawood, Kansas, hereby certify that the following is a true and correct copy of the approving legal opinion of Smith, Gill, Fisher & Butts, a professional corporation, attorneys at law, Kansas City, Missouri, on the within Bond and the series of which it is a part, except that it omits the date of such opinion; that said opinion was manually executed and was dated and issued as of the date of delivery of and payment for the Bonds, and is on file in my office.

By_____(facsimile)_____
City Clerk

[PRINTED LEGAL OPINION]

==========

(FORM OF CITY CLERK'S CERTIFICATE)

STATE OF KANSAS)
) SS.
COUNTY OF JOHNSON)

I, the undersigned, City Clerk of the City of Leawood, Kansas, hereby certify that the within Bond has been duly registered in my office according to law.

WITNESS my hand and official seal this _____ _____.

(facsimile seal) _____(facsimile)_____
City Clerk

==========

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned do(es) hereby sell, assign and transfer to

_____
(Name and Address)

_____
(Social Security or Taxpayer Identification No.)

the Bond to which this assignment is affixed in the outstanding principal amount of $_____, standing in the name of the undersigned on the books of the Treasurer of the State of Kansas (the "Bond Registrar"). The undersigned do(es) hereby irrevocably constitute and appoint _____ as agent to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated _____.

_____
Name

_____
Social Security or
Taxpayer Identification No.

_____
Signature
(Sign here exactly as name(s) appear on the face of Certificate)

Signature guarantee:

By_____
(Eligible Guarantor Institution)

==========

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

I, _____, Treasurer of the State of Kansas, do hereby certify that a transcript of the proceedings leading up to the issuance of this Bond has been filed in my office, and that this Bond was registered in my office according to law on _____.

WITNESS my hand and official seal.

_____
Treasurer of the State of Kansas

(facsimile)

(Seal)

==========

EXHIBIT B

NOTICE OF REDEMPTION
TO THE HOLDERS OF
CITY OF LEAWOOD, KANSAS
TEMPORARY NOTES
SERIES ____, PROJECT ____ (_____)
DATED _____ 1, 19__

Notice is hereby given to the holders of City of Leawood, Kansas (the "City") Temporary Notes, Series _____, Project _____ (_____) dated _____ 1, 19__, in the aggregate principal amount of $_____ (the "Notes"), that in accordance with the provisions of Ordinance No. _____ (the "Ordinance") and the terms of said Notes, the City hereby exercises its right to redeem and pay said Notes in whole prior to the stated maturity thereof.

Redemption and payment of said Notes will be made on _____, _____, 19__, in accordance with the terms of said Ordinance and said Notes.

CITY OF LEAWOOD, KANSAS

Dated: _____, 19__

By:_____
City Clerk

12630

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
John G. Lewis, of lawful age, being first duly sworn, deposes and says that he is Publisher of The Legal Record which is a newspaper 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:

8/2/94

Publisher

Subscribed and sworn to before me on this date:
8/2/94

Notary Public

ROBIN L. FRAZEE
Notary Public
State of Kansas
My Comm. Exp. 10-6-97

My appointment expires:

Publication Fees: $443.68

ORD. 1421

$443.68

WYANDOTTE COUNTY FIRST MORTGAGES

CONTINUED FROM PAGE 8

•Christine M. & Michael E.•Lopez, Jr.•The Wyandotte Bank•$45,900.00•Lot 3, Block 15, Story Point South•Kansas City KS•.•4/13/94•.
•Melanie L.•Bishop, et al.•Associates Financial Srv.•$58,236.74•6124 Yecker•Kansas City KS•.•4/13/94•.
•Charles W. & Karen R.•Morerod•Plaza Mortgage Co.•$71,500.00•4847 N 93rd St.•Kansas City KS•66109•4/8/94•.
•Norman L. & Angeline•Denning•The Wyandotte Bank•$32,100.00•Lot 6, Christine Brune Estates•.•.•4/14/94•.
•Waits Construction•.•Shawnee State Bank•$94,000.00•Lot 8, Normandy Estates•Kansas City KS•.•4/6/94•.
•David A. & Eva M.•McKay•Bank IV KS•$20,425.00•131 S 15th St.•Kansas City KS•66102•4/11/94•.
•Wesley C.•Lewis, Jr.•The Wyandotte Bank•$22,557.00•1830 Tennyson•Kansas City KS•66104•4/15/94•.
•Steven R. & Lea D.•Tuckel•Source One Mortgage Srv.•$51,600.00•434 N Nettleton Ave.•Bonner Springs KS•66012•4/14/94•.
•Anthony S. & Traci L.•Wright•First St Bk & Tr, Tonganoxie•$65,920.00•2847 S 53rd Ter.•Kansas City KS•66106•4/14/94•.
•Ronald E. & Beverly A.•Nelson•Metcalf State Bank•$250,000.00•5411 N 97th St.•Kansas City KS•66109•4/12/94•mortgage also includes 5545 N 97th St.
•Jonathan•Lackman•Argentine Federal Svgs.•$45,000.00•3020 N 62nd St.•Kansas City KS•66104•4/15/94•.
•Patricia & Earnest•Harris, Sr.•Bank United of TX•$74,100.00•7017 Georgia•Kansas City KS•66109•4/14/94•.
•Laveta M. & Leodis•Byers, Jr.•North American Svgs Bk•$85,600.00•Lot 12, Block 3, Third Addition to White Oaks•.•.•4/15/94•.
•Steven L. & Rebecca S.•Swanson•Directors Mortgage Loan Corp.•$48,900.00•8733 State Ave.•Kansas City KS•66112•4/14/94•.
•Judy Ann & Steve C.•Parton•Commerce Mortgage Corp.•$28,000.00•4937 Powell•Kansas City KS•66106•4/15/94•.
•David R.•Young•Corinthian Mortgage Corp.•$72,900.00•633 Lake Forest•Bonner Springs KS•66012•4/13/94•4.625% Adj. Rate
•John R. & Teresa•Grinter•Fidelity Svgs Assn of KS•$35,200.00•2410 N 86th St.•Kansas City KS•66109•4/4/94•.
•Jonathan Q. & Margaret A.•Sullivan•INTRUST Mortgage Corp.•$35,000.00•4147 Francis•Kansas City KS•66103•4/15/94•.
•Vincent C. & Sharon M.•Evans•The Wyandotte Bank•$66,500.00•Lot 3, Courtwright Estates•Kansas City KS•.•4/13/94•.
•Herman J. & Patricia L.•Newman•The Wyandotte Bank•$68,000.00•1621 N 85th Ter.•Kansas City KS•66112•4/12/94•.

WYANDOTTE COUNTY SECOND MORTGAGES

CONTINUED FROM PAGE 8

•Ronald L. & Regina P. •Conner•Banc One Financial Services•$10,240.08•Sec. 21, Tnsp. 10, Rng. 24•.•.•3/29/94•.
•Gloria J. •Caraway •Banc One Financial Services Inc.•$10,408.16•Lots 703 & 704, Friendship Heights•Kansas City KS•.•3/30/94•.
•Michael V. & Robin L.•Shoemaker •Mark Twain Banks •$14,300.00•2100 S. 10th St.•Kansas City KS•.•4/4/94•.
•David T. & LuAnn •Young •Commercial Credit Corp. •$59,449.54•7915 Savage Dr. •Kansas City KS•66109•4/11/94•.
•Daniel A. & Lorie E. •Blevins •Household Bank •$10,000.00•Lot 53, Canaan Woods•Kansas City KS•.•4/11/94•.
•Major & Lillie Mae •Brooks •Division of Housing & Community Development •$8,650.00•Lot 91, Brentwood Hills•Kansas City KS•.•4/8/94•.
•Daniel B. & Julie E. •Denk•Betsy Denk Trustee •$12,450.00•11135 Hubbard Rd. •Kansas City KS•66109•4714•4/21/94•.
•James & Gussie Lee•Union •Premium Distributors of America, Inc.•$7,790.00•Lot 1, Block 6, Browne's Park, Lot 8, Block 22, Western Highlands, Lot 9, Western Highlands•.•.•2/8/94•.
•Vitor L. & Lenora •Miller •Countrywide Funding Corp. •$35,993.00•202 S. Nettleton •Bonner Springs KS•66012•4/8/94•.
•Michael G. & Sandra J. •Jerden •Leonard L. Jones•$3,000.00•4403 Springfield St.•Kansas City KS•.•4/13/94•.
•Janet Lee •Hodges•Commercial Credit Corp.•$9,424.97•2512 W. 46th Ave. •Kansas City KS•66103•4/1/94•.
•Charles A. & Patricia D. •Little •Associates Financial Services Co. of Kansas •$29,869.99•Lot 17 & 18, Block 45, Mulvane's Addition to Argentine •Kansas City KS•.•3/31/94•.
•Robert L. K. & Nancy L.•Bagwell •Burlington Credit Union •$30,000.00•5700 Vecker •Kansas City KS•66104•3/24/94•Revolving Credit •
•Adele M. & David B. •Nall •Bank IV •$19,000.00•Lot 27, Grinter Heights•.•.•4/8/94•.

High Taxes Push Businesses Away From Kansas

CONTINUED FROM PAGE 1

raged business community.

Audits of business personal property tax forms are occurring in a number of other Kansas counties. None of these other counties governments appear to be as heavy-handed as Leavenworth County. However, the audits in Sedgwick County have led to tax litigation.

Most of the state's business community has either suffered the problems with personal property taxes in silence or the businesses are unaware of any significant problem. It is becoming increasingly clear that this quiescent state of affairs won't last much longer.

The only surprise is the Department of Revenue's eagerness to get involved in this issue. It already has a full agenda with continuing problems with real property appraisals and the use value appraisals of agricultural land. However, since the state wants to increase tax revenue to reduce its budget problems, this may have moved to the top of its tax agenda.

Government must learn that the power to tax is the power to destroy. Higher taxes will lead to increased government revenue in the short run, but also can create job loss and stagnation in the long term.

Long-term Leavenworth businesses are already discussing relocating across the river to Platt City, Mo., or other areas. Today, communication and transportation improvements have eradicated many geographic barriers. Relocating to a friendlier tax climate does not necessarily mean giving up current markets.

Governmental taxing authorities must take care in using their tax powers. The additional taxes being found today can cause the businesses to relocate tomorrow. If you don't believe me, and you don't believe the destructive power of excessive taxation, just visit what is left of New York City. It is not a pretty sight and quite taxing to see.

Karl Peterjohn is executive director of the Kansas Taxpayers Network. He has written numerous articles and public policy studies on state, municipal, education, and privatization issues. KTN is a statewide organization based in Wichita. Membership information is available by calling (316) 684-0082, or writing P.O. Box 20050, Wichita, KS 67208.

TREASURER'S QUARTERLY FINANCIAL STATEMENT

First published in The Legal Record, Tuesday, August 2, 1994.

TREASURER'S QUARTERLY FINANCIAL STATEME

LEAWOOD, Kansas

For the period from April 1 1994 to June 30, 1994

This form Meets the Requirements of R. S. 12-1608 Supplement 1993

FUNDS	1 Old balances (last report)		2 Receipts		3 Disbursements (Warrants paid)		4 New balances (1 plus 2 minus 3)	
General	631,536	56	1,954,357	62	2,368,430	43	217,463	75
Water Works								
Electric Light								
Street and Alley								
Cemetery								
Fire								
Park	15,183	68	14,993	55	15,000	00	15,177	23
Sewer	299,842	56	285,008	34	325,060	26	259,790	64
Bond and Interest	333,614	53	133,891	37	-0-		467,505	90
Street Lighting								
RESERVE LAND	33,551	39	-0-		5,778	00	27,773	39
CITY EQUIPMENT	49,064	17	105,767	20	172,766	33	<17,934	96>
SPECIAL ALCOHOL	25,285	78	14,471	76	11,639	25	28,118	29
ART COUNCIL ESCROW	184	66	73	68	-0-		258	34
IMPACT FEES: PARK	15,132	80	27,594	73	40,000	00	2,727	53
IMPACT FEES: SO LEA TRAFFIC	9,764	15	24,032	84	30,000	00	3,796	99
IMPACT FEES: K-150	213	24	73	68	-0-		286	92
"125" CAFETERIA PROGRAM	5,115	52	7,052	60	5,991	77	6,176	35
123RD STREET ESCROW	2,334	46	147	36	-0-		2,481	82
MUNICIPAL COURT BONDS	31,023	53	16,426	00	21,518	00	25,931	53
AMERICAN REVOLUTION	3,955	25	77	82	-0-		4,033	07
SPECIAL BUILDING FUND	8,276	13	30,295	40	-0-		38,571	53
DARE FUND	1,329	61	9,140	31	2,771	99	7,697	93
PAYROLL	68,561	21	830,805	54	888,691	91	10,806	75
SP. LAW ENFORCEMENT TRUST	1,917	19	3,000	00	-0-		4,917	19
CAPITAL PROJECTS	3,134,135	59	9,517,109	42	8,868,691	91	3,782,553	10
SPECIAL LIABILITY	7,708	87	408	25	512	69	7,604	43
EMPLOYEE GIVING	1,901	30	357	00	45	22	2,213	08
RECR. CHARGE ACCT.	18,386	52	20,560	73	-0-		38,947	25
CITY CAPITAL IMPROVEMENT	19,884	15	338,209	54	223,561	07	134,532	62
Totals	4,717,902	85	13333,854	74	12980326	92	5,071,430	67

Available Cash:

General Fund $475,686.08	BANK IV	Bank	5,032,483	42
Bank IV:Payroll 10,806.75	BOATMAN'S	Bank	38,947	25
"125" 6,176.35		Bank		
Am. Rev. 4,033.07	Rec. Change $38,947.25	Bank		
Wastewater 259,790.64		Bank		
Court 25,931.53				
B & I 4,250,059.00				
Total Available Cash (to agree with total funds above)			5,071,430	67

INVESTMENT SECURITIES

Sinking Fund $8,028,304.62

GENERAL FUND 3,000,000.00	SP. ARTS 6,966.00	SP. PARKS 95,000.00
SEWER 1,250,000.00	SP. LIABILITY 25,000.00	IMPACT FEES 146,325.00
BOND & INT. 1,475,013.62	CITY EQUIP. 500,000.00	123RD ST. 20,000.00
GOLF COURSE 500,000.00	CAP. IMPROVE. 800,000.00	SP. ALCOHOL 25,000.00
SP. BUILDING 175,000.00	DARE 10,000.00	

LIABILITIES AND OBLIGATIONS

Registered Warrants Outstanding	
Temporary Notes	$12,200,000.00
Serial Bonds	15,346,000.00
Sinking Funds	
Other Liabilities and Obligations LEASES	561,418.40
Total	$28,107,418.40

I, HARRY B. MALNICOF, do hereby certify that the above statem

Signed Harry B. Malnicof City Treasur

JOHNSON COUNTY LEGAL NOTICES

ORDINANCE NO. 1421

First published in The Legal Record, Tuesday, August 2, 1994.

ORDINANCE NO. 1421

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $8,300,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 1994-A, OF THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE THE COST OF CERTAIN PUBLIC IMPROVEMENTS WITHIN THE CITY INCLUDING ACQUISITION OF PARK LAND AND MAKING IMPROVEMENTS THERETO BY CONSTRUCTION OF A MUNICIPAL GOLF COURSE AND RELATED FACILITIES WITHIN THE CITY AND MAKING IMPROVEMENTS TO CERTAIN ROADS AND BRIDGES WITHIN THE CITY; PRESCRIBING THE FORM AND DETAILS OF SAID BONDS AND THE COVENANTS AND AGREEMENTS MADE BY THE CITY TO FACILITATE AND PROTECT THE PAYMENT THEREOF; MAKING PROVISION FOR THE COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND PROVIDING FOR EXECUTION OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH.

WHEREAS, pursuant to K.S.A. 12-685, et seq., as amended, and other provisions of the laws of the State of Kansas (the "State") applicable thereto, by proceedings duly had the governing body of the City has heretofore authorized the construction of improvements to Mission Road from 103rd Street to College Boulevard including necessary appurtenances, as authorized by Ordinance No. 1204 (the "Mission Road Improvement"); and

WHEREAS, the Mission Road Improvement has been completed and the governing body of the City hereby finds and determines that the total cost thereof including construction financing and related expenses is not less than $402,422.00 to be paid by the City at large; and

WHEREAS, pursuant to K.S.A. 12-6a01, et seq., as amended, and other provisions of the laws of the State applicable thereto, by proceedings duly had the governing body of the City has heretofore authorized construction of improvements to Town Center Drive including necessary appurtenances, as authorized by Resolution No. 1063 (the "Town Center Drive Improvement"); and

WHEREAS, all legal requirements pertaining to the Town Center Drive Improvement have been complied with, and the governing body of the City now finds and determines that the total cost of the Town Center Drive Improvement including construction financing and related expenses is not less than $994,000.00 with $559,113.00 of the cost to be paid by the owners of the property within the City benefitted by the Town Center Drive Improvement and $434,987.00 of the cost to be paid by the City at large, and that none of said property owners have paid their respective assessments on account of the Town Center Drive Improvement and there are no other funds available in the City Treasury to pay the remainder of the cost of the Town Center Drive Improvement leaving $994,000.00 to be paid by the issuance and sale of the City's general obligation bonds; and

WHEREAS, pursuant to K.S.A. 12-6a01, et seq., as amended, and other provisions of the laws of the State applicable thereto, by proceedings duly had the governing body of the City has authorized acquisition of park land in the vicinity of 151st Street and Nall Avenue, as authorized by Resolution No. 1154 (the "Park Land Improvement"); and

WHEREAS, all legal requirements pertaining to the Park Land Improvement have been complied with, and the governing body of the City now finds and determines that the total cost of the Park Land Improvement including construction financing and related expenses is not less than $653,578.00 with the entire cost to be paid by the owners of the property within the City benefitted by the Park Land Improvement, and that none of said property owners have paid their respective assessments on account of the Park Land Improvement and there are no other funds available in the City Treasury to pay the cost of the Park Land Improvement leaving $653,578.00 to be paid by the issuance and sale of the City's general obligation bonds; and

WHEREAS, pursuant to K.S.A. 12-1301, et seq., and other provisions of the laws of the State applicable thereto, by proceedings duly had, the governing body of the City called a special question election to be held in the City on February 7, 1992, for the purpose of submitting to the qualified voters of said City the following question:

"Shall the following be adopted?

Shall the City of Leawood issue its general obligation bonds pursuant to K.S.A. 12-1302 in an amount not to exceed $6,250,000 for the purpose of paying the cost of acquiring park land in the vicinity of 151st Street and Nall Avenue and making improvements thereto by constructing a public municipal golf course and related facilities?";

and

WHEREAS, said election was duly conducted and held in accordance with law and the returns of said election duly verified, the results thereof being that more than a majority of the qualified voters voting at said election voted in favor of the question and the issuance of said bonds for the purpose aforesaid, the vote at said election on said question having been found and determined to be 2,696 votes in favor of said question and the issuance of such bonds and 1,682 votes against said question; and

WHEREAS, preliminary plans and cost estimates have been prepared, and the governing body of the City now finds and determines that the total cost of acquisition of said park land and construction of said public municipal golf course (the "Public Golf Course Project"), including necessary construction financing and related expenses is not less than $6,250,000.00, and it is necessary and desirable at this time that the City offer for sale its general obligation bonds for the purpose of providing funds to pay the cost of the Public Golf Course Project; and

WHEREAS, the governing body of the City is authorized to issue pursuant to law general obligation bonds of the City to finance the costs of the Mission Road Improvement, the Town Center Drive Improvement, the Park Land Improvement and the Public Golf Course Project (collectively, the "City Improvement Projects"), and the governing body hereby finds and determines that it is necessary and desirable at this time to issue the General Obligation Improvement Bonds, Series 1994-A, of the City in the principal amount of $8,300,000 (the "Bonds") for said purpose; and

WHEREAS, the City intends that the Bonds be designated and has heretofore designated and hereby designates the Bonds "qualified tax-exempt obligations" within the meaning and for the purposes provided in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended;

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

ARTICLE I

DEFINITIONS

Section 101. Definitions of Words and Terms. In addition to words and terms defined in the recitals and elsewhere in this Ordinance, the following words and terms as used in this Ordinance shall have the following meanings, unless some other meaning is plainly intended:

"Bond Registrar" means the Treasurer of the State of Kansas in the City of Topeka, Kansas, and its successors or assigns.

"Cost of Issuance Fund" means the Series 1994 Cost of Issuance Fund created by Section 501 of this Ordinance.

"Ordinance" means this Ordinance as from time to time amended in accordance with the terms hereof.

"Paying Agent" means the Treasurer of the State of Kansas, in the City of Topeka, Kansas, and its successors and assigns.

"Principal and Interest Fund" means the Principal and Interest Fund for the City of Leawood, Kansas General Obligation Bonds, Series 1994, created by Section 501 of this Ordinance.

"Project Fund" means the Series 1994 City Improvement Project Fund created by Section 501 of this Ordinance.

"Underwriters" means George K. Baum & Company and associates.

ARTICLE II

AUTHORIZATION OF THE BONDS

Section 201. Authorization of the Bonds. The Bonds of the City are authorized and directed to be issued in the principal amount of $8,300,000 for the purpose of providing funds to finance the costs of the City Improvement Projects, as provided in this Ordinance.

Section 202. Security for the Bonds. The Bonds shall be general obligations of the City payable in part from special assessments levied against properties benefitted by the Town Center Improvement and the Park Land Improvement, and, if not so paid from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property, real and personal within the territorial limits of the City, and the balance shall be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property, real and personal, within the territorial limits of the City.

Section 203. Details of the Bonds. The Bonds will be issued as a single series designated "General Obligation Improvement Bonds, Series 1994-A", in the aggregate principal amount of $8,300,000.

The Bonds shall consist of fully registered certificated bonds without coupons in the denominations of $5,000 or any integral multiple thereof. The Bonds shall be substantially in the form described in Article IV hereof and shall be subject to registration, transfer and exchange as provided in Section 206 hereof. All of the Bonds shall be dated August 15, 1994, shall become due on September 1 in the years (the "Principal Payment Dates") and in the principal amounts (subject to redemption prior to maturity as provided in Article III hereof) and shall bear interest at the respective rates per annum as follows:

CONTINUED ON PAGE 13

JOHNSON COUNTY LEGAL NOTICES

CONTINUED FROM PAGE 12

SERIES 1994-A BONDS

Maturity	Amount	Interest Rate Per Annum	Maturity	Amount	Interest Rate Per Annum
1995	$170,000	6.00%	2006	$375,000	5.40%
1996	165,000	6.00	2007	395,000	5.50
1997	350,000	6.00	2008	410,000	5.60
1998	360,000	6.00	2009	425,000	5.70
1999	365,000	6.00	2010	355,000	5.75
2000	370,000	4.80	2011	375,000	5.80
2001	380,000	4.90	2012	400,000	5.85
2002	390,000	5.00	2013	420,000	5.90
2003	400,000	5.10	2014	445,000	5.95
2004	415,000	5.20	2015	470,000	6.00
2005	365,000	5.30	2016	500,000	6.00

The Bonds shall bear interest at the rates aforesaid (computed on the basis of a 360-day year composed of twelve 30-day months) from the date thereof or from the most recent interest payment date to which interest has been paid or duly provided for, payable semiannually on March 1 and September 1 in each year, beginning on September 1, 1995 (the "Interest Payment Dates"), to the registered owners whose names appear on the books maintained by the Bond Registrar at the close of business on the 15th day of the month immediately preceding the Interest Payment Dates (the "Record Dates").

Section 204. Designation of Paying Agent and Bond Registrar. The Treasurer of the State of Kansas in the City of Topeka, Kansas, is hereby designated as the City's paying agent for the payment of principal of, premium, if any, and interest on the Bonds and bond registrar with respect to the registration, transfer and exchange of Bonds (the "Paying Agent" and "Bond Registrar").

The Mayor of the City and the City Clerk of the City are hereby authorized and empowered to execute on behalf of the City an agreement with the Treasurer of the State of Kansas for said Treasurer to act as Bond Registrar and Paying Agent for the Bonds.

Section 205. Method and Place of Payment of Bonds. The principal of, premium, if any, and interest on the Bonds shall be payable in lawful money of the United States of America by check or draft of the Paying Agent.

The principal of and premium, if any, on the Bonds shall be payable at the office of the Paying Agent upon presentation and surrender of such Bonds as they respectively become due.

The interest on the Bonds shall be payable to the order of the registered owners thereof mailed by the Paying Agent to the addresses of such registered owners as they appear on the registration books maintained by the Bond Registrar or at such other address provided in writing by such registered owner to the Bond Registrar prior to the Record Dates.

The Paying Agent and Bond Registrar shall keep in its office a record of payment of principal of, premium, if any, and interest on the Bonds.

Section 206. Registration, Transfer and Exchange of Bonds. The City covenants that it will, as long as any of the Bonds herein authorized remain outstanding, cause to be kept at the office of the Bond Registrar books for the registration, transfer and exchange of Bonds as herein provided.

Upon presentation of the necessary documents as hereinafter described, the Bond Registrar shall transfer or exchange any Bond(s) for new Bond(s) in an authorized denomination of the same maturity and for the same aggregate principal amount as the Bond(s) presented for transfer or exchange.

All Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the registered owner thereof or by the registered owner's duly authorized agent. In addition, all Bonds presented for transfer or exchange shall be surrendered to the Bond Registrar for cancellation.

Prior to delivery of the new Bond(s) to the transferee, the Bond Registrar shall register the same in the registration books kept by the Bond Registrar for such purpose and shall authenticate each Bond.

The City shall provide for the payment out of the Bond proceeds of the fees of the Bond Registrar for registration and transfer of the Bonds and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the bondowners.

The City, the Bond Registrar and the Paying Agent may deem and treat the person in whose name any Bond shall be registered as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and redemption premium, if any, and interest on said Bond and for all other purposes, and all such payments so made to any such registered owner or upon such registered owner's order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Bond Registrar nor the Paying Agent shall be affected by any notice to the contrary, but such registration may be changed as herein provided.

The Bond Registrar shall not be required to register, transfer or exchange Bonds for a period extending from the Record Date to the immediately following Interest Payment Date for the Bonds or to register, transfer or exchange any Bonds selected for redemption in whole or in part subsequent to the date notice of such redemption is given.

Section 207. Surrender and Cancellation of Bonds. Whenever any outstanding Bond shall be delivered to the Bond Registrar for cancellation pursuant to this Ordinance, upon payment of the principal amount thereof and interest thereon or for replacement pursuant to this Ordinance, such Bond shall be cancelled by the Bond Registrar and the cancelled Bond shall be returned to the City.

Section 208. Mutilated, Lost, Stolen or Destroyed Bonds. In the event any Bond is mutilated, lost, stolen or destroyed, the City may execute and the Bond Registrar may authenticate a new Bond of like date, maturity, denomination and interest rate as that mutilated, lost, stolen or destroyed; provided, that in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the City or the Bond Registrar, and, in the case of any lost, stolen or destroyed Bond there shall be first furnished to the Bond Registrar and the City evidence of such loss, theft or destruction and an indemnity satisfactory to them. In the event any such Bond shall have matured, instead of issuing a duplicate Bond, the City and Bond Registrar may pay the same without surrender thereof. The City and Bond Registrar may charge to the registered owner of such Bond their reasonable fees and expenses in connection with replacing such Bond or Bonds mutilated, stolen, lost or destroyed.

Section 209. Execution, Registration and Delivery of the Bonds. Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be signed by the manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the City Clerk and shall have the corporate seal of the City affixed thereto or imprinted thereon. In case any officer whose signature or facsimile thereof appears on any Bonds shall cease to be such officer before the delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond shall be the proper officers to sign such Bond, although at the date of such Bond such persons may not have been such officers.

The Mayor of the City and the City Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner hereinbefore specified, to cause the Bonds to be registered in the offices of the City Clerk and the State Treasurer as provided by law, and, when duly executed and registered, to deliver the Bonds to the Underwriters, upon receipt by the City of the purchase price of the Bonds, which purchase price shall be 100% of the principal amount of the Bonds plus accrued interest to the date of their delivery plus any premium thereon. The Mayor of the City and the City Clerk are also hereby further authorized to enter into an agreement with a depository trust company to have the executed, authenticated Bonds held in safe keeping prior to their delivery to the Underwriters.

The Bonds shall have endorsed thereon a Certificate of Authentication substantially in the form set forth in Exhibit A attached hereto, which shall be executed by the manual or facsimile signature of the Bond Registrar. No Bond shall be entitled to any security or benefit under the Ordinance nor shall it be valid or obligatory for any purpose unless and until such Certificate of Authentication shall have been duly executed by the Bond Registrar. Such executed Certificate of Authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under the Ordinance. The Certificate of Authentication on any Bond shall be deemed to have been duly executed if signed by any authorized officer or employee of the Bond Registrar, but it shall not be necessary that the same officer or employee sign the Certificate of Authentication on all of the Bonds that may be issued hereunder at any one time.

ARTICLE III

REDEMPTION PROVISIONS

Section 301. Optional Redemption. At the option of the City, Bonds maturing on September 1, 2002, and thereafter may be called for redemption and payment prior to maturity on September 1, 2001, and on any Interest Payment Date thereafter, in whole or in part (in integral multiples of $5,000 within a single maturity) at the redemption price of 100% of the principal amount so redeemed, plus accrued interest thereon to the date fixed for redemption, without premium.

Section 302. Notice of Redemption. In the event the City shall elect to redeem and pay any of the Bonds prior to the maturity thereof, the City shall publish once in the Kansas Register and in a financial journal published in New York, New York, a notice of the intention of the City to redeem and pay said Bonds, the same being described by number and maturity, said notice in said financial journal to be published not less than 30 days prior to the date on which said Bonds are called for redemption and payment and said notice in the Kansas Register to be published not

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less than 15 days prior to said redemption date. The City shall also give written notice of its intention to redeem and pay said Bonds on a specified date, the same being described by number and maturity, said notice to be mailed by prepaid United States registered or certified mail addressed to the State Treasurer of the State of Kansas and to the Underwriters, said notice to be mailed not less than 45 days prior to the redemption date. The State Treasurer of Kansas will send notice of redemption by ordinary U.S. mail to the registered owners of said Bonds, said notices to be mailed not less than 30 days prior to the date fixed for redemption.

Section 303. Selection of Bonds to Be Redeemed. Bonds shall be redeemed only in the principal amount of $5,000 or any integral multiple thereof. When less than all of the outstanding Bonds are to be redeemed and paid prior to maturity, such Bonds shall be redeemed in such order as the City in its sole discretion shall determine, Bonds of less than a full maturity to be selected by the Paying Agent and Bond Registrar by lot in $5,000 units of face value in such equitable manner as the Paying Agent and Bond Registrar may determine.

In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than $5,000 are then outstanding, then for all purposes in connection with such redemption each $5,000 of face value shall be treated as though it were a separate Bond of the denomination of $5,000. If it is determined that one or more, but not all, of the $5,000 units of face value represented by any fully registered Bond is selected for redemption, then upon notice of intention to redeem such $5,000 unit or units, the owner of such fully registered Bond or the owner's duly authorized agent shall forthwith present and surrender such Bond to the Paying Agent and Bond Registrar (1) for payment of the redemption price (including the interest to the date fixed for redemption) of the $5,000 unit or units of face value called for redemption, and (2) for exchange, without charge to the owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such fully registered Bond. If the owner of any such fully registered Bond of a denomination greater than $5,000 shall fail to present such Bond to the Paying Agent and Bond Registrar for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of the $5,000 unit or units of face value called for redemption (and to that extent only).

Section 304. Effect of Call for Redemption. Whenever any Bond is called for redemption and payment as provided in this Article, all interest on such Bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

ARTICLE IV

FORM OF THE BONDS

Section 401. Form of Bonds. The Bonds shall be printed in accordance with the format required by the Attorney General of the State of Kansas and shall contain information and recitals substantially as set forth in Exhibit A attached hereto or as may be required by the Attorney General pursuant to the Notice of Systems of Registration for Kansas Municipal Bonds, 2 Kan. Reg. 921 (1983) in accordance with the Kansas Bond Registration Law, K.S.A. 10-620 to 10-632, inclusive, as amended.

ARTICLE V

ESTABLISHMENT OF FUNDS

Section 501. Creation of Funds. There are hereby created and ordered to be established in the treasury of the City the following separate funds to be known respectively as follows:

(a) Principal and Interest Fund for the City of Leawood, Kansas General Obligation Improvement Bonds, Series 1994-A (the "Principal and Interest Fund");

(b) Series 1994 City Improvement Project Fund (the "Project Fund"); and

(c) Series 1994 Cost of Issuance Fund (the "Cost of Issuance Fund").

Section 502. Administration of Funds. The funds established pursuant to the authority of Section 501 hereof shall be maintained and administered by the City solely for the purposes and in the manner as provided in this Ordinance so long as any of the Bonds remain outstanding and unpaid.

ARTICLE VI

APPLICATION OF BOND PROCEEDS

Section 601. Disposition of Bond Proceeds and Other Moneys. The proceeds received from the sale of the Bonds, including any premium and accrued interest thereon, shall be deposited simultaneously with the delivery of the Bonds, as follows:

(a) There shall be deposited in the Principal and Interest Fund any premium on the Bonds and any amount received on account of accrued interest on the Bonds.

(b) There shall be deposited in the Cost of Issuance Fund the sum of $166,000.00.

(c) The entire remaining balance of the proceeds shall be deposited in the Project Fund.

Section 602. Application of Moneys in the Project Fund. Moneys in the Project Fund shall be separately accounted for on the books and records of the City and attributed to each of the respective City Improvement Projects and used solely to pay the cost of such City Improvement Projects, including the retirement of temporary notes of the City previously issued to provide interim financing for the City Improvement Projects, and, in the event funds on deposit in the Cost of Issuance Fund shall be insufficient for the purpose, to pay costs of issuance of the Bonds. Upon completion of the City Improvement Projects and payment of all costs thereof, any moneys remaining in the Project Fund shall be deposited into the Principal and Interest Fund.

Section 603. Application of Moneys in the Cost of Issuance Fund. Moneys in the Cost of Issuance Fund shall be used to pay the cost of issuing the Bonds, including all printing, signing and mailing expenses, legal fees, accounting expenses, fees for ratings received on the Bonds and any fiscal fees incurred in marketing the Bonds. Any moneys remaining in the Cost of Issuance Fund on September 15, 1994, shall be transferred to the Project Fund.

ARTICLE VII

PAYMENT OF BONDS

Section 701. Levy of Taxes to Pay Bonds. The full faith, credit and resources of the City are hereby pledged to secure the payment of the principal of and interest on the Bonds as they severally become due and payable.

The governing body of the City shall make provision for the payment of said principal and interest on the Bonds by levying and collecting special assessments on property benefitted by the Town Center Drive Improvement and the Park Land Improvement and, to the extent of the City's portion of the cost of the City Improvement Projects and to the extent such special assessments shall not be so collected, by levying and collecting an annual tax on all taxable tangible property within the territorial limits of the City in amounts sufficient to pay the installments of said principal and interest on the Bonds as the same accrue and become payable.

Section 702. Transfer of Funds to Paying Agent. The Treasurer of the City is hereby authorized and directed to withdraw from the Principal and Interest Fund and transfer to the Paying Agent sums sufficient to pay the principal of and interest on the Bonds and the fees of the Paying Agent and Bond Registrar when the same become due. If, through lapse of time or otherwise, the owners of Bonds shall no longer be entitled to enforce payment of their obligations, it shall be the duty of the Paying Agent forthwith to return said funds to the City. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Ordinance.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 801. Official Statement; Continuing Disclosure. Distribution of the Official Statement relating to the Bonds in substantially the form presented to the governing body of the City and the use thereof by the Underwriters of the Bonds is hereby approved, and the Mayor of the City and the City Clerk are hereby authorized to execute such Official Statement on behalf of the City, with such corrections, omissions, insertions or changes as they may approve.

The City agrees to provide a nationally recognized municipal securities information repository the information specified to be provided by an issuer pursuant to Rule 15c2-12 under the Securities Exchange Act of 1934 and any changes or amendments thereto, or substitutions or replacements thereof, during the time that any of the Bonds are outstanding, whether or not said obligations are issued prior to the effective date of the amendments to the rule with respect to the providing of such information.

Section 802. Special Tax Covenants. The City covenants to comply with each and every provision of the Internal Revenue Code of 1986 and the rules and regulations promulgated thereunder (the "Code"), which is or may be applicable to the Bonds or state and local obligations of the same character as the Bonds authorized and issued hereunder; provided, that, the City shall not be required to comply with any such provision if the City shall be provided with an opinion of nationally recognized bond counsel to the effect that such compliance is not required and to the effect that the failure to comply with any such provision will not cause interest on the Bonds to be subject to federal income taxation.

In particular, the City shall complete the City Improvement Projects that are financed with the proceeds of the Bonds not later than that day which is three years after the earlier of (i) the date of issue of the Bonds or (ii) the date construction of the City Improvement Projects began.

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The City further covenants and agrees that no portion of the gross proceeds of the Bonds will be used (on a basis different from use by members of the general public of the City Improvement Projects) directly or indirectly in any trade or business carried on by any person (including exempt persons) other than the City, any other political subdivision of the State of Kansas or any governmental unit of the State of Kansas, or to make any loan to any such person.

The City will comply with all applicable information reporting requirements of the Code.

Section 803. Arbitrage Covenant. The City covenants and agrees that it will use the proceeds of the Bonds as soon as practicable and with all reasonable dispatch for the purpose for which the Bonds are issued as hereinbefore set forth, and that no part of the proceeds of the Bonds shall be invested in any securities or obligations except for the temporary period pending such use, nor used, at any time, directly or indirectly, in a manner which, if such use had been reasonably anticipated on the date of issuance of the Bonds, would have caused any of the Bonds to be or become "arbitrage bonds" within the meaning of Section 148 of the Code.

The City will abide by any applicable arbitrage rebate requirements of the Code; provided, that, the City shall not be required to abide by any such requirements if the City is provided with an opinion of nationally recognized bond counsel to the effect that such compliance is not required and to the effect that the failure of the City to abide by any such requirements will not cause the interest on the Bonds to be or become subject to federal income taxation.

Section 804. Covenants, Representations and Warranties Regarding Qualified Tax-Exempt Obligations. The governing body hereby finds, determines, represents and warrants, as follows:

(a) Since January 1, 1994, the City has not issued any bonds or obligations other than the Bonds and the following described obligations:

Project	Date Issued	Amount	Maturity Date
Golf Course Land, Series 135-94-1	02/01/94	$ 700,000	10-27-94
Town Center Drive, Series 130-94-2	02/01/94	600,000	10-27-94
State Line Road, Phase I Series 132-94-3	02/01/94	300,000	10-27-94
Mission Road, South of 151st Street, Series 138-94-4	02/01/94	1,000,000	10-27-94
Mission Road, 103rd Street to College Boulevard, Series 115-94-5	02/01/94	200,000	10-27-94
135th Street [K-150], State Line to Nall Avenue, Series 124-94-6	02/01/94	200,000	10-27-94
Old Kenneth Road Series 128-94-7	02/01/94	200,000	10-27-94
State Line Road, Phase II Series 134-94-8	02/01/94	900,000	10-27-94
Town Center Drive, Series 130-94-9	05/02/94	400,000	09-15-94
Mission Rd., 103rd College Boulevard, Series 115-94-10	05/02/94	400,000	09-15-94
135th Street [K150], State Line Road to Nall Avenue, Series 124-94-11	05/02/94	1,000,000	02-15-95
State Line Road, Phase I, Series 132-94-12	05/02/94	1,000,000	02-15-95
Municipal Golf Course, Series 133-94-13	05/02/94	3,400,000	09-15-94
143rd Street, Mission-1320 Feet East, Series 129-94-14	05/02/94	400,000	02-15-95
State Line Road, Phase IV, Series 137-94-15	05/02/94	100,000	02-15-95
Mission Road, 95th Street-103rd Street, Series 126-94-16	05/02/94	100,000	02-15-95
State Line Road, Phase II, Series 134-94-17	05/02/94	300,000	02-15-95
Bell Drive and Iron Horse, Drive, Series 142-94-18	05/02/94	300,000	02-15-95
State Line Road, Phase III, Series 136-94-19	05/02/94	700,000	02-15-95

(c) The City does not reasonably anticipate issuing tax-exempt obligations taken into account under Section 265(b)(3)(C) of the Code, during calendar year 1994 in an aggregate amount in excess of $10,000,000;

(d) Other than the Bonds, the City has not issued and does not expect to issue any other bonds or obligations the proceeds of which have been or will be used to provide project financing for the City Improvement Projects, other than temporary notes to be retired with the proceeds of the Bonds.

The City hereby covenants and agrees that it shall not issue more than $10,000,000 of tax-exempt obligations taken into account under Section 265(b)(3)(C) of the Code during calendar year 1994.

The City hereby reaffirms its designation of the Bonds as "qualified tax-exempt obligations" within the meaning and for the purposes provided in Section 265(b)(3) of the Code.

Section 805. Authority to Redeem Outstanding Temporary Notes. The governing body hereby finds and determines that it is necessary and advisable to redeem and prepay the following described outstanding temporary notes of the City:

Project	Date Issued	Amount	Maturity Date
Golf Course Land, Series 135-94-1	02/01/94	$ 700,000	10-27-94
Town Center Drive, Series 130-94-2	02/01/94	600,000	10-27-94
Municipal Golf Course Series 133-94-13	05/02/94	3,400,000	09-15-94
Mission Road, 103rd Street to College Boulevard, Series 115-94-10	05/02/94	400,000	09/15/94
Town Center Drive Series 130-94-9	05/02/94	400,000	09/15/94

The City Clerk is hereby authorized and directed to give notice of the City's intention to redeem and prepay the aforedescribed temporary notes on August 17, 1994, by publication or other means of notice to the holders thereof, substantially in the form attached as Exhibit B hereto (such publication at least once in the official newspaper of the City), not less than 10 days prior to the date fixed for such redemption and prepayment.

Section 806. Severability. If any section or other part of this Ordinance shall for any reason be held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Ordinance.

Section 807. Governing Law. This Ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

Section 808. Effective Date. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City and publication in the official newspaper of the City.

PASSED by the governing body of the City of Leawood, Kansas this 1st day of August, 1994.

APPROVED by the Mayor this 1st day of August, 1994.

(Seal)

Marcia Leonard
Mayor

ATTEST:

Marsha Heiser
City Clerk

APPROVED AS TO FORM AND CONTENT:

/s/ R.S. Wetzler
City Attorney

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EXHIBIT A

(FORM OF FULLY REGISTERED BOND)

UNITED STATES OF AMERICA
STATE OF KANSAS

Registered No. R-

Registered $_____

CITY OF LEAWOOD, KANSAS

GENERAL OBLIGATION IMPROVEMENT BOND
SERIES 1994-A

Interest Rate	Maturity Date:	Dated Date:	CUSIP No.
_____%	September 1, ____	August 15, 1994	_____

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: _____ DOLLARS

THE CITY OF LEAWOOD in the County of Johnson, State of Kansas (the "City"), for value received, hereby promises to pay to the registered owner hereof shown above, or registered assigns, upon presentation and surrender of this Bond, the Principal Amount identified above, on the Maturity Date shown above, and to pay interest thereon from the Dated Date set forth above or from the most recent Interest Payment Date to which interest has been paid or duly provided for as provided in the Ordinance of the City authorizing the issuance of the Bonds (the "Ordinance"), at the Rate of Interest per annum shown above, payable semiannually on March 1 and September 1 in each year beginning September 1, 1995 (the "Interest Payment Dates"), until said Principal Amount shall have been paid.

The principal of and interest on this Bond shall be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, in the City of Topeka, Kansas (the "Paying Agent" and "Bond Registrar"). The principal of this Bond shall be payable to the registered owner hereof upon presentation of this Bond at the maturity or redemption date to the Paying Agent for payment and cancellation. The interest on this Bond shall be mailed to the registered owner hereof at the address appearing on the registration books of the City maintained by the Bond Registrar at the close of business on the 15th day of the month immediately preceding each Interest Payment Date (the "Record Date").

The Bonds are general obligations of the City payable as to both principal and interest in part from special assessments levied upon the property benefitted by certain improvements financed with the proceeds of the Bonds, and if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property within the territorial limits of the City, and the balance being payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property within the territorial limits of the City. The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due.

THE TERMS AND PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

This Bond has been duly registered in the office of the City Clerk and in the office of the Kansas State Treasurer.

It is hereby declared and certified that all acts, conditions and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and laws of the State of Kansas, and that the total indebtedness of said City, including this series of Bonds, does not exceed any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IN WITNESS WHEREOF, the governing body of the City has caused this Bond to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk, and its corporate seal to be imprinted hereon, all as of the Dated Date.

(facsimile seal) CITY OF LEAWOOD, KANSAS

_____(facsimile)_____
Mayor

ATTEST:

By_____(facsimile)_____
City Clerk

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of a series of General Obligation Improvement Bonds, Series 1994-A, of the City of Leawood, Kansas, described in the within-mentioned Ordinance.

Registration Date _____

_____
Office of the State Treasurer, Topeka, Kansas, as Bond Registrar and Paying Agent

By_____

Registration Number _____

FURTHER TERMS AND CONDITIONS

This Bond is one of an authorized issue of bonds of the City designated "General Obligation Improvement Bonds, Series 1994-A," in the aggregate principal amount of $8,300,000 (the "Bonds") issued for the purpose of providing funds to finance certain public improvements within the City as described in the Ordinance. The Bonds are issued by the authority of an election duly called and held in the City on February 7, 1992 and proceedings duly and legally had by the governing body of the City including the Ordinance, and the Bonds have been authorized and are issued in full compliance with the provisions, restrictions and limitations of the Constitution and laws of the State of Kansas, including K.S.A. 12-685, et seq., K.S.A. 12-6a01, et seq., and K.S.A. 12-1301, et seq., each as amended, and all other provisions of the laws of the State of Kansas applicable thereto.

Bonds of the series of which this Bond is a part becoming due on September 1, 2002, and thereafter may be redeemed and paid prior to maturity, at the option of the City on September 1, 2001, or on any Interest Payment Date thereafter, as a whole or in part (in integral multiples of $5,000 within a single maturity), and if in part in such order as the City in its sole discretion shall determine (selection of Bonds within the same maturity to be by lot by the Paying Agent and Bond Registrar in such equitable manner as it may determine) at the redemption price of 100% of the principal amount so redeemed, plus accrued interest thereon to the date fixed for redemption, without premium.

Whenever Bonds are to be selected for the purpose of redemption, the Paying Agent and Bond Registrar shall, in the case of Bonds in denominations greater than $5,000, if less than all of the Bonds then outstanding are to be called for redemption, treat each $5,000 of face value of each such fully registered Bond as though it were a separate Bond of the denomination of $5,000.

If any Bonds are called for redemption and payment prior to maturity, the City shall publish once in the Kansas Register and in a financial journal published in New York, New York, a notice of the intention of the City to redeem and pay said Bonds, the same being described by number and maturity. The notice in said financial journal shall be published not less than 30 days prior to the date on which said Bonds are called for redemption and payment and the notice in the Kansas Register shall be published not less than 15 days prior to said redemption date. The City will also give written notice of its intention to redeem and pay such Bonds on a specified date, the same being described by number and maturity, said notice to be mailed by prepaid United States registered or certified mail addressed to the State Treasurer of Kansas and the Underwriters of the Bonds, said notice to be mailed not less than 45 days prior to the redemption date. The State Treasurer will send notice of redemption by ordinary mail to the registered owners of said Bonds, said notices to be mailed not less than 30 days prior to the date fixed for redemption. All Bonds so called for redemption and payment as aforesaid shall cease to bear interest from and after the date for which such call is made, provided funds are available for the payment of such Bonds at the price hereinbefore specified.

The Bonds are issued in fully registered form in the denomination of $5,000 or any integral multiple thereof. This Bond may be exchanged at the office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations upon the terms provided in the Ordinance.

The City and the Bond Registrar may deem and treat the registered owner hereof as the absolute owner hereof for purposes of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the City nor the Bond Registrar shall be affected by any notice to the contrary.

This Bond is transferable by the registered owner hereof in person or by the registered owner's agent duly authorized in writing, at the office of the Bond Registrar, but only in the manner, subject to the limitations and upon payment of the charges provided in the Ordinance and upon surrender and cancellation of this Bond. The City shall pay out of the proceeds of the Bonds all costs incurred in connection with the issuance, payment and initial registration of the Bonds and the cost of a reasonable supply of bond blanks.

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CONTINUED FROM PAGE 16

LEGAL OPINION

I, the undersigned, City Clerk of the City of Leawood, Kansas, hereby certify that the following is a true and correct copy of the approving legal opinion of Smith, Gill, Fisher & Butts, a professional corporation, attorneys at law, Kansas City, Missouri, on the within Bond and the series of which it is a part, except that it omits the date of such opinion; that said opinion was manually executed and was dated and issued as of the date of delivery of and payment for the Bonds, and is on file in my office.

By_____(facsimile)_____
City Clerk

[PRINTED LEGAL OPINION]

(FORM OF CITY CLERK'S CERTIFICATE)

STATE OF KANSAS)
) SS.
COUNTY OF JOHNSON)

I, the undersigned, City Clerk of the City of Leawood, Kansas, hereby certify that the within Bond has been duly registered in my office according to law.

WITNESS my hand and official seal this _____
_____.

(facsimile seal) _____(facsimile)_____
City Clerk

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned do(es) hereby sell, assign and transfer to

_____
(Name and Address)

_____
(Social Security or Taxpayer Identification No.)

the Bond to which this assignment is affixed in the outstanding principal amount of $_____, standing in the name of the undersigned on the books of the Treasurer of the State of Kansas (the "Bond Registrar"). The undersigned do(es) hereby irrevocably constitute and appoint _____ as agent to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated _____.

_____
Name

_____
Social Security or
Taxpayer Identification No.

_____
Signature
(Sign here exactly as name(s) appear on the face of Certificate)

Signature guarantee:

By_____
(Eligible Guarantor Institution)

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

I, _____, Treasurer of the State of Kansas, do hereby certify that a transcript of the proceedings leading up to the issuance of this Bond has been filed in my office, and that this Bond was registered in my office according to law on _____.

WITNESS my hand and official seal.

_____
Treasurer of the State of Kansas

(facsimile)

(Seal)

EXHIBIT B

NOTICE OF REDEMPTION
TO THE HOLDERS OF
CITY OF LEAWOOD, KANSAS
TEMPORARY NOTES
SERIES ____, PROJECT ____ (_____)
DATED _____ 1, 19__

Notice is hereby given to the holders of City of Leawood, Kansas (the "City") Temporary Notes, Series _____, Project _____ (_____) dated _____ 1, 19__, in the aggregate principal amount of $_____ (the "Notes"), that in accordance with the provisions of Ordinance No. _____ (the "Ordinance") and the terms of said Notes, the City hereby exercises its right to redeem and pay said Notes in whole prior to the stated maturity thereof.

Redemption and payment of said Notes will be made on _____, _____, 19__, in accordance with the terms of said Ordinance and said Notes.

CITY OF LEAWOOD, KANSAS

Dated: _____, 19__ By:_____
City Clerk

JOHNSON COUNTY LEGAL NOTICES

ORDINANCE NO. 1422

First published in The Legal Record, Tuesday, August 2, 1994.

ORDINANCE NO. 1422

AN ORDINANCE ESTABLISHING THE 1995 ANNUAL ASSESSMENT FOR THE LEAWOOD SEWER SYSTEM.

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

Section 1. 1995 ANNUAL ASSESSMENT. That pursuant to the terms of Section 15-104 of the Code of the City of Leawood, the following shall be the formula to establish the 1995 annual assessment for all users of the Leawood Sewer System:

User Charge = Volume Charge + Customer Service Charge + Replacement Cost Charge;

Volume Charge = $1.3895 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 = $78.87 per user per unit;

Replacement Cost = $136.39/account (for 1995);

Special Charge = $25.66/account; Debt Service, Public Works Facility; Sanitary Sewer Projects

Section 2. PUBLICATION. That this ordinance shall be published once each week for two consecutive weeks in the

MERCANTILE BANK OF KANSAS

First published in The Legal Record, Tuesday, August 2, 1994.

PUBLICATION COPY - COMMERCIAL AND SAVINGS BANKS
CONSOLIDATED REPORT OF CONDITION (Including Domestic and Foreign Subsidiaries)

STATE 035 (4-94)

LEGAL TITLE OF BANK: Mercantile Bank of Kansas
STATE BANK NO: 20-4885
FEDERAL RESERVE DISTRICT NO: 10

CITY	COUNTY	STATE	ZIP CODE	CLOSE OF BUSINESS DATE
Shawnee Mission	Johnson	Kansas	66201-1374	June 30, 1994

Dollar Amounts in Thousands

			Bil	Mil	Thou	
ASSETS						
1 Cash and balances due from depository institutions: a Noninterest-bearing balances and currency and coin				12	285	1 a
b Interest-bearing balances					0	1 b
2 Securities						
a. Held-to-maturity securities				268	345	2 a
b. Available-for-sale securities				7	773	2 b
3 Federal funds sold & securities purchased under agreements to resell in domestic offices of the bank & of its Edge & Agreement subsidiaries, & in IBFs: a Federal funds sold					0	3 a
b Securities purchased under agreements to resell					0	3 b
4 Loans and lease financing receivables:						
a. Loans and leases, net of unearned income	289	998				4 a
b LESS Allowance for loan and lease losses	8	905				4 b
c LESS Allocated transfer risk reserve		0				4 c
d Loans and leases, net of unearned income, allowance, and reserve (item 4 a minus 4 b and 4 c)				281	093	4 d
5 Assets held in trading accounts					0	5
6 Premises and fixed assets (including capitalized leases)				6	434	6
7 Other real estate owned					604	7
8 Investments in unconsolidated subsidiaries and associated companies					0	8
9 Customers' liability to this bank on acceptances outstanding					0	9
10 Intangible assets					0	10
11 Other assets				8	262	11
12 a Total assets (sum of items 1 through 11)				584	796	12 a
b Loans deferred pursuant to 12 U.S.C. 1823 (j)					0	12 b
c Total assets and losses deferred pursuant to 12 U.S.C. 1823(j) (sum of items 12 a and 12 b)				584	796	12 c
LIABILITIES						
13 Deposits: a In domestic offices				502	677	13 a
(1) Noninterest-bearing	68	909				13 a (1)
(2) Interest-bearing	433	768				13 a (2)
b In foreign offices, Edge and Agreement subsidiaries, and IBFs					0	13 b
(1) Noninterest-bearing		0				13 b (1)
(2) Interest-bearing		0				13 b (2)
14 Federal funds purchased and securities sold under agreements to repurchase in domestic offices of the bank & of its Edge & Agreement subsidiaries, & in IBFs: a Federal funds purchased				29	878	14 a
b Securities sold under agreements to repurchase					322	14 b
15 a. Demand notes issued to the U.S. Treasury					0	15 a
b Trading liabilities					0	15 b
16 Other borrowed money:						
a. With original maturity of one year or less					0	16 a.
b. With original maturity of more than one year					0	16 b.
17 Mortgage indebtedness and obligations under capitalized leases					90	17
18 Bank's liability on acceptances executed and outstanding					0	18
19 Subordinated notes and debentures					0	19
20 Other liabilities				2	749	20
21 Total liabilities (sum of items 13 through 20)				535	716	21
22 Limited - life preferred stock and related surplus					0	22
EQUITY CAPITAL						
23 Perpetual preferred stock and related surplus (No. of shares outstanding 0)					0	23
24 Common stock (No. of shares a Authorized 500,000; b Outstanding 500,000)				5	000	24
25 Surplus				13	723	25
26 a Undivided profits and capital reserves				30	597	26 a
b. Net unrealized holding gains (losses) on available-for-sale securities					(240)	26 b
27 Cumulative foreign currency translation adjustments						
28 a Total equity capital (sum of items 23 through 27)				49	080	28 a
b Losses deferred pursuant to 12 U.S.C. 1823 (j)					0	28 b
c Total equity capital and losses deferred pursuant to 12 U.S.C. 1823 (j) (sum of items 28 a & 28 b)				49	080	28 c
29 Total liabilities, limited - life preferred stock, equity capital, and losses deferred pursuant to 12 U.S.C. 1823 (j) (sum of items 21, 22, and 28 c)				584	796	29
MEMORANDA: Amounts outstanding as of Report of Condition date:						MEMO
1 a Standby letters of credit: Total				1	109	1 a
1 b Amount of Standby letters of credit in memo 1 a conveyed to others through participations					0	1 b

NOTE: This report must be signed by an authorized officer(s) and attested by not less than three directors other than the officer(s) signing the report.

I/We, the undersigned officer(s), do hereby declare that this Report of Condition has been prepared in conformance with official instructions and is true and correct to the best of my (our) knowledge and belief.

SIGNATURE OF OFFICER(S) AUTHORIZED TO SIGN REPORT: Amy Scott, Vice President
DATE SIGNED: July 25, 1994
NAME(S) AND TITLE(S) OF OFFICER(S) AUTHORIZED TO SIGN REPORT: Amy Scott, Vice President
AREA CODE/PHONE NO: (913) 677-9582

We, the undersigned directors, attest to the correctness of this Report of Condition and declare that it has been examined by us and to the best of our knowledge and belief has been prepared in conformance with official instructions and is true and correct.

SIGNATURE OF DIRECTOR | SIGNATURE OF DIRECTOR | SIGNATURE OF DIRECTOR

(MAKE MARK FOR NOTARY'S SEAL) JILL E. ROBINSON NOTARY PUBLIC STATE OF KANSAS My Appt. Exp. 3-6-97

State of Kansas, County of Johnson, ss.
Sworn to and subscribed before me this 29th day of July, 1994.
I hereby certify that I am not an officer or director of this bank.
My commission expires 3-6, 1997.
Signature Notary Public

"I can't understand it — a beautiful highway like this and not another car on it."

never published - See Ord. #1546

ORDINANCE NO. 1420

AN ORDINANCE REZONING PROPERTY (TOWN CENTER BUSINESS PARK) LOCATED AT APPROXIMATELY 117TH STREET AND ROE AVENUE FROM AG (AGRICULTURAL) TO CP-0 (PLANNED OFFICE) AND CP-1 (PLANNED NEIGHBORHOOD RETAIL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

Lots 4, 5, and 7-12 TOWN CENTER BUSINESS PARK

now zoned AG, is hereby rezoned to CP-0.

Section 2. Rezoning of Property. That the real estate hereinafter described, to wit:

Lots 1-3, and 6 TOWN CENTER BUSINESS PARK

now zoned AG, is hereby rezoned to CP-1.

Section 3. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 4. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 5. 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 18th day of July, 1994.

Approved by the Mayor the 18th day of July, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

ORDINANCE NO. 1419

AN ORDINANCE GRANTING A RIGHT-OF-WAY EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR ELECTRICAL SERVICE AT THE IRON HORSE GOLF CLUB.

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

Section 1. That the City of Leawood, Kansas, does hereby grant a right-of-way easement to Kansas City Power & Light Company, over, along, across and under the following described lands, to wit:

> A tract of land 10 feet in width, located in and being a part of the Northwest Quarter of Section 10, Township 14, Range 25, Johnson County, Kansas, the centerline of which is described as follows: Beginning on the East line of said Northwest Quarter at a point 292.31 feet South of the Southerly right-of-way line of 151st Street, as said street is now established, said point being the True Point of Beginning of the 10 foot tract of land to be herein conveyed. Thence South 69° 56'20" West a distance of 585.63 feet; thence North 79° 01'56" West a distance of 213.28 feet; thence South 23° 50' 37" East a distance of 343.56 feet to a point of termination.

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 5th day of July, 1994.

Approved by the Mayor the 5th day of July, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

7/12/94

Legal Notices Administrator

Subscribed and sworn to before me on this date:
7/12/94

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $18.18

Ord. 1419

ORDINANCE NO. 1419

First published in The Legal Record, Tuesday, July 12, 1994.

ORDINANCE NO. 1419

AN ORDINANCE GRANTING A RIGHT-OF-WAY EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY FOR ELECTRICAL SERVICE AT THE IRON HORSE GOLF CLUB.

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

Section 1. That the City of Leawood, Kansas, does hereby grant a right-of-way easement to Kansas City Power & Light Company, over, along, across and under the following described lands, to wit:

A tract of land 10 feet in width, located in and being a part of the Northwest Quarter of Section 10, Township 14, Range 25, Johnson County, Kansas, the centerline of which is described as follows: Beginning on the East line of said Northwest Quarter at a point 292.31 feet South of the Southerly right-of-way line of 151st Street, as said street is now established, said point being the True Point of Beginning of the 10 foot tract of land to be herein conveyed. Thence South 69° 56'20" West a distance of 585.63 feet; thence North 79° 01'56" West a distance of 213.28 feet; thence South 23°50' 37" East a distance of 343.56 feet to a point of termination.

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 5th day of July, 1994.

Approved by the Mayor the 5th day of July, 1994.

(S E A L)

Marcia Rinehart Mayor

Attest:

Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

$18.18

ORDINANCE NO. 1418

AN ORDINANCE REZONING PROPERTY (BRIDGEWOOD) LOCATED AT APPROXIMATELY 132ND STREET AND ROE AVENUE FROM AG (AGRICULTURAL) TO RP-1 (PLANNED SINGLE FAMILY RESIDENTIAL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

> Northwest 1/4 of the Southwest 1/4 of Section 28, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas

now zoned AG, is hereby rezoned to RP-1.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 June, 1994.

Approved by the Mayor the 20th day of June, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

6/21/94

Legal Notices Administrator

Subscribed and sworn to before me on this date: 6/21/94

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $18.18

ORDINANCE NO. 1418

First published in The Legal Record, Tuesday, June 21, 1994.

ORDINANCE NO. 1418

AN ORDINANCE REZONING PROPERTY (BRIDGEWOOD) LOCATED AT APPROXIMATELY 132ND STREET AND ROE AVENUE FROM AG (AGRICULTURAL) TO RP-1 (PLANNED SINGLE FAMILY RESIDENTIAL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING-MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

Northwest 1/4 of the Southwest 1/4 of Section 28, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas

now zoned AG, is hereby rezoned to RP-1.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of *Section 2-2 of the "Leawood Development Ordinance"*.

Section 4. 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 June, 1994.

Approved by the Mayor the 20th day of June, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

Ord. 1418

$18.18

ORDINANCE NO. 1417

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF ACQUIRING PROPERTY NECESSARY FOR THE CONSTRUCTION OF THE LEAWOOD PUBLIC GOLF COURSE (IMPROVEMENT DISTRICT GOLF COURSE LAND, PROJECT 135.

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood:

> Acquisition of property in the vicinity of 151st Street between Nall Avenue and Mission Road necessary for the construction of the Leawood Public Golf Course

and such contracts have been duly performed; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to the City is $653,578.00; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to be assessed against the improvement district is $653,578.00 and such property, abutting the improvement, shall be assessed as outlined in their petition for the improvement district; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessment;

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

Section 1. Special assessments to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessments for said improvement as set out on assessment roll on file in the City Clerk's Office.

Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in annual installments. The first installment shall be payable at the time of the first payment of general property taxes following the adopting and publication of this ordinance unless this ordinance is adopted and certified too late to permit collection at such time.

Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.

Section 4. The owner of any property so assessed may at any time prior to 4:00 p.m., Friday, July 8, 1994, pay the whole of the assessment against any lot or parcel of ground, without interest, to the City Treasurer.

Section 5. Assessments not paid prior to 4:00 p.m., Friday, July 8, 1994, shall be certified, together with the interest accrued or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Governing Body this 6th day of June, 1994.

Approved by the Mayor this 6th day of June, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

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

2406469

ORDINANCE NO. 1417

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF ACQUIRING PROPERTY NECESSARY FOR THE CONSTRUCTION OF THE LEAWOOD PUBLIC GOLF COURSE (IMPROVEMENT DISTRICT GOLF COURSE LAND, PROJECT 135.

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood:

> Acquisition of property in the vicinity of 151st Street between Nall Avenue and Mission Road necessary for the construction of the Leawood Public Golf Course

and such contracts have been duly performed; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to the City is $653,578.00; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to be assessed against the improvement district is $653,578.00 and such property, abutting the improvement, shall be assessed as outlined in their petition for the improvement district; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessment;

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

Section 1. Special assessments to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessments for said improvement as set out on assessment roll on file in the City Clerk's Office.

Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in annual installments. The first installment shall be payable at the time of the first payment of general property taxes following the adopting and publication of this ordinance unless this ordinance is adopted and certified too late to permit collection at such time.

Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.

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

16.00

1994 JUN 22 P 4:49.9

SARA F. ULLMANN
REGISTER OF DEEDS

16.00 ck

Section 4. The owner of any property so assessed may at any time prior to 4:00 p.m., Friday, July 8, 1994, pay the whole of the assessment against any lot or parcel of ground, without interest, to the City Treasurer.

Section 5. Assessments not paid prior to 4:00 p.m., Friday, July 8, 1994, shall be certified, together with the interest accrued or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Governing Body this 6th day of June, 1994.

Approved by the Mayor this 6th day of June, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

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

ASSESSMENT ROLL

Improvement District
Gold Course Land

Assessment Factor
$.176768217

Property I.D. #	Ownership	Square Footage	Assessment
HF251409-1001(B1)	LMV Associates	666,468	$117,810.36

Assessment Factor
$.176768217 and
Developer Divided

HP99200000-0001(B2)	LMV Associates	NA	$ 1,443.10
HP99200000-0002(B2)	LMV Associates	NA	$ 1,323.72
HP99200000-0003(B2)	LMV Associates	NA	$ 1,591.02
HP99200000-0004(B2)	LMV Associates	NA	$ 2,303.17
HP99200000-0005(B2)	LMV Associates	NA	$ 7,096.09
HP99200000-0006(B2)	LMV Associates	NA	$ 5,026.52
HP99200000-0007(B2)	LMV Associates	NA	$ 2,654.14
HP99200000-0008(B2)	LMV Associates	NA	$ 2,977.83
HP99200000-0009(B2)	LMV Associates	NA	$ 3,067.57
HP99200000-0010(B2)	LMV Associates	NA	$ 2,896.15
HP99200000-0011(B2)	LMV Associates	NA	$ 2,737.49
HP99200000-0012(B2)	LMV Associates	NA	$ 2,728.49
HP99200000-0013(B2)	LMV Associates	NA	$ 2,561.83
HP99200000-0014(B2)	LMV Associates	NA	$ 2,612.46

HP99200000-0015(B2)	LMV Associates	NA	$ 4,560.83
HP99200000-0016(B2)	LMV Associates	NA	$ 1,660.08
HP99200000-0017(B2)	LMV Associates	NA	$ 1,272.56
HP99200000-0018(B2)	LMV Associates	NA	$ 1,464.09
HP99200000-0019(B2)	LMV Associates	NA	$ 1,024.85
HP99200000-0020(B2)	LMV Associates	NA	$ 1,358.17

Assessment Factor
$.176768217

HF251409-1001(B3)	LMV Associates	994,474.8	$175,791.54
HF251409-1003(B4)	Bell Dev. Co.	948,736.8	$167,706.51

Assessment Factor
$.176768217 and
Developer Divided

		Lot Number	
HF251409-3001(B5)	Bell Dev. Co.	0001	$ 2,508.44
HF251409-3001(B5)	Bell Dev. Co.	0002	$ 2,207.91
HF251409-3001(B5)	Bell Dev. Co.	0003	$ 2,606.37
HF251409-3001(B5)	Bell Dev. Co.	0004	$ 2,683.74
HF251409-3001(B5)	Bell Dev. Co.	0005	$ 2,234.07
HF251409-3001(B5)	Bell Dev. Co.	0006	$ 2,238.83
HF251409-3001(B5)	Bell Dev. Co.	0007	$ 2,236.45
HF251409-3001(B5)	Bell Dev. Co.	0008	$ 2,214.35
HF251409-3001(B5)	Bell Dev. Co.	0009	$ 2,165.52
HF251409-3001(B5)	Bell Dev. Co.	0010	$ 2,108.02
HF251409-3001(B5)	Bell Dev. Co.	0011	$ 2,066.88
HF251409-3001(B5)	Bell Dev. Co.	0012	$ 2,288.22

HF251409-3001(B5)	Bell Dev. Co.	0013	$ 4,361.96
HF251409-3001(B5)	Bell Dev. Co.	0014	$ 4,087.73
HF251409-3001(B5)	Bell Dev. Co.	0015	$ 4,018.90
HF251409-3001(B5)	Bell Dev. Co.	0016	$ 3,907.39
HF251409-3001(B5)	Bell Dev. Co.	0017	$ 3,800.78
HF251409-3001(B5)	Bell Dev. Co.	0018	$ 6,818.21
HF251409-3001(B5)	Bell Dev. Co.	0019	$ 4,415.68
HF251409-3001(B5)	Bell Dev. Co.	0020	$ 4,399.03
HF251409-3001(B5)	Bell Dev. Co.	0021	$ 4,399.03
HF251409-3001(B5)	Bell Dev. Co.	0022	$ 4,399.03
HF251409-3001(B5)	Bell Dev. Co.	0023	$ 4,821.14
HF251409-3001(B5)	Bell Dev. Co.	0024	$ 5,313.48
HF251409-3001(B5)	Bell Dev. Co.	0025	$ 4,507.74
HF251409-3001(B5)	Bell Dev. Co.	0026	$ 4,924.81
HF251409-3001(B5)	Bell Dev. Co.	0027	$ 5,620.44
HF251409-3001(B5)	Bell Dev. Co.	0028	$ 4,361.40
HF251409-3001(B5)	Bell Dev. Co.	0029	$ 4,085.78
HF251409-3001(B5)	Bell Dev. Co.	0030	$ 4,085.78
HF251409-3001(B5)	Bell Dev. Co.	0031	$ 3,916.48
HF251409-3001(B5)	Bell Dev. Co.	0032	$ 3,665.35
HF251409-3001(B5)	Bell Dev. Co.	0033	$ 3,927.82
HF251409-3001(B5)	Bell Dev. Co.	0034	$ 4,541.18
HF251409-3001(B5)	Bell Dev. Co.	0035	$ 3,723.69
HF251409-3001(B5)	Bell Dev. Co.	0036	$ 2,356.63
HF251409-3001(B5)	Bell Dev. Co.	0037	$ 2,356.63

HF251409-3001(B5)	Bell Dev. Co.	0038	$ 2,356.63
HF251409-3001(B5)	Bell Dev. Co.	0039	$ 3,177.91
	TOTAL		$653,578.00

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 are true and correct copies of Ordinance No. 1417 and related Assessment Roll as the same appear in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said City this 13th day of June, 1994.

(SEAL)

Martha Heizer

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

6/7/94

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
6/7/94

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $33.91

rd. 1417

ORDINANCE NO. 1417

First published in The Legal Record, Tuesday, June 7, 1994.

ORDINANCE NO. 1417

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF ACQUIRING PROPERTY NECESSARY FOR THE CONSTRUCTION OF THE LEAWOOD PUBLIC GOLF COURSE (IMPROVEMENT DISTRICT GOLF COURSE LAND, PROJECT 135.

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood:

Acquisition of property in the vicinity of 151st Street between Nall Avenue and Mission Road necessary for the construction of the Leawood Public Golf Course

and such contracts have been duly performed; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to the City is $653,578.00; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to be assessed against the improvement district is $653,578.00 and such property, abutting the improvement, shall be assessed as outlined in their petition for the improvement district; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessment;

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

Section 1. Special assessments to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessments for said improvement as set out on assessment roll on file in the City Clerk's Office.

Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in annual installments. The first installment shall be payable at the time of the first payment of general property taxes following the adopting and publication of this ordinance unless this ordinance is adopted and certified too late to permit collection at such time.

Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.

Section 4. The owner of any property so assessed may at any time prior to 4:00 p.m., Friday, July 8, 1994, pay the whole of the assessment against any lot or parcel of ground, without interest, to the City Treasurer.

Section 5. Assessments not paid prior to 4:00 p.m., Friday, July 8, 1994, shall be certified, together with the interest accrued or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Governing Body this 6th day of June, 1994.

Approved by the Mayor this 6th day of June, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.J. Wetzler, City Attorney

$33.91

ORDINANCE NO. 1416

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF PAYING FOR THE COST OF IMPROVING TOWN CENTER DRIVE (IMPROVEMENT DISTRICT TOWN CENTER DRIVE, PROJECT 130.

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood:

> Improvement of Town Center Drive in the City of Leawood, Johnson County, Kansas, connecting Nall Avenue in the vicinity of 115th Street and Roe Avenue in the vicinity of 117th Street.

and such contracts have been duly performed; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to the City is $994,000.00; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to be assessed against the improvement district is $559,013.00 and such property, within the improvement district abutting the improvement, except for the property known as Leawood Town Center a Subdivision Lots 1-5, shall be assessed as outlined in their petition for the improvement district; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessment;

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

Section 1. Special assessments to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessments for said improvement as set out on assessment roll on file in the City Clerk's Office.

Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in annual installments. The first installment shall be payable at the time of the first payment of general property taxes following the adopting and publication of this ordinance unless this ordinance is adopted and certified too late to permit collection at such time.

Section 3. All assessments shall bear interest at

a rate not to exceed the maximum rate set by Kansas law.

Section 4. The owner of any property so assessed may at any time prior to 4:00 p.m., Friday, July 8, 1994, pay the whole of the assessment against any lot or parcel of ground, without interest, to the City Treasurer.

Section 5. Assessments not paid prior to 4:00 p.m., Friday, July 8, 1994, shall be certified, together with the interest accrued or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Governing Body this 6th day of June, 1994.

Approved by the Mayor this 6th day of June, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

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

ORDINANCE NO. 1416

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF PAYING FOR THE COST OF IMPROVING TOWN CENTER DRIVE (IMPROVEMENT DISTRICT TOWN CENTER DRIVE, PROJECT 130.

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood:

> Improvement of Town Center Drive in the City of Leawood, Johnson County, Kansas, connecting Nall Avenue in the vicinity of 115th Street and Roe Avenue in the vicinity of 117th Street.

and such contracts have been duly performed; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to the City is $994,000.00; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to be assessed against the improvement district is $559,013.00 and such property, within the improvement district abutting the improvement, except for the property known as Leawood Town Center a Subdivision Lots 1-5, shall be assessed as outlined in their petition for the improvement district; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessment;

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

Section 1. Special assessments to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessments for said improvement as set out on assessment roll on file in the City Clerk's Office.

Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in annual installments. The first installment shall be payable at the time of the first payment of general property taxes following the adopting and publication of this ordinance unless this ordinance is adopted and certified too late to permit collection at such time.

Section 3. All assessments shall bear interest at

14 00 ck

a rate not to exceed the maximum rate set by Kansas law.

Section 4. The owner of any property so assessed may at any time prior to 4:00 p.m., Friday, July 8, 1994, pay the whole of the assessment against any lot or parcel of ground, without interest, to the City Treasurer.

Section 5. Assessments not paid prior to 4:00 p.m., Friday, July 8, 1994, shall be certified, together with the interest accrued or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Governing Body this 6th day of June, 1994.

Approved by the Mayor this 6th day of June, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

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

STATE OF KANSAS
COUNTY OF JOHNSON } SS
FILED FOR RECORD
1400 1994 JUN 22 P 4:49.8
SARA F. ULLMANN
REGISTER OF DEEDS

ASSESSMENT ROLL

Improvement District
Town Center Drive

Assessment Factor
$97.8598035

Property I.D. #	Ownership	Lineal Feet	Assessment
HF251316-2001	Marned Corp.	1,557	$152,367.71
HF251316-2003	Marned Corp.	1,396	$136,612.29

Assessment Factor
$108,000 plus %
of financing cost

HF251316-1003	Leawood Country Manor Associates	NA	$117,450.00

Assessment Factor
% of tract based on
$90.00 lineal foot
+ % financing cost
Total = $152,583

		% tract	
HP17500000-0001	Thomas French Bldrs.	1.40	$ 2,136.16
HP17500000-0002	Neighbors Group Inc.	1.40	$ 2,136.16
HP17500000-0003	L & A Dev. Co.	1.22	$ 1,861.51
HP17500000-0004	L & A Dev. Co.	1.40	$ 2,136.16
HP17500000-0005	L & A Dev. Co.	1.24	$ 1,892.03
HP17500000-0006	L & A Dev. Co.	1.55	$ 2,365.04

HP17500000-0007	Neighbors Group Inc.	1.16	$ 1,769.96
HP17500000-0008	L & A Dev. Co.	1.49	$ 2,273.49
HP17500000-0009	L & A Dev. Co.	2.35	$ 3,585.70
HP17500000-0010	L & A Dev. Co.	2.35	$ 3,585.70
HP17500000-0011	L & A Dev. Co.	1.49	$ 2,273.49
HP17500000-0012	Neighbors Group Inc.	1.16	$ 1,769.96
HP17500000-0013	L & A Dev. Co.	1.55	$ 2,365.04
HP17500000-0014	John C. Gudenkauf	1.24	$ 1,892.03
HP17500000-0015	L & A Dev. Co.	1.40	$ 2,136.16
HP17500000-0016	Thomas French Bldrs.	1.22	$ 1,861.51
HP17500000-0017	L & A Dev. Co.	1.40	$ 2,136.16
HP17500000-0018	L & A Dev. Co.	1.22	$ 1,861.51
HP17500000-0019	L & A Dev. Co.	1.40	$ 2,136.16
HP17500000-0020	Thomas French Bldrs.	1.22	$ 1,861.51
HP17500000-0021	Thomas French Bldrs.	1.40	$ 2,136.16
HP17500000-0022	Thomas French Bldrs.	2.22	$ 3,387.34
HP17500000-0023	L & A Dev. Co.	2.38	$ 3,631.48
HP17500000-0024	L & A Dev. Co.	2.79	$ 4,257.07
HP17500000-0025	L & A Dev. Co.	2.67	$ 4,073.97
HP17500000-0026	L & A Dev. Co.	2.33	$ 3,555.18
HP17500000-0027	L & A Dev. Co.	2.26	$ 3,448.38
HP17500000-0028	L & A Dev. Co.	1.87	$ 2,853.30
HP17500000-0029	L & A Dev. Co.	1.68	$ 2,563.39
HP17500000-0030	L & A Dev. Co.	2.78	$ 4,241.81
HP17500000-0031	L & A Dev. Co.	2.10	$ 3,204.24

HP17500000-0032	L & A Dev. Co.	2.41	$ 3,677.25
HP17500000-0033	L & A Dev. Co.	2.51	$ 3,829.83
HP17500000-0034	L & A Dev. Co.	2.94	$ 4,485.94
HP17500000-0035	L & A Dev. Co.	3.16	$ 4,821.62
HP17500000-0036	L & A Dev. Co.	2.49	$ 3,799.32
HP17500000-0037	L & A Dev. Co.	2.03	$ 3,097.43
HP17500000-0038	L & A Dev. Co.	2.03	$ 3,097.43
HP17500000-0039	L & A Dev. Co.	2.17	$ 3,311.05
HP17500000-0040	L & A Dev. Co.	3.79	$ 5,782.90
HP17500000-0041	L & A Dev. Co.	2.28	$ 3,478.89
HP17500000-0042	L & A Dev. Co.	1.87	$ 2,853.30
HP17500000-0043	L & A Dev. Co.	2.06	$ 3,143.21
HP17500000-0044	L & A Dev. Co.	2.38	$ 3,631.48
HP17500000-0045	L & A Dev. Co.	1.99	$ 3,036.40
HP17500000-0046	L & A Dev. Co.	1.99	$ 3,036.40
HP17500000-0047	L & A Dev. Co.	2.42	$ 3,692.51
HP17500000-0048	L & A Dev. Co.	2.99	$ 4,562.24
HP17500000-0049	L & A Dev. Co.	2.41	$ 3,677.26
HP17500000-0050	L & A Dev. Co.	2.74	$ 4,180.78
			$559,013.00

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 are true and correct copies of Ordinance No. 1416 and related Assessment Roll as the same appear in my office.

In testimony whereof, I have hereunto signed my name and affixed the seal of said City this 13th day of June, 1994.

(S E A L)

Martha Heizer

ORIGINAL COMPARED WITH RECORD

Ret - City of Leawood
9617 Lee Blvd.
Leawood, Ks. 66206

attn: M. Heizer, Clerk

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

6/7/94

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
6/7/94

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $33.45

d. 1416

ORDINANCE NO. 1416

First published in The Legal Record, Tuesday, June 7, 1994.

ORDINANCE NO. 1416

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF GROUND IN THE CITY OF LEAWOOD, KANSAS, FOR THE PURPOSE OF PAYING FOR THE COST OF IMPROVING TOWN CENTER DRIVE (IMPROVEMENT DISTRICT TOWN CENTER DRIVE, PROJECT 130.

WHEREAS, pursuant to proceedings regularly had according to law, contracts have been let for the following improvement in the City of Leawood:

> Improvement of Town Center Drive in the City of Leawood, Johnson County, Kansas, connecting Nall Avenue in the vicinity of 115th Street and Roe Avenue in the vicinity of 117th Street.

and such contracts have been duly performed; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to the City is $994,000.00; and

WHEREAS, said Governing Body has determined that the total cost of such improvement to be assessed against the improvement district is $559,013.00 and such property, within the improvement district abutting the improvement, except for the property known as Leawood Town Center a Subdivision Lots 1-5, shall be assessed as outlined in their petition for the improvement district; and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessment;

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

Section 1. Special assessments to pay the cost of said improvement, with accrued interest, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessments for said improvement as set out on assessment roll on file in the City Clerk's Office.

Section 2. Such assessments with accrued interest are levied concurrently with general property taxes and shall be payable in annual installments. The first installment shall be payable at the time of the first payment of general property taxes following the adopting and publication of this ordinance unless this ordinance is adopted and certified too late to permit collection at such time.

Section 3. All assessments shall bear interest at a rate not to exceed the maximum rate set by Kansas law.

Section 4. The owner of any property so assessed may at any time prior to 4:00 p.m., Friday, July 8, 1994, pay the whole of the assessment against any lot or parcel of ground, without interest, to the City Treasurer.

Section 5. Assessments not paid prior to 4:00 p.m., Friday, July 8, 1994, shall be certified, together with the interest accrued or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

TAKE EFFECT. Section 6. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the Governing Body this 6th day of June, 1994.

Approved by the Mayor this 6th day of June, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

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

ORDINANCE NO. 1415

AN ORDINANCE AMENDING SECTIONS 3-1, 3-2, 3-3, 3-4, AND 3-13 OF THE SUPPLEMENT OF AMENDMENTS TO THE LEAWOOD DEVELOPMENT ORDINANCE, PROVIDING FOR CHANGES IN PROVISIONS FOR ROOFING TYPES AND ROOFING APPLICATION MEASURES.

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

Section 1. Supplement to the Leawood Development Ordinance Amended. That Sections 3-1, 3-2, 3-3, 3-4, and 3-13 of the supplement known as "Amendment of Leawood Development Ordinance", dated December 16, 1991, are hereby amended to read as follows:

3-1 RP-A PLANNED LARGE LOT SINGLE FAMILY RESIDENTIAL DISTRICT

A. General Purpose and Description: Property zoned and developed as RP-A Planned Large Lot Single Family Residential shall be to provide for single family detached dwellings on large lots and at the same time ensure proper placement on the property so as not to hinder future redevelopment including the extension of streets and utilities that would be required for rezoning to a greater density. Property zoned RP-A should be those tracts that correspond to the Rural Density Residential land use category identified in the Master Development Plan.

B. Principal Permitted Uses: In District RP-A no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

1) Single family residential dwellings (detached).
2) Group Homes as defined herein.
3) Railroads and public or quasi-public utilities including substations.
4) Noncommercial nurseries and gardens.
5) Oil and gas wells.

C. Accessory Uses: (See Section 4-1 of this ordinance.)

D. Special Uses: (See Section 4-3 of this ordinance.)

E. Temporary Uses: The following use shall be permitted as a temporary use in the RP-A District in accordance with Section 2-4.4 of this ordinance.

1) Building or trailer for storage of materials and/or equipment necessary for construction authorized by a valid building permit, provided the location of the building or trailer has been approved by the Director of Planning and Development.
2) Sales office
3) Model homes

F. Bulk Regulations:

1) Front Setback: 50 feet
2) Side Setback: 25 feet

3) Rear Setback: 50 feet
4) Lot Area: 1 acre per dwelling (net)
5) Lot Frontage: 150 feet
6) Height Limit: 2 1/2 stories

G. Parking Requirements: Refer to individual parking group in Section 4-4 of this ordinance. No single family residence shall be constructed that does not provide space for fully covered and fully enclosed parking for 2 standard passenger vehicles in an area designated as a garage, attached or integral to the residence and compatible with said residence in construction, materials, and color; nor shall any existing single family residence be altered in such a way as to incorporate existing garage space into living area unless said alteration shall provide an equivalent area of fully covered, fully enclosed parking in the form of a garage attached to or integral with said residence and compatible in construction, materials and color.

H. Signs: (See Article 4-5 of this ordinance.)

I. Landscaping and Screening Requirements: Single family dwellings shall maintain a minimum of 25% of lot area (exclusive of right-of-way) as a permeable and uncovered surface that contains living material. All land areas which are to remain unpaved and not covered by buildings shall be brought to finish grade and sodded except those areas receiving other landscaping materials. (For additional requirements see Section 4-6 of this ordinance.)

J. Sewage Disposal: Connection to a sanitary sewer system with treatment plant is required for development in this district.

K. Type of Construction: Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass.

1. Roofs shall be covered with:
   a) Wood Shingles: Number 1 or 2 grade
   b) Wood Shakes:
      1) Number 1 or 2 grade
      2) Minimum 1/2 inch thickness measured at butt
   c) Slate
   d) Clay Tile
   e) Concrete Tile
   f) Other Tile
      1)Synthetic slate within similar color range of slate, clay or concrete tile.
      2)Other tile or roofing materials as specifically authorized by Resolution of the Plan Commission and ordinance of the City Council provided that all building code requirements are met.
   g) Laminated Composition Shingles:
      1)Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.

2)Required to be installed with sheet metal valleys and flashings.
3)Required to be installed with preformed ridge shingles.
4)Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.
5)Must use a minimum of five (5) color blend granules.
6)Required to be placed on solid decking. All existing roofing materials shall be removed down to the stringers and/or 1x4's.
7)Minimum thickness 3/16 inch measured at exposed butt end of overlap creating the shadow line or individual thickness of the ply of roof material.
8)Required to be U.L. Class A fire rated material.
9)Required to be a minimum of 330 lbs/square.

2. Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built-up asphalt, or single ply elastomeric membrane.

L. Type of Construction - Residential Design Manufactured Homes: Exterior walls of all residential design manufactured Homes shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal or glass.

1. All residential design manufactured homes shall have a minimum of 1200 square feet of main floor area, excluding any attached garage or porch, and the longest exterior dimension of the body shall be not more than two and one-half (2 1/2) times the shortest exterior dimension.

2. The exterior siding must be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Non-masonry siding material shall extend below the top of the exterior foundation or curtain wall and the joint shall be flashed in accordance with the city building codes.

3. All residential design manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. A continuous, permanent masonry or concrete foundation, unpierced except for required ventilation and access, shall be installed under the perimeter of the home.

4. The home shall have an attached two car garage.

5. Roofing shall be the same as for single family dwellings as stated in subsection K.

3-2 R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

A. General Purpose and Description: Property zoned and developed as R-1 Single Family Residential shall be to provide for single family detached dwellings and other selected uses which are compatible with low density residential character of this district. Property zoned R-1 should be those tracts that correspond to the low density land use category identified in the Master Development Plan.

B. Principal Permitted Uses: In District R-1 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

1) Single Family Dwellings
2) Group Homes as defined herein.
3) The following public and semipublic uses may be permitted after hearing and review of preliminary plans and recommendation by the City Plan Commission and approval of the Governing Body.

a) Athletic Fields
b) Cemeteries
c) Community center buildings
d) Convents, when a part of a school or church complex
e) Fire station
f) Libraries
g) Nurseries and truck gardens limited to the propagation and cultivation of plants provided no retail or wholesale business shall be conducted on the premises and no obnoxious fertilizer renovation may be conducted thereon
h) Parks, playgrounds and other recreational areas of municipal ownership
i) Police stations
j) Swimming pools, (municipal)
k) Other municipal facilities

C. Accessory Uses: (See Section 4-1 of this ordinance.)

D. Special Uses: (See Section 4-3 of this ordinance.)

E. Temporary Uses: The following use shall be permitted as a temporary use in the R-1 District in accordance with Section 2-4.4 of this ordinance.

1) Building or trailer for storage of materials and/or equipment necessary for construction authorized by a valid building permit, provided the location of the building or trailer has been approved by the Director of Planning and Development.
2) Sales office
3) Model homes

F. Bulk Regulations:

1) Front Setback: 35 feet except that the side yard on street side of corner lot shall be 30 feet.
2) Side Setback: 15 feet
3) Rear Setback: 30 feet except that when structure is placed at approximately a 45 degree angle toward street then irregular lot setbacks shall apply.

4) Irregular Lot Setbacks: On lots bounded by two intersecting streets, irregular rear property line or of other than generally rectangular shape the rear yard setback shall average distance of 30 feet. This setback shall be determined by extending the sidewalls of the structure to the rear property line and calculating the square footage within the area between the rear walls, the side extensions and the rear property line(s). This figure will then be divided by the distance between the extended sidewall lines. This will give the average depth of the area enclosed and this must be equal to or greater than 30 feet. In no case shall the structure be located less than 15 feet from any property line.

5) Lot Area: 15,000 square feet per dwelling
6) Lot Frontage: 100 feet
7) Height Limit: 2 1/2 stories

G. **Parking Requirements:** Refer to individual parking group in Section 4-4 of this ordinance. No single family residence shall be constructed that does not provide space for fully covered and fully enclosed parking for 2 standard passenger vehicles in an area designated as a garage, attached or integral to the residence and compatible with said residence in construction, materials and color; nor shall any existing single family residence be altered in such a way as to incorporate existing garage space into living area unless said alteration shall provide an equivalent area of fully covered, fully enclosed parking in the form of a garage attached to or integral with said residence and compatible in construction, materials and color.

H. **Signs:** (See Section 4-5 of this ordinance.)

I. **Landscaping and Screening Requirements:** Single family dwellings shall maintain a minimum of 25% of lot area (exclusive of right-of-way) as a permeable and uncovered surface that contains living material. All land areas which are to remain unpaved and not covered by buildings shall be brought to finish grade and sodded except those areas receiving other landscaping materials. (For additional requirements see Section 4-6 of this ordinance.)

J. **Sewage Disposal:** Connection to a sanitary sewer system with treatment plant is required.

K. **Type of Construction:** Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass.

1. Roofs shall be covered with:
   a) Wood Shingles: Number 1 or 2 grade
   b) Wood Shakes:
      1) Number 1 or 2 grade
      2) Minimum 1/2 inch thickness measured at butt
   c) Slate
   d) Clay Tile
   e) Concrete Tile
   f) Other Tile

1)Synthetic slate within similar color range of slate, clay or concrete tile.

2)Other tile or roofing materials as specifically authorized by Resolution of the Plan Commission and ordinance of the City Council provided that all building code requirements are met.

g) Laminated Composition Shingles:

1)Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.

2)Required to be installed with sheet metal valleys and flashings.

3)Required to be installed with preformed ridge shingles.

4)Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.

5)Must use a minimum of five (5) color blend granules.

6)Required to be placed on solid decking. All existing roofing materials shall be removed down to the stringers and/or 1x4's.

7)Minimum thickness 3/16 inch measured at exposed but end of overlap creating the shadow line or individual thickness of the ply of roof material.

8)Required to be U.L. Class A fire rated material.

9)Required to be a minimum of 330 lbs/square.

2. Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built-up asphalt, or single ply elastomeric membrane.

L. Type of Construction - Residential Design Manufactured Homes: Exterior walls of all residential design manufactured Homes shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal or glass.

1. All residential design manufactured homes shall have a minimum of 1200 square feet of main floor area, excluding any attached garage or porch, and the longet exterior dimension of the body shall be not more than two and one-half (2 1/2) times the shortest exterior dimension.

2. The exterior siding must be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Non-masonry foundation or curtain wall and the joint shall be flashed in accordance with the city building codes.

3. All residential design manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. A continuous, permanent masonry or concrete foundation,

unpierced except for required ventilation and access, shall be installed under the perimeter of the home.

4. The home shall have an attached two car garage.

5. Roofing shall be the same as for single family dwellings as stated in subsection K.

3-3 RP-1 PLANNED SINGLE FAMILY RESIDENTIAL DISTRICT

A. General Purpose and Description: Property zoned and developed as RP-1 Planned Single Family Residential shall be to provide for single family detached dwellings and other selected uses which are compatible with low density residential character of this district. Property zoned RP-1 should be those tracts that correspond to the low density land use category identified in the Master Development Plan and that meet the intent and objectives of Planned District Requirements in Section 6-3.1 of this ordinance.

B. Principal Permitted Uses: In District RP-1 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

1) Single Family Dwellings

2) Group Homes as defined herein.

3) The following public and semipublic uses may be permitted after hearing and review of preliminary plans and recommendation by the City Plan Commission and approval of the Governing Body:

a) Athletic Fields

b) Cemeteries

c) Community center buildings

d) Convents, when a part of a school or church complex

e) Fire station

f) Libraries

g) Nurseries and truck gardens limited to the propagation and cultivation of plants provided no retail or wholesale business shall be conducted on the premises and no obnoxious fertilizer renovation may be conducted thereon

h) Parks, playgrounds and other recreational areas of municipal ownership

i) Police stations

j) Swimming pools, (municipal)

k) Other municipal facilities

C. Accessory Uses: (See Section 4-1 of this ordinance.)

D. Special Uses: (See Section 4-3 of this ordinance.)

E. Temporary Uses: The following use shall be permitted as a temporary use in the RP-1 District in accordance with Section 2-4.4 of this ordinance.

1) Building or trailer for storage of materials and/or equipment necessary for construction authorized by a valid building permit, provided the location of the building or trailer has been approved by the Director of Planning and Development.

2) Sales office
3) Model homes

F. **Bulk Regulations:**

1) Front Setback: 35 feet except that the side yard on street side of corner lot may be 30 feet.

2) Side Setback: 12 feet

3) Rear Setback: 30 feet except that when structure is placed at approximately a 45 degree angle toward street then irregular lot setbacks shall apply.

4) Irregular Lot Setbacks: On lots bounded by two intersecting streets, irregular rear property line or of other than generally rectangular shape the rear yard setback shall average a distance of 30 feet. This setback shall be determined by extending the sidewalls of the structure to the rear property line and calculating the square footage within the area between the rear walls, the side extensions and the rear property line(s). This figure will then be divided by the distance between the extended sidewall lines. This will give the average depth of the area enclosed and this must be equal to or greater than 30 feet. In no case shall the structure be located less than 12 feet from any property line.

5) Lot Area: 12,000 square feet per dwelling
6) Lot Frontage: 100 feet
7) Height Limit: 2 1/2 stories

G. **Parking Requirements:** Refer to individual parking group in Section 4-4 of this ordinance. No single family residence shall be constructed that does not provide space for fully covered and fully enclosed parking for 2 standard passenger vehicles in an area designated as a garage, attached or integral to the residence and compatible with said residence in construction, materials and color; nor shall any existing single family residence be altered in such a way as to incorporate existing garage space into living area unless said alteration shall provide an equivalent area of fully covered, fully enclosed parking in the form of a garage attached to or integral with said residence and compatible in construction, materials and color.

H. **Signs:** (See Section 4-5 of this ordinance.)

I. **Landscaping and Screening Requirements:** Single family dwellings shall maintain a minimum of 25% of lot area (exclusive of right-of-way) as a permeable and uncovered surface that contains living material. All land areas which are to remain unpaved and not covered by buildings shall be brought to finish grade and sodded except those areas receiving other landscaping materials. (For additional requirements see Section 4-6 of this ordinance.)

J. **Sewage Disposal:** Connection to a sanitary sewer system with treatment plant is required.

K. **Type of Construction:** Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any

combination thereof. Windows, doors and louvers shall be of wood or metal and glass.

1. Roofs shall be covered with:
   a) Wood Shingles: Number 1 or 2 grade
   b) Wood Shakes:
      1) Number 1 or 2 grade
      2) Minimum 1/2 inch thickness measured at butt
   c) Slate
   d) Clay Tile
   e) Concrete Tile
   f) Other Tile
      1)Synthetic slate within similar color range of slate, clay or concrete tile.
      2)Other tile or roofing materials as specifically authorized by Resolution of the Plan Commission and ordinance of the City Council provided that all building code requirements are met.
   g) Laminated Composition Shingles:
      1)Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.
      2)Required to be installed with sheet metal valleys and flashings.
      3)Required to be installed with preformed ridge shingles.
      4)Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.
      5)Must use a minimum of five (5) color blend granules.
      6)Required to be placed on solid decking. All existing roofing materials shall be removed down to the stringers and/or 1x4's.
      7)Minimum thickness 3/16 inch measured at exposed buttend of overlap creating the shadow line or individual thickness of the ply of roof material.
      8)Required to be U.L. Class A fire rated material.
      9)Required to be a minimum of 330 lbs/square.

2. Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built-up asphalt, or single ply elastomeric membrane.

L. Type of Construction - Residential Design Manufactured Homes: Exterior walls of all residential design manufactured homes shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal or glass.

1. All residential design manufactured homes shall have a minimum of 1200 square feet of main floor area, excluding any attached garage or porch, and the longest exterior dimension of the body shall be not more than 2 1/2 times the shortest exterior dimension.

2. The exterior siding must be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Non-masonry siding material shall extend below the top of the exterior foundation or curtain wall and the joint shall be flashed in accordance with the city building codes.

3. All residential design manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation A continuous, permanent masonry or concrete foundation, unpierced except for required ventilation and access, shall be installed under the perimeter of the home.

4. The home shall have an attached two car garage.

5. Roofing shall be the same as for single family dwellings as stated in subsection K.

3-4 RP-2 PLANNED TWO FAMILY RESIDENTIAL DISTRICT

A. General Purpose and Description: Property zoned and developed as RP-2 Planned Two Family Residential shall be to provide for duplexes (two family attached dwelling units) and other selected uses which are compatible with medium density residential character of this district. Property zoned RP-2 should be those tracts that correspond to the Medium Density land use category identified in the Master Development Plan and that meet the intent and objectives of Planned District Requirements in Section 6-3.1 of this ordinance. Two family dwellings which otherwise comply with the codes and ordinances of the City of Leawood may be divided at the party wall as to ownership and owned as separate dwelling units by separate owners and such ownerships shall not constitute violation of the lot and yard requirements of this ordinance.

B. Principal Permitted Uses: In District RP-2 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered except for one or more of the following uses:

1) Two Family Dwellings

2) Group Homes as defined herein

3) Single Family dwellings when incorporated with a planned two family project

4) The following public and semipublic uses may be permitted after hearing and review of preliminary plans and recommendation by the City Plan Commission and approval of the Governing Body:

a) Athletic Fields

b) Cemeteries

c) Community center buildings

d) Convents, when a part of a school or church complex

e) Fire station

f) Libraries

g) Nurseries and truck gardens limited to the propagation and cultivation of plants provided no retail or wholesale business shall be conducted on the premises and no obnoxious fertilizer renovation may be conducted thereon

h) Parks, playgrounds and other recreational areas of municipal ownership
i) Police stations
j) Swimming pools (municipal)
k) Other municipal facilities

C. **Accessory Uses:** (See Section 4-1 of this ordinance.)

D. **Special Uses:** (See Section 4-3 of this ordinance.)

E. **Temporary Uses:** The following use shall be permitted as a temporary use in the RP-2 District in accordance with Section 2-4.4 of this ordinance.

1) Building or trailer for storage of materials and/or equipment necessary for construction authorized by a valid building permit, provided the location of the building or trailer has been approved by the Director of Planning and Development.
2) Sales office
3) Model homes

F. **Bulk Regulations:**

1) Front Setback:	30 feet
2) Side Setback:	10 feet
3) Rear Setback:	30 feet
4) Lot Area:	6,000 square feet/dwelling unit
5) Lot Frontage:	100 feet
6) Height Limit:	2 1/2 stories

G. **Parking Requirements:** Refer to individual parking group in Section 4-4 of this ordinance. No single family residence or two family residence shall be constructed that does not provide space for fully covered and fully enclosed parking for 2 standard passenger vehicles per unit in an area designated as a garage, attached or integral to the residence and compatible with said residence in construction, materials and color; nor shall any existing single family residence or two family residence be altered in such a way as to incorporate existing garage space into living area unless said alteration shall provide an equivalent area of fully covered, fully enclosed parking in the form of a garage attached to or integral with said residence and compatible in construction, materials and color.

H. **Signs:** (See Section 4-5 of this ordinance.)

I. **Landscaping and Screening Requirements:** Single family and two family dwellings shall maintain a minimum of 25% of lot area (exclusive of right-of-way) as a permeable and uncovered surface that contains living material. All land areas which are to remain unpaved and not covered by buildings shall be brought to finish grade and sodded except those areas receiving other landscaping materials. (For additional requirements see Section 4-6 of this ordinance.)

J. **Sewage Disposal:** Connection to a sanitary sewer system with treatment plant is required.

K. **Type of Construction:** Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass.

1. Roofs shall be covered with:
   a) Wood Shingles: Number 1 or 2 grade
   b) Wood Shakes:
      1) Number 1 or 2 grade
      2) Minimum 1/2 inch thickness measured at butt
   c) Slate
   d) Clay Tile
   e) Concrete Tile
   f) Other Tile
      1)Synthetic slate within similar color range of slate, clay or concrete tile.
      2)Other tile or roofing materials as specifically authorized by Resolution of the Plan Commission and ordinance of the City Council provided that all building code requirements are met.
   g) Laminated Composition Shingles:
      1)Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.
      2)Required to be installed with sheet metal valleys and flashings.
      3)Required to be installed with preformed ridge shingles.
      4)Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.
      5)Must use a minimum of five (5) color blend granules.
      6)Required to be placed on solid decking. All existing roofing materials shall be removed down to the stringers and/or 1x4's.
      7)Minimum thickness 3/16 inch measured at exposed buttend of overlap creating the shadow line or individual thickness of the ply of roof material.
      8)Required to be U.L. Class A fire rated material.
      9)Required to be a minimum of 330 lbs/square.

2. Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built-up asphalt, or single ply elastomeric membrane.

L. Type of Construction - Residential Design Manufactured Homes: Exterior walls of all residential design manufactured homes shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal or glass.

1. All residential design manufactured homes shall have a minimum of 1200 square feet of main floor area, excluding any attached garage or porch, and the longest exterior dimension of the body shall be not more than 2 1/2 times the shortest exterior dimension.

2. The exterior siding must be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Non-masonry siding material shall extend below the top of the exterior foundation or curtain wall and the joint shall be flashed in accordance with the city building codes.

3. All residential design manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. A continuous, permanent masonry or concrete foundation, unpierced except for required ventilation and access, shall be installed under the perimeter of the home.

4. The home shall have an attached two car garage.

5. Roofing shall be the same as for single family dwellings as stated in subsection K.

3-13 AG AGRICULTURAL DISTRICT

A. General Purpose and Description: The AG District is intended to conserve farm land for agricultural purposes and to serve as a "holding" zone to prevent the premature development of large land acreages and of recently annexed land for which the most appropriate future use has not yet been determined. In order to promote these purposes, the regulations for this district allow a very limited range of uses so that the present development character of the land may be maintained and future development options preserved pending comprehensive study and analysis of the area.

B. Principal Permitted Uses: In District AG no building, structure, land or premises shall be used or hereafter erected, constructed, reconstructed, moved, or altered except for one or more of the following uses:

1) Agricultural use, including the raising of field crops and fruit orchards, grazing and stabling of livestock, horticulture, dairy farming, forestry, animal husbandry, and similar farming activities.

2) Railroads and public or quasi-public utilities including substations.

3) Noncommercial nursery.

4) Single family dwelling located on a lot of 40 acres or more.

5) Group Homes as defined herein.

6) Oil and gas wells.

7) Public or private park, golf course (except miniature golf and driving ranges), or similar natural recreation areas.

C. Accessory Uses: (See Section 4-1 of this ordinance.)

D. **Special Uses:** (See Section 4-3 of this ordinance.)

E. **Temporary Uses:**

F. **Bulk Regulations:**

1) Front Setback: 50 feet
2) Side Setback: 50 feet
3) Rear Setback: 50 feet
4) Lot Area: 40 acres per dwelling
5) Lot Frontage: 330 feet
6) Height Limit: 2 1/2 stories

G. **Parking Requirements:** Refer to individual parking group in Section 4-4 of this ordinance. No single family residence shall be constructed that does not provide space for fully covered and fully enclosed parking for two standard passenger vehicles in an area designated as a garage, attached or integral to the residence and compatible with said residence in construction, materials and color; nor shall any existing single family residence be altered in such a way as to incorporate existing garage space into living area unless said alteration shall provide an equivalent area of fully covered, fully enclosed parking in the form of a garage attached to or integral with said residence and compatible in construction, materials and color.

H. **Signs:** (See Section 4-5 of this ordinance.)

I. **Landscaping and Screening Requirements:** The agricultural district is exempt from landscaping and screening requirements.

J. **Sewage Disposal:** No permit for a dwelling or other building or land use which will produce impure wastewater shall be issued until a septic tank permit has been approved by the Governing Body after recommendation from the County Health Department or connection to sanitary sewer system.

K. **Type of Construction:** Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass.

1. Roofs shall be covered with:
   a) Wood Shingles: Number 1 or 2 grade
   b) Wood Shakes:
      1) Number 1 or 2 grade
      2) Minimum 1/2 inch thickness measured at butt
   c) Slate
   d) Clay Tile
   e) Concrete Tile
   f) Other Tile
      1) Synthetic slate within similar color range of slate, clay or concrete tile.
      2) Other tile or roofing materials as specifically authorized by Resolution of the Plan Commission

and ordinance of the City Council provided that all building code requirements are met.

g) Laminated Composition Shingles:

1)Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.

2)Required to be installed with sheet metal valleys and flashings.

3)Required to be installed with preformed ridge shingles.

4)Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.

5)Must use a minimum of 5 color blend granules.

6)Required to be placed on solid decking. All existing roofing materials shall be removed down to the stringers and/or 1x4's.

7)Minimum thickness 3/16 inch measured at either exposed butt end of overlap creating the shadow line or individual thickness of the ply of roof material.

8)Required to be U.L. Class A fire rated material.

9)Required to be a minimum of 330 lbs/square.

2. Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built-up asphalt, or single ply elastomeric membrane.

3. Farm homes shall be exempt from roofing requirements for maintenance purposes only. New construction, including additions, shall comply with these provisions.

L. Type of Construction - Residential Design Manufactured Homes: Exterior walls of all residential design manufactured homes shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal or glass.

1. All residential design manufactured homes shall have a minimum of 1200 square feet of main floor area, excluding any attached garage or porch, and the longest exterior dimension of the body shall be not more than 2 2/1 times the shortest exterior dimension.

2. The exterior siding must be of brick, stone, wood, stucco, woos shingles, wood shakes, wood siding, wood panekling, wood fiber product paneling, tile or any combination thereof. Non-masonry siding material shall extend below the top of the exterior foundation or curtain wall and the joint shall be flashed in accordance with the building codes.

3. All residential design manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. A continuous, permanent masonry or concrete foundation,

unpierced except for required ventilation and access shall be installed under the perimeter of the home.

4. The home shall have an attached two car garage.

5. Roofing shall be the same as for single family dwellings as stated in subsection K.

Section 2. Existing Sections Repealed. That existing Sections 3-1, 3-2, 3-3, 3-4, and 3-13 of the supplement known as "Amendment of Leawood Development Ordinance", dated December 16, 1991, are 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 6th day of June, 1994.

Approved by the Mayor the 6th day of June, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

6/7/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
6/7/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $282.70

d. 1415

$282.70

ORDINANCE NO. 1415

First published in The Legal Record, Tuesday, June 7, 1994.

ORDINANCE NO. 1415

AN ORDINANCE AMENDING SECTIONS 3-1, 3-2, 3-3, 3-4, AND 3-13 OF THE SUPPLEMENT OF AMENDMENTS TO THE LEAWOOD DEVELOPMENT ORDINANCE, PROVIDING FOR CHANGES IN PROVISIONS FOR ROOFING TYPES AND ROOFING APPLICATION MEASURES.

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

Section 1. Supplement to the Leawood Development Ordinance Amended. That Sections 3-1, 3-2, 3-3, 3-4, and 3-13 of the supplement known as *"Amendment of Leawood Development Ordinance", dated December 16, 1991*, are hereby amended to read as follows:

3-1 RP-A PLANNED LARGE LOT SINGLE FAMILY RESIDENTIAL DISTRICT

A. General Purpose and Description: Property zoned and developed as RP-A Planned Large Lot Single Family Residential shall be to provide for single family detached dwellings on large lots and at the same time ensure proper placement on the property so as not to hinder future redevelopment including the extension of streets and utilities that would be required for rezoning to a greater density. Property zoned RP-A should be those tracts that correspond to the Rural Density Residential land use category identified in the Master Development Plan.

B. Principal Permitted Uses: In District RP-A no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

1) Single family residential dwellings (detached).
2) Group Homes as defined herein.
3) Railroads and public or quasi-public utilities including substations.
4) Noncommercial nurseries and gardens.
5) Oil and gas wells.

C. Accessory Uses: (See Section 4-1 of this ordinance.)

D. Special Uses: (See Section 4-3 of this ordinance.)

E. Temporary Uses: The following use shall be permitted as a temporary use in the RP-A District in accordance with Section 2-4.4 of this ordinance.

1) *Building or trailer for storage of materials and/or* equipment necessary for construction authorized by a valid building permit, provided the location of the building or trailer has been approved by the Director of Planning and Development.
2) Sales office
3) Model homes

F. Bulk Regulations:

1) Front Setback: 50 feet
2) Side Setback: 25 feet
3) Rear Setback: 50 feet
4) Lot Area: 1 acre per dwelling (net)
5) Lot Frontage: 150 feet
6) Height Limit: 2 1/2 stories

G. Parking Requirements: Refer to individual parking group in Section 4-4 of this ordinance. No single family residence shall be constructed that does not provide space for fully covered and fully enclosed parking for 2 standard passenger vehicles in an area designated as a garage, attached or integral to the residence and compatible with said residence in construction, materials, and color; nor shall any existing single family residence be altered in such a way as to incorporate existing garage space into living area unless said alteration shall provide an equivalent area of fully covered, fully enclosed parking in the form of a garage attached to or integral with said residence and compatible in construction, materials and color.

H. Signs: (See Article 4-5 of this ordinance.)

I. Landscaping and Screening Requirements: Single family dwellings shall maintain a minimum of 25% of lot area (exclusive of right-of-way) as a permeable and uncovered surface that contains living material. All land areas which are to remain unpaved and not covered by buildings shall be brought to finish grade and sodded except those areas receiving other landscaping materials. (For additional requirements see Section 4-6 of this ordinance.)

J. Sewage Disposal: Connection to a sanitary sewer system with treatment plant is required for development in this district.

K. Type of Construction: Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass.

1. *Roofs shall be covered with:*
   a) Wood Shingles: Number 1 or 2 grade
   b) Wood Shakes:
      1) Number 1 or 2 grade
      2) Minimum 1/2 inch thickness measured at butt
   c) Slate
   d) Clay Tile
   e) Concrete Tile
   f) Other Tile
      1)Synthetic slate within similar color range of slate, clay or concrete tile.
      2)Other tile or roofing materials as specifically authorized by Resolution of the Plan Commission *and ordinance of the City Council provided that* all building code requirements are met.
   g) Laminated Composition Shingles:
      1)*Architectural shingle with shadow lines and or* relief imitating a wood shingle or wood shake.
      2)Required to be installed with sheet metal *valleys and flashings.*
      3)Required to be installed with preformed ridge shingles.
      4)*Have the appearance and color range of natural* weathered cedar shingles or weathered cedar shakes.
      5)Must use a minimum of five (5) color blend granules.
      6)Required to be placed on solid decking. All existing roofing materials shall be removed down to the stringers and/or 1x4's.
      7)Minimum thickness 3/16 inch measured at exposed butt end of overlap creating the shadow line or individual thickness of the ply of roof material.
      8)Required to be U.L. Class A fire rated material.
      9)*Required to be a minimum of 330 lbs/square.*

2. Flat roofs or roofs with a pitch of less than 3 inches *per foot, in addition to the materials permitted herein, for other* roofs, may also be covered with metal, built-up asphalt, or single ply elastomeric membrane.

L. Type of Construction - Residential Design Manufactured Homes: Exterior walls of all residential design manufactured Homes shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal or glass.

1. All residential design manufactured homes shall have a minimum of 1200 square feet of main floor area, excluding any attached garage or porch, and the longest exterior dimension of the body shall be not more than two and one-half (2 1/2) times the shortest exterior *dimension.*

2. The exterior siding must be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product *paneling, tile or any combination thereof.* Non-masonry siding material shall extend below the top of the exterior foundation or curtain wall and the joint shall be flashed in accordance with the city building codes.

3. All residential design manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. A continuous, permanent masonry or concrete foundation, unpierced except for required ventilation and access, shall be installed under the perimeter of the home.

4. The home shall have an attached two car garage.

5. Roofing shall be the same as for single family dwellings as stated in subsection K.

3-2 R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

A. General Purpose and Description: Property zoned and *developed as R-1 Single Family Residential shall be to provide for* single family detached dwellings and other selected uses which are compatible with low density residential character of this district. Property zoned R-1 should be those tracts that correspond to the low density land use category identified in the Master Development Plan.

B. Principal Permitted Uses: In District R-1 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

1) Single Family Dwellings
2) Group Homes as defined herein.
3) The following public and semipublic uses may be permitted *after hearing and review of preliminary plans and recommendation by the* City Plan Commission and approval of the Governing Body.
   a) Athletic Fields
   b) Cemeteries
   c) Community center buildings
   d) Convents, when a part of a school or church complex
   e) Fire station
   f) Libraries
   g) Nurseries and truck gardens limited to the propagation and cultivation of plants provided no retail or wholesale business shall be conducted on the premises and no obnoxious fertilizer renovation may be conducted thereon
   h) Parks, playgrounds and other recreational areas of municipal ownership
   i) Police stations
   j) Swimming pools, (municipal)
   k) *Other municipal facilities*

C. Accessory Uses: (See Section 4-1 of this ordinance.)

D. Special Uses: (See Section 4-3 of this ordinance.)

E. Temporary Uses: The following use shall be permitted as a temporary use in the R-1 District in accordance with Section 2-4.4 of this ordinance.

1) Building or trailer for storage of materials and/or equipment necessary for construction authorized by a valid building permit, provided the location of the building or trailer has been approved by the Director of Planning and Development.
2) Sales office
3) Model homes

F. Bulk Regulations:

1) Front Setback: 35 feet except that the side yard on street side of corner lot shall be 30 feet.
2) Side Setback: 15 feet
3) Rear Setback: 30 feet except that when structure is placed at approximately a 45 degree angle toward street then irregular lot setbacks shall apply.

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4) Irregular Lot Setbacks: On lots bounded by two intersecting streets, irregular rear property line or of other than generally rectangular shape the rear yard setback shall average distance of 30 feet. This setback shall be determined by extending the sidewalls of the structure to the rear property line and calculating the square footage within the area between the rear walls, the side extensions and the rear property line(s). This figure will then be divided by the distance between the extended sidewall lines. This will give the average depth of the area enclosed and this must be equal to or greater than 30 feet. In no case shall the structure be located less than 15 feet from any property line.

5) Lot Area: 15,000 square feet per dwelling
6) Lot Frontage: 100 feet
7) Height Limit: 2 1/2 stories

G. Parking Requirements: Refer to individual parking group in Section 4-4 of this ordinance. No single family residence shall be constructed that does not provide space for fully covered and fully enclosed parking for 2 standard passenger vehicles in an area designated as a garage, attached or integral to the residence and compatible with said residence in construction, materials and color; nor shall any existing single family residence be altered in such a way as to incorporate existing garage space into living area unless said alteration shall provide an equivalent area of fully covered, fully enclosed parking in the form of a garage attached to or integral with said residence and compatible in construction, materials and color.

H. Signs: (See Section 4-5 of this ordinance.)

I. Landscaping and Screening Requirements: Single family dwellings shall maintain a minimum of 25% of lot area (exclusive of right-of-way) as a permeable and uncovered surface that contains living material. All land areas which are to remain unpaved and not covered by buildings shall be brought to finish grade and sodded except those areas receiving other landscaping materials. (For additional requirements see Section 4-6 of this ordinance.)

J. Sewage Disposal: Connection to a sanitary sewer system with treatment plant is required.

K. Type of Construction: Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass.

1. Roofs shall be covered with:
   a) Wood Shingles: Number 1 or 2 grade
   b) Wood Shakes:
      1) Number 1 or 2 grade
      2) Minimum 1/2 inch thickness measured at butt
   c) Slate
   d) Clay Tile
   e) Concrete Tile
   f) Other Tile
      1) Synthetic slate within similar color range of slate, clay or concrete tile.
      2) Other tile or roofing materials as specifically authorized by Resolution of the Plan Commission and ordinance of the City Council provided that all building code requirements are met.
   g) Laminated Composition Shingles:
      1) Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.
      2) Required to be installed with sheet metal valleys and flashings.
      3) Required to be installed with preformed ridge shingles.
      4) Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.
      5) Must use a minimum of five (5) color blend granules.
      6) Required to be placed on solid decking. All existing roofing materials shall be removed down to the stringers and/or 1x4's.
      7) Minimum thickness 3/16 inch measured at exposed but end of overlap creating the shadow line or individual thickness of the ply of roof material.
      8) Required to be U.L. Class A fire rated material.
      9) Required to be a minimum of 330 lbs/square.

2. Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built-up asphalt, or single ply elastomeric membrane.

L. Type of Construction - Residential Design Manufactured Homes: Exterior walls of all residential design manufactured Homes shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal or glass.

1. All residential design manufactured homes shall have a minimum of 1200 square feet of main floor area, excluding any attached garage or porch, and the longest exterior dimension of the body shall be not more than two and one-half (2 1/2) times the shortest exterior dimension.

2. The exterior siding must be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Non-masonry foundation or curtain wall and the joint shall be flashed in accordance with the city building codes.

3. All residential design manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. A continuous, permanent masonry or concrete foundation, unpierced except for required ventilation and access, shall be installed under the perimeter of the home.

4. The home shall have an attached two car garage.

5. Roofing shall be the same as for single family dwellings as stated in subsection K.

3-3 RP-1 PLANNED SINGLE FAMILY RESIDENTIAL DISTRICT

A. General Purpose and Description: Property zoned and developed as RP-1 Planned Single Family Residential shall be to provide for single family detached dwellings and other selected uses which are compatible with low density residential character of this district. Property zoned RP-1 should be those tracts that correspond to the low density land use category identified in the Master Development Plan and that meet the intent and objectives of Planned District Requirements in Section 6-3.1 of this ordinance.

B. Principal Permitted Uses: In District RP-1 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

1) Single Family Dwellings
2) Group Homes as defined herein.
3) The following public and semipublic uses may be permitted after hearing and review of preliminary plans and recommendation by the City Plan Commission and approval of the Governing Body:
   a) Athletic Fields
   b) Cemeteries
   c) Community center buildings
   d) Convents, when a part of a school or church complex
   e) Fire station
   f) Libraries
   g) Nurseries and truck gardens limited to the propagation and cultivation of plants provided no retail or wholesale business shall be conducted on the premises and no obnoxious fertilizer renovation may be conducted thereon
   h) Parks, playgrounds and other recreational areas of municipal ownership
   i) Police stations
   j) Swimming pools, (municipal)
   k) Other municipal facilities

C. Accessory Uses: (See Section 4-1 of this ordinance.)

D. Special Uses: (See Section 4-3 of this ordinance.)

E. Temporary Uses: The following use shall be permitted as a temporary use in the RP-1 District in accordance with Section 2-4.4 of this ordinance.

1) Building or trailer for storage of materials and/or equipment necessary for construction authorized by a valid building permit, provided the location of the building or trailer has been approved by the Director of Planning and Development.
2) Sales office
3) Model homes

F. Bulk Regulations:

1) Front Setback: 35 feet except that the side yard on street side of corner lot may be 30 feet.
2) Side Setback: 12 feet
3) Rear Setback: 30 feet except that when structure is placed at approximately a 45 degree angle toward street then irregular lot setbacks shall apply.
4) Irregular Lot Setbacks: On lots bounded by two intersecting streets; irregular rear property line or of other than generally rectangular shape the rear yard setback shall average a distance of 30 feet. This setback shall be determined by extending the sidewalls of the structure to the rear property line and calculating the square footage within the area between the rear walls, the side extensions and the rear property line(s). This figure will then be divided by the distance between the extended sidewall lines. This will give the average depth of the area enclosed and this must be equal to or greater than 30 feet. In no case shall the structure be located less than 12 feet from any property line.
5) Lot Area: 12,000 square feet per dwelling
6) Lot Frontage: 100 feet
7) Height Limit: 2 1/2 stories

G. Parking Requirements: Refer to individual parking group in Section 4-4 of this ordinance. No single family residence shall be constructed that does not provide space for fully covered and fully enclosed parking for 2 standard passenger vehicles in an area designated as a garage, attached or integral to the residence and compatible with said residence in construction, materials and color; nor shall any existing single family residence be altered in such a way as to incorporate existing garage space into living area unless said alteration shall provide an equivalent area of fully covered, fully enclosed parking in the form of a garage attached to or integral with said residence and compatible in construction, materials and color.

H. Signs: (See Section 4-5 of this ordinance.)

I. Landscaping and Screening Requirements: Single family dwellings shall maintain a minimum of 25% of lot area (exclusive of right-of-way) as a permeable and uncovered surface that contains living material. All land areas which are to remain unpaved and not covered by buildings shall be brought to finish grade and sodded except those areas receiving other landscaping materials. (For additional requirements see Section 4-6 of this ordinance.)

J. Sewage Disposal: Connection to a sanitary sewer system with treatment plant is required.

K. Type of Construction: Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any

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combination thereof. Windows, doors and louvers shall be of wood or metal and glass.

1. Roofs shall be covered with:
   a) Wood Shingles: Number 1 or 2 grade
   b) Wood Shakes:
      1) Number 1 or 2 grade
      2) Minimum 1/2 inch thickness measured at butt
   c) Slate
   d) Clay Tile
   e) Concrete Tile
   f) Other Tile
      1) Synthetic slate within similar color range of slate, clay or concrete tile.
      2) Other tile or roofing materials as specifically authorized by Resolution of the Plan Commission and ordinance of the City Council provided that all building code requirements are met.
   g) Laminated Composition Shingles:
      1) Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.
      2) Required to be installed with sheet metal valleys and flashings.
      3) Required to be installed with preformed ridge shingles.
      4) Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.
      5) Must use a minimum of five (5) color blend granules.
      6) Required to be placed on solid decking. All existing roofing materials shall be removed down to the stringers and/or 1x4's.
      7) Minimum thickness 3/16 inch measured at exposed buttend of overlap creating the shadow line or individual thickness of the ply of roof material.
      8) Required to be U.L. Class A fire rated material.
      9) Required to be a minimum of 330 lbs/square.

2. Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built-up asphalt, or single ply elastomeric membrane.

L. Type of Construction - Residential Design Manufactured Homes: Exterior walls of all residential design manufactured homes shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal or glass.

1. All residential design manufactured homes shall have a minimum of 1200 square feet of main floor area, excluding any attached garage or porch, and the longest exterior dimension of the body shall be not more than 2 1/2 times the shortest exterior dimension.

2. The exterior siding must be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Non-masonry siding material shall extend below the top of the exterior foundation or curtain wall and the joint shall be flashed in accordance with the city building codes.

3. All residential design manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. A continuous, permanent masonry or concrete foundation, unpierced except for required ventilation and access, shall be installed under the perimeter of the home.

4. The home shall have an attached two car garage.

5. Roofing shall be the same as for single family dwellings as stated in subsection K.

3-4 RP-2 PLANNED TWO FAMILY RESIDENTIAL DISTRICT

A. General Purpose and Description: Property zoned and developed as RP-2 Planned Two Family Residential shall be to provide for duplexes (two family attached dwelling units) and other selected uses which are compatible with medium density residential character of this district. Property zoned RP-2 should be those tracts that correspond to the Medium Density land use category identified in the Master Development Plan and that meet the intent and objectives of Planned District Requirements in Section 6-3.1 of this ordinance. Two family dwellings which otherwise comply with the codes and ordinances of the City of Leawood may be divided at the party wall as to ownership and owned as separate dwelling units by separate owners and such ownerships shall not constitute violation of the lot and yard requirements of this ordinance.

B. Principal Permitted Uses: In District RP-2 no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered except for one or more of the following uses:

1) Two Family Dwellings
2) Group Homes as defined herein
3) Single Family dwellings when incorporated with a planned two family project
4) The following public and semipublic uses may be permitted after hearing and review of preliminary plans and recommendation by the City Plan Commission and approval of the Governing Body:
   a) Athletic Fields
   b) Cemeteries
   c) Community center buildings
   d) Convents, when a part of a school or church complex
   e) Fire station
   f) Libraries
   g) Nurseries and truck gardens limited to the propagation and cultivation of plants provided no retail or wholesale business shall be conducted on the premises and no obnoxious fertilizer renovation may be conducted thereon
   h) Parks, playgrounds and other recreational areas of municipal ownership
   i) Police stations
   j) Swimming pools (municipal)
   k) Other municipal facilities

C. Accessory Uses: (See Section 4-1 of this ordinance.)

D. Special Uses: (See Section 4-3 of this ordinance.)

E. Temporary Uses: The following use shall be permitted as a temporary use in the RP-2 District in accordance with Section 2-4.4 of this ordinance.

1) Building or trailer for storage of materials and/or equipment necessary for construction authorized by a valid building permit, provided the location of the building or trailer has been approved by the Director of Planning and Development.
2) Sales office
3) Model homes

F. Bulk Regulations:

1) Front Setback:	30 feet
2) Side Setback:	10 feet
3) Rear Setback:	30 feet
4) Lot Area:	6,000 square feet/dwelling unit
5) Lot Frontage:	100 feet
6) Height Limit:	2 1/2 stories

G. Parking Requirements: Refer to individual parking group in Section 4-4 of this ordinance. No single family residence or two family residence shall be constructed that does not provide space for fully covered and fully enclosed parking for 2 standard passenger vehicles per unit in an area designated as a garage, attached or integral to the residence and compatible with said residence in construction, materials and color; nor shall any existing single family residence or two family residence be altered in such a way as to incorporate existing garage space into living area unless said alteration shall provide an equivalent area of fully covered, fully enclosed parking in the form of a garage attached to or integral with said residence and compatible in construction, materials and color.

H. Signs: (See Section 4-5 of this ordinance.)

I. Landscaping and Screening Requirements: Single family and two family dwellings shall maintain a minimum of 25% of lot area (exclusive of right-of-way) as a permeable and uncovered surface that contains living material. All land areas which are to remain unpaved and not covered by buildings shall be brought to finish grade and sodded except those areas receiving other landscaping materials. (For additional requirements see Section 4-6 of this ordinance.)

J. Sewage Disposal: Connection to a sanitary sewer system with treatment plant is required.

K. Type of Construction: Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass.

1. Roofs shall be covered with:
   a) Wood Shingles: Number 1 or 2 grade
   b) Wood Shakes:
      1) Number 1 or 2 grade
      2) Minimum 1/2 inch thickness measured at butt
   c) Slate
   d) Clay Tile
   e) Concrete Tile
   f) Other Tile
      1) Synthetic slate within similar color range of slate, clay or concrete tile.
      2) Other tile or roofing materials as specifically authorized by Resolution of the Plan Commission and ordinance of the City Council provided that all building code requirements are met.
   g) Laminated Composition Shingles:
      1) Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.
      2) Required to be installed with sheet metal valleys and flashings.
      3) Required to be installed with preformed ridge shingles.
      4) Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.
      5) Must use a minimum of five (5) color blend granules.
      6) Required to be placed on solid decking. All existing roofing materials shall be removed down to the stringers and/or 1x4's.
      7) Minimum thickness 3/16 inch measured at exposed buttend of overlap creating the shadow line or individual thickness of the ply of roof material.
      8) Required to be U.L. Class A fire rated material.
      9) Required to be a minimum of 330 lbs/square.

2. Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built-up asphalt, or single ply elastomeric membrane.

L. Type of Construction - Residential Design Manufactured Homes: Exterior walls of all residential design manufactured homes shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal or glass.

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1. All residential design manufactured homes shall have a minimum of 1200 square feet of main floor area, excluding any attached garage or porch, and the longest exterior dimension of the body shall be not more than 2 1/2 times the shortest exterior dimension.

2. The exterior siding must be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Non-masonry siding material shall extend below the top of the exterior foundation or curtain wall and the joint shall be flashed in accordance with the city building codes.

3. All residential design manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. A continuous, permanent masonry or concrete foundation, unpierced except for required ventilation and access, shall be installed under the perimeter of the home.

4. The home shall have an attached two car garage.

5. Roofing shall be the same as for single family dwellings as stated in subsection K.

3-13 AG AGRICULTURAL DISTRICT

A. General Purpose and Description: The AG District is intended to conserve farm land for agricultural purposes and to serve as a "holding" zone to prevent the premature development of large land acreages and of recently annexed land for which the most appropriate future use has not yet been determined. In order to promote these purposes, the regulations for this district allow a very limited range of uses so that the present development character of the land may be maintained and future development options preserved pending comprehensive study and analysis of the area.

B. Principal Permitted Uses: In District AG no building, structure, land or premises shall be used or hereafter erected, constructed, reconstructed, moved, or altered except for one or more of the following uses:

1) Agricultural use, including the raising of field crops and fruit orchards, grazing and stabling of livestock, horticulture, dairy farming, forestry, animal husbandry, and similar farming activities.

2) Railroads and public or quasi-public utilities including substations.

3) Noncommercial nursery.

4) Single family dwelling located on a lot of 40 acres or more.

5) Group Homes as defined herein.

6) Oil and gas wells.

7) Public or private park, golf course (except miniature golf and driving ranges), or similar natural recreation areas.

C. Accessory Uses: (See Section 4-1 of this ordinance.)

D. Special Uses: (See Section 4-3 of this ordinance.)

E. Temporary Uses:

F. Bulk Regulations:

1) Front Setback:	50 feet
2) Side Setback:	50 feet
3) Rear Setback:	50 feet
4) Lot Area:	40 acres per dwelling
5) Lot Frontage:	330 feet
6) Height Limit:	2 1/2 stories

G. Parking Requirements: Refer to individual parking group in Section 4-4 of this ordinance. No single family residence shall be constructed that does not provide space for fully covered and fully enclosed parking for two standard passenger vehicles in an area designated as a garage, attached or integral to the residence and compatible with said residence in construction, materials and color; nor shall any existing single family residence be altered in such a way as to incorporate existing garage space into living area unless said alteration shall provide an equivalent area of fully covered, fully enclosed parking in the form of a garage attached to or integral with said residence and compatible in construction, materials and color.

H. Signs: (See Section 4-5 of this ordinance.)

I. Landscaping and Screening Requirements: The agricultural district is exempt from landscaping and screening requirements.

J. Sewage Disposal: No permit for a dwelling or other building or land use which will produce impure wastewater shall be issued until a septic tank permit has been approved by the Governing Body after recommendation from the County Health Department or connection to sanitary sewer system.

K. Type of Construction: Exterior walls of all dwellings shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass.

1. Roofs shall be covered with:

a) Wood Shingles: Number 1 or 2 grade

b) Wood Shakes:
   1) Number 1 or 2 grade
   2) Minimum 1/2 inch thickness measured at butt

c) Slate

d) Clay Tile

e) Concrete Tile

f) Other Tile
   1) Synthetic slate within similar color range of slate, clay or concrete tile.
   2) Other tile or roofing materials as specifically authorized by Resolution of the Plan Commission and ordinance of the City Council provided that all building code requirements are met.

g) Laminated Composition Shingles:
   1) Architectural shingle with shadow lines and or relief imitating a wood shingle or wood shake.
   2) Required to be installed with sheet metal valleys and flashings.
   3) Required to be installed with preformed ridge shingles.
   4) Have the appearance and color range of natural weathered cedar shingles or weathered cedar shakes.
   5) Must use a minimum of 5 color blend granules.
   6) Required to be placed on solid decking. All existing roofing materials shall be removed down to the stringers and/or 1x4's.
   7) Minimum thickness 3/16 inch measured at either exposed butt end of overlap creating the shadow line or individual thickness of the ply of roof material.
   8) Required to be U.L. Class A fire rated material.
   9) Required to be a minimum of 330 lbs/square.

2. Flat roofs or roofs with a pitch of less than 3 inches per foot, in addition to the materials permitted herein, for other roofs, may also be covered with metal, built-up asphalt, or single ply elastomeric membrane.

3. Farm homes shall be exempt from roofing requirements for maintenance purposes only. New construction, including additions, shall comply with these provisions.

L. Type of Construction - Residential Design Manufactured Homes: Exterior walls of all residential design manufactured homes shall be of brick, stone, wood, stucco, wood shingles, wood shakes, wood siding, wood paneling, wood fiber product paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal or glass.

1. All residential design manufactured homes shall have a minimum of 1200 square feet of main floor area, excluding any attached garage or porch, and the longest exterior dimension of the body shall be not more than 2 2/1 times the shortest exterior dimension.

2. The exterior siding must be of brick, stone, wood, stucco, woos shingles, wood shakes, wood siding, wood panekling, wood fiber product paneling, tile or any combination thereof. Non-masonry siding material shall extend below the top of the exterior foundation or curtain wall and the joint shall be flashed in accordance with the building codes.

3. All residential design manufactured homes shall be installed in accordance with the recommended installation procedures of the manufacturer and city building codes. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. A continuous, permanent masonry or concrete foundation, unpierced except for required ventilation and access shall be installed under the perimeter of the home.

4. The home shall have an attached two car garage.

5. Roofing shall be the same as for single family dwellings as stated in subsection K.

Section 2. Existing Sections Repealed. That existing Sections 3-1, 3-2, 3-3, 3-4, and 3-13 of the supplement known as "Amendment of Leawood Development Ordinance", dated December 16, 1991, are 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 6th day of June, 1994.

Approved by the Mayor the 6th day of June, 1994.

(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. 1414

AN ORDINANCE REZONING PROPERTY (PATRICIAN WOODS, TENTH PLAT) LOCATED AT APPROXIMATELY 126TH AND NALL AVENUE FROM RP-4 (PLANNED CLUSTER RESIDENTIAL) TO REC (PLANNED RECREATION); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

All that part of the SW1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the SW1/4 of said Section 21; thence N 1° 46'51" W, along the West line of the SW1/4 of said Section 21, a distance of 278.96 feet, to the true point of beginning of subject tract; thence continuing N 1° 46'51" W, along the West line of the SW1/4 of the SW1/4 of said Section 21, a distance of 1053.42 feet, to the Northwest corner thereof; thence N 87° 50'14" E, along the North line of the SW1/4 of the SW1/4 of said Section 21, a distance of 873.46 feet, to a point on the Westerly line of Tract E, LEAWOOD FOREST ESTATES, THIRD PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence S 13° 30'09" W, along the Westerly line of said Tract E, a distance of 35.78 feet, to the Southwesterly corner thereof; thence S 63° 36'11" E, along the Southerly line of said Tract E, a distance of 99.33 feet, to the Southeasterly corner thereof, said point also being the Northwesterly corner of Lot 14, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence S 39° 41'48" W, along the Westerly line of said Lot 14, a distance of 113.70 feet, to the Southwesterly corner thereof; thence S 27° 30'20" W, along the Westerly line of Lots 13 and 12 of said Block 5, a distance of 210.13 feet, to the Southwesterly corner of said Lot 12; thence S 32° 51'31" W, along the Westerly line of Lots 11, 10 and 9 of said Block 5, a distance of 294.54 feet, to the most Westerly corner of said Lot 9; thence S 64° 27'01" W, along the Northwesterly line of Lot 8 of said Block 5, a distance of 105.07 feet, to the most Westerly corner thereof; thence S 56° 48'56" W, along the Northwesterly line of lots 7, 6 and 5 of said Block 5, a distance of 318.65 feet, to the most Westerly corner thereof; thence S 49° 56'18" W, along the Northwesterly line of Lots 4 and 3, of said Block 5, a distance of 182.06 feet; thence S 11° 41'57" W, along the Westerly line of said Lot 3, a distance of 150 feet, to the Southwest corner thereof; thence S 88° 13'09" W, along the Westerly extension of the Southerly line of said Lot 3, a distance of 60 feet, to the true point of beginning of subject tract, containing 13.361 acres more or less of unplatted land.

now zoned RP-4, is hereby rezoned to REC.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 16th day of May, 1994.

Approved by the Mayor the 16th day of May, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

5/17/94

Debra Dziadura
Legal Notices Administrator

Subscribed and sworn to before me on this date:
5/17/94

Sharon L. Young
Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $32.72

Ord. 1414

ORDINANCE NO. 1414

First published in The Legal Record, Tuesday, May 17, 1994.

ORDINANCE NO. 1414

AN ORDINANCE REZONING PROPERTY (PATRICIAN WOODS, TENTH PLAT) LOCATED AT APPROXIMATELY 126TH AND NALL AVENUE FROM RP-4 (PLANNED CLUSTER RESIDENTIAL) TO REC (PLANNED RECREATION); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

All that part of the SW1/4 of Section 21, Township 13, Range 25, now in the City of Leawood, Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the SW1/4 of said Section 21; thence N 1° 46'51" W, along the West line of the SW1/4 of said Section 21, a distance of 278.96 feet, to the true point of beginning of subject tract; thence continuing N 1° 46'51" W, along the West line of the SW1/4 of the SW1/4 of said Section 21, a distance of 1053.42 feet, to the Northwest corner thereof; thence N 87° 50'14" E, along the North line of the SW1/4 of the SW1/4 of said Section 21, a distance of 873.46 feet, to a point on the Westerly line of Tract E, LEAWOOD FOREST ESTATES, THIRD PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence S 13° 30'09" W, along the Westerly line of said Tract E, a distance of 35.78 feet, to the Southwesterly corner thereof; thence S 63° 36'11" E, along the Southerly line of said Tract E, a distance of 99.33 feet, to the Southeasterly corner thereof, said point also being the Northwesterly corner of Lot 14, Block 5, PATRICIAN WOODS, SIXTH PLAT, a subdivision of land now in the City of Leawood, Johnson County, Kansas; thence S 39° 41'48" W, along the Westerly line of said Lot 14, a distance of 113.70 feet, to the Southwesterly corner thereof; thence S 27° 30'20" W, along the Westerly line of Lots 13 and 12 of said Block 5, a distance of 210.13 feet, to the Southwesterly corner of said Lot 12; thence S 32° 51'31" W, along the Westerly line of Lots 11, 10 and 9 of said Block 5, a distance of 294.54 feet, to the most Westerly corner of said Lot 9; thence S 64° 27'01" W, along the Northwesterly line of Lot 8 of said Block 5, a distance of 105.07 feet, to the most Westerly corner thereof; thence S 56° 48'56" W, along the Northwesterly line of lots 7, 6 and 5 of said Block 5, a distance of 318.65 feet, to the most Westerly corner thereof; thence S 49° 56'18" W, along the Northwesterly line of Lots 4 and 3, of said Block 5, a distance of 182.06 feet; thence S 11° 41'57" W, along the Westerly line of said Lot 3, a distance of 150 feet, to the Southwest corner thereof; thence S 88° 13'09" W, along the Westerly extension of the Southerly line of said Lot 3, a distance of 60 feet, to the true point of beginning of subject tract, containing 13.361 acres more or less of unplatted land.

now zoned RP-4, is hereby rezoned to REC.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 16th day of May, 1994.

Approved by the Mayor the 16th day of May, 1994.

(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

ORDINANCE NO. 1413

AN ORDINANCE REZONING PROPERTY (TOMAHAWK CREEK APARTMENTS) LOCATED AT APPROXIMATELY 117TH AND TOMAHAWK CREEK PARKWAY FROM AG (AGRICULTURE) TO RP-3 (PLANNED APARTMENT RESIDENTIAL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

A tract of land in the North One-Half of the Southeast Quarter of Section 16, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, being bounded and described as follows: Commencing at the Northeast Corner of said Southeast Quarter; thence South 87° 48′28" West, along the North line of said Southeast Quarter, 689.05 feet; thence South 2° 11′32" East, 127.92 feet to a point on the Westerly line of Tomahawk Creek Parkway, as now established, said point being the True Point of Beginning of the tract to be herein described; thence Southerly along said Westerly line, along a curve to the left, having an initial tangent bearing of South 38° 02′50" West, a radius of 850.00 feet, an arc distance of 350.81 feet; thence South 14° 24′00" West, along said Westerly line, 919.19 feet to a point on the North line of 117th Street, as now established; thence Westerly, along said North line, along a curve to the left, having an initial tangent bearing of North 75° 36′03" West, a radius of 540.00 feet, an arc distance of 155.79 feet; thence South 87° 52′09" West, along said North line, 698.46 feet; thence North 1° 25′45" West, 1252.08 feet; thence North 87° 48′28" East, 1047.35 feet; thence Southeasterly along a curve to the right, tangent to the last described course, having a radius of 310.00 feet, an arc distance of 239.38 feet to the True Point of Beginning. Containing 1,306,800.00 square feet, or 30.00 acres, more or less.

now zoned AG, is hereby rezoned to RP-3.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 16th day of May, 1994.

Approved by the Mayor the 16th day of May, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:
R.S. Wetzler City Attorney

THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper 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:

5/17/94

Legal Notices Administrator

Subscribed and sworn to before me on this date:
5/17/94

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $27.27

d. 1413

ORDINANCE NO. 1413

First published in The Legal Record, Tuesday, May 17, 1994.

ORDINANCE NO. 1413

AN ORDINANCE REZONING PROPERTY (TOMAHAWK CREEK APARTMENTS) LOCATED AT APPROXIMATELY 117TH AND TOMAHAWK CREEK PARKWAY FROM AG (AGRICULTURE) TO RP-3 (PLANNED APARTMENT RESIDENTIAL); DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF LEAWOOD, KANSAS; AND REINCORPORATING SAID ZONING MAP.

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

Section 1. Rezoning of Property. That the real estate hereinafter described, to wit:

A tract of land in the North One-Half of the Southeast Quarter of Section 16, Township 13, Range 25, in the City of Leawood, Johnson County, Kansas, being bounded and described as follows: Commencing at the Northeast Corner of said Southeast Quarter; thence South 87°48'28" West, along the North line of said Southeast Quarter, 689.05 feet; thence South 2°11'32" East, 127.92 feet to a point on the Westerly line of Tomahawk Creek Parkway, as now established, said point being the True Point of Beginning of the tract to be herein described; thence Southerly along said Westerly line, along a curve to the left, having an initial tangent bearing of South 38°02'50" West, a radius of 850.00 feet, an arc distance of 350.81 feet; thence South 14°24'00" West, along said Westerly line, 919.19 feet to a point on the North line of 117th Street, as now established; thence Westerly, along said North line, along a curve to the left, having an initial tangent bearing of North 75°36'03" West, a radius of 540.00 feet, an arc distance of 155.79 feet; thence South 87°52'09" West, along said North line, 698.46 feet; thence North 1°25'45" West, 1252.08 feet; thence North 87°48'28" East, 1047.35 feet; thence Southeasterly along a curve to the right, tangent to the last described course, having a radius of 310.00 feet, an arc distance of 239.38 feet to the True Point of Beginning. Containing 1,306,800.00 square feet, or 30.00 acres, more or less.

now zoned AG, is hereby rezoned to RP-3.

Section 2. Official Zoning Map Amended. That the Director of Planning and Development of the City of Leawood, Kansas, is hereby directed to amend the Official Zoning Map of the City in accordance with the above and foregoing changes in zoning.

Section 3. Reincorporation of Official Zoning Map as Amended. That the Official Zoning Map of the City, as amended by the provisions of this ordinance, is hereby reincorporated and declared to be the Official Zoning Map of the City as provided for and adopted pursuant to the provisions of Section 2-2 of the "Leawood Development Ordinance".

Section 4. 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 16th day of May, 1994.

Approved by the Mayor the 16th day of May, 1994.

(S E A L)

Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.B. Wetzler
R.B. Wetzler City Attorney

$27.27

ORDINANCE NO. 1412

AN ORDINANCE ADOPTING AN AMENDMENT TO THE LEAWOOD, KANSAS, 1993 MASTER DEVELOPMENT PLAN MAP.

WHEREAS, the Plan Commission of the City of Leawood has previously adopted the Master Development Plan Map for the City pursuant to the authority granted by Kansas Statutes; and

WHEREAS, a certified copy of the Master Development Plan Map, adopted by the Plan Commission, was adopted by the Governing Body December 21, 1992; and

WHEREAS, pursuant to K.S.A. 12-747, the Master Development Plan Map adopted by the Plan Commission and any current amendments must be adopted by the Governing Body prior to its becoming effective; and

WHEREAS, a certified copy of the Amendment to the 1993 Master Development Plan Map as adopted by the Plan Commission on April 26, 1994, together with written summary of the Public Hearing thereon, have been submitted to the Governing Body;

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

Section 1. That the Governing Body of the City of Leawood, Kansas, hereby adopts Amendment to the 1993 Master Development Plan Map. The adopted amendment to the 1993 Master Development Plan Map modifies the Plan Map by redesignating a tract, approximately 34.1 acres in size, located at the northwest corner of 117th and Tomahawk Creek Parkway, commonly referred to as the Morgan property, from Office to Medium Density Residential-Apartments.

Section 2. That there is hereby incorporated by reference the above-described amendment to the 1993 Master Development Plan Map, adopted by the Plan Commission of the City of Leawood on April 26, 1994, and adopted by the Governing Body on May 16, 1994, as set forth in Section 1 of this ordinance, such incorporation by reference being authorized by K.S.A. 12-3009 to and including 12-3012. Not less than three (3) copies of this Ordinance, to each of which shall be attached a copy of the Master Development Plan Map, 1993 Amendment, as adopted May 16, 1994, marked as or stamped "Official Copy", shall be filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours.

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 16th day of May, 1994.

Approved by the Mayor the 16th day of May, 1994.

(S E A L)

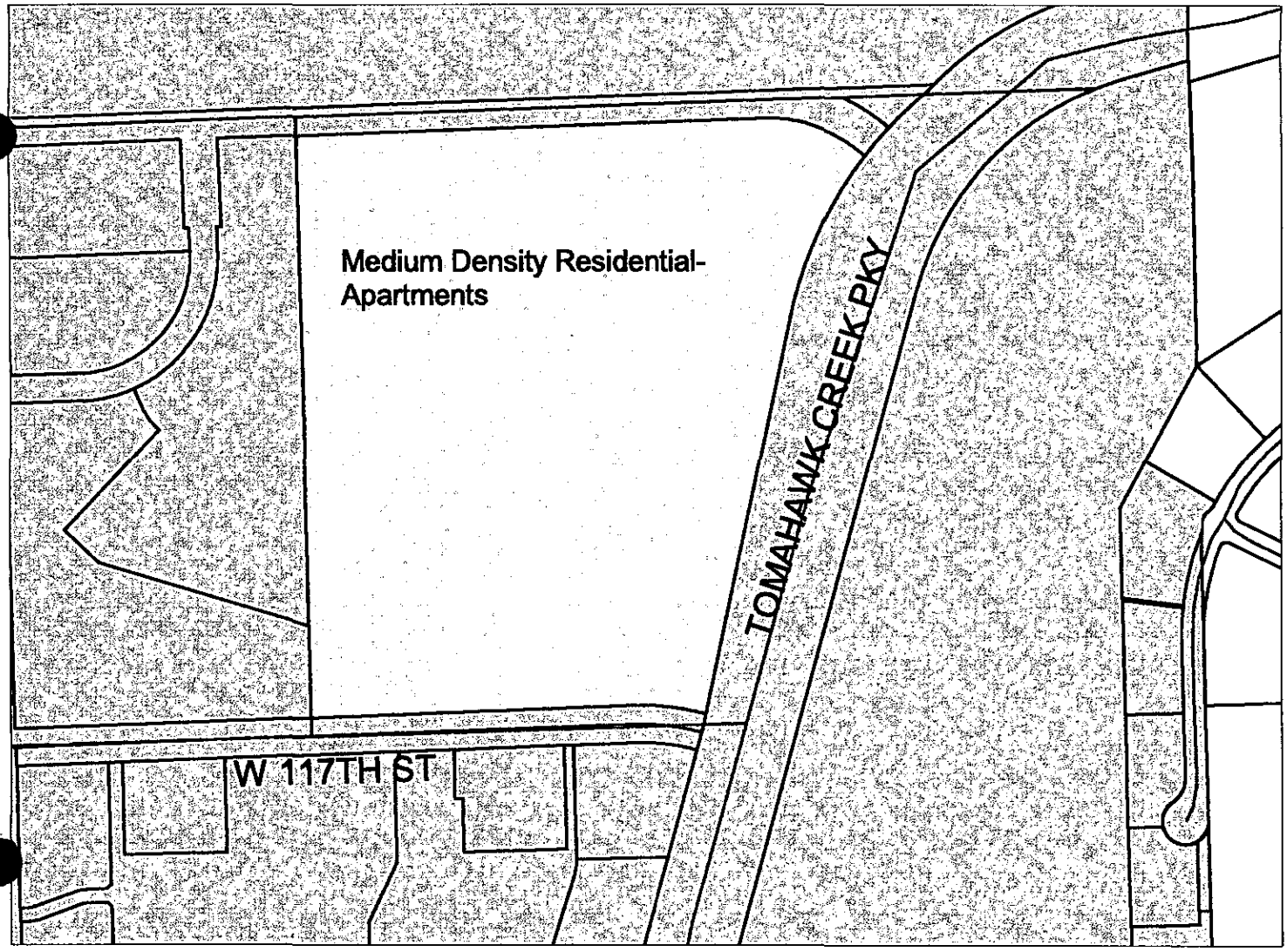
Marcia Rinehart
Marcia Rinehart Mayor

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Wetzler City Attorney

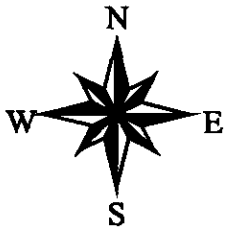


117th and Tomahawk Creek Pky

Original Land Use: Office

Modified Land Use: Medium Density Residential-Apartments

Acreage: 34.1



THE LEGAL RECORD
102 S. Cherry, Suite 2
Olathe, KS 66061 Phone (913) 780-5747

TO:
Martha Heizer
City of Leawood
9617 Lee Blvd.
Leawood KS 66206

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Debra Dziadura, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Administrator of The Legal Record which is a newspaper printed in the State of Kansas, published in Olathe, 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:

5/17/94

Debra Dziadura

Legal Notices Administrator

Subscribed and sworn to before me on this date:
5/17/94

Sharon L. Young

Notary Public

SHARON L. YOUNG
Notary Public - State of Kansas

My appointment expires:
October 11, 1994

Publication Fees: $27.27

1412

$27.27

ORDINANCE NO. 1412

First published in The Legal Record, Tuesday, May 17, 1994.

ORDINANCE NO. 1412

AN ORDINANCE ADOPTING AN AMENDMENT TO THE LEAWOOD, KANSAS, 1993 MASTER DEVELOPMENT PLAN MAP.

WHEREAS, the Plan Commission of the City of Leawood has previously adopted the Master Development Plan Map for the City pursuant to the authority granted by Kansas Statutes; and

WHEREAS, a certified copy of the Master Development Plan Map, adopted by the Plan Commission, was adopted by the Governing Body December 21, 1992; and

WHEREAS, pursuant to K.S.A. 12-747, the Master Development Plan Map adopted by the Plan Commission and any current amendments must be adopted by the Governing Body prior to its becoming effective; and

WHEREAS, a certified copy of the Amendment to the 1993 Master Development Plan Map as adopted by the Plan Commission on April 26, 1994, together with written summary of the Public Hearing thereon, have been submitted to the Governing Body;

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

Section 1. That the Governing Body of the City of Leawood, Kansas, hereby adopts Amendment to the 1993 Master Development Plan Map. The adopted amendment to the 1993 Master Development Plan Map modifies the Plan Map by redesignating a tract, approximately 34.1 acres in size, located at the northwest corner of 117th and Tomahawk Creek Parkway, commonly referred to as the Morgan property, from Office to Medium Density Residential-Apartments.

Section 2. That there is hereby incorporated by reference the above-described amendment to the 1993 Master Development Plan Map, adopted by the Plan Commission of the City of Leawood on April 26, 1994, and adopted by the Governing Body on May 16, 1994, as set forth in Section 1 of this ordinance, such incorporation by reference being authorized by K.S.A. 12-3009 to and including 12-3012. Not less than three (3) copies of this Ordinance, to each of which shall be attached a copy of the Master Development Plan Map, 1993 Amendment, adopted May 16, 1994, marked as or stamped "Official Copy", shall be filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours.

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 16th day of May, 1994.

Approved by the Mayor the 16th day of May, 1994.

Marcia Rinehart
Marcia Rinehart Mayor

(S E A L)

Attest:

Martha Heizer
Martha Heizer City Clerk

APPROVED FOR FORM:

R.S. Watzlef City Attorney