

**CITY OF ROELAND PARK, KANSAS**

**ORDINANCE NO. 817**

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF LANDS BY CONDEMNATION IN CONNECTION WITH THE 2008 SIDEWALK PROGRAM.**

**WHEREAS**, the Governing Body did by Resolution No. 568, adopted on October 15, 2007, declare the necessity to appropriate certain interests in real property for the use of the City of Roeland Park, Kansas, in connection with the 2007 Sidewalk Program, which due to delays is now referred to as the 2008 Sidewalk Program, and authorized a survey and description of the land or interests therein to be condemned by the City to be prepared by the Larkin Group, surveyors and engineers; and

**WHEREAS**, the surveys and descriptions of the lands to be acquired have been completed and filed with the City Clerk; and

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:**

**SECTION 1.** It is hereby authorized and provided that easement interests in the lands hereinafter described be acquired in connection with the 2008 Sidewalk Program, subject to existing easements of record, to-wit:

**TRACT 1**

4908 Sycamore Drive; Owner – Charles B. and Linda A. Mordan

**DESCRIPTION OF ENTIRE TRACT:**

Lot 25, Block 15, ROELAND PARK, a subdivision in the City of Roeland Park, Johnson County, Kansas.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 25, ROELAND PARK BLOCKS 14,15,21-29, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 25; THENCE SOUTH 87°20'42" WEST, ALONG THE SOUTH LINE OF SAID LOT, A DISTANCE OF 15.00 FEET; THENCE NORTH 02°31'22" WEST, A DISTANCE OF 12.00 FEET; THENCE NORTH 87°20'42" EAST, A DISTANCE OF 15.00 FEET, TO A POINT ON THE EAST LINE OF SAID LOT; THENCE ALONG SAID EAST LINE, SOUTH 02°31'22" EAST, A DISTANCE OF 12.00 FEET, TO THE POINT OF BEGINNING.

CONTAINS 180.0 SQUARE FEET OR 0.004 ACRES MORE OR LESS.

**TRACT 2**

4912 Sycamore Drive; Owner – Shirley A. Cookson

**DESCRIPTION OF ENTIRE TRACT:**

Lot 17, Block 15, ROELAND PARK, a subdivision in the City of Roeland Park, Johnson County, Kansas.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 17, ROELAND PARK BLOCKS 10,15-22, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 17; THENCE NORTH 87°20'42" EAST, ALONG THE SOUTH LINE OF SAID LOT, A DISTANCE OF 5.00 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 02°39'18" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 87°20'42" EAST, A DISTANCE OF 16.00 FEET; THENCE SOUTH 02°39'18" EAST, A DISTANCE OF 10.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT; THENCE ALONG SAID SOUTH LINE, SOUTH 87°20'42" WEST, A DISTANCE OF 16.00 FEET, TO THE POINT OF BEGINNING.

CONTAINS 160.0 SQUARE FEET OR 0.004 ACRES MORE OR LESS.

**TRACT 3**

4914 Sycamore Drive; Owner – Laton D. and Nancy Crane

**DESCRIPTION OF ENTIRE TRACT:**

Lot 18, Block 15, ROELAND PARK, a subdivision in the City of Roeland Park, Johnson County, Kansas.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 18, ROELAND PARK BLOCKS 10,15-22, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 18; THENCE NORTH 87°20'42" EAST, ALONG THE SOUTH LINE OF SAID LOT, A DISTANCE OF 5.00 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 02°39'18" WEST, A DISTANCE OF 8.00 FEET; THENCE NORTH 87°20'42" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 02°39'18" EAST, A DISTANCE OF 8.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT; THENCE ALONG SAID SOUTH LINE, SOUTH 87°20'42" WEST, A DISTANCE OF 15.00 FEET, TO THE POINT OF BEGINNING.

CONTAINS 120.0 SQUARE FEET OR 0.003 ACRES MORE OR LESS.

**TRACT 4**

5004 Sycamore Drive; Owner – Kenneth H. and Geraldine S. Anderson

**DESCRIPTION OF ENTIRE TRACT:**

Lot 20, Block 15, ROELAND PARK, a subdivision in the City of Roeland Park, Johnson County, Kansas, according to the recorded plat thereof.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 20, ROELAND PARK BLOCKS 10,15-22, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 20; THENCE NORTH 02°39'18" WEST, ALONG THE WEST LINE OF SAID LOT, A DISTANCE OF 17.02 FEET; THENCE NORTH 86°20'54" EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 02°39'18" EAST, A DISTANCE OF 17.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT; THENCE ALONG SAID SOUTH LINE, ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE LAST DESCRIBED COURSE, HAVING AN INITIAL TANGENT BEARING OF SOUTH 87°46'43" WEST, A RADIUS OF 489.02 FEET, AN ARC DISTANCE OF 25.01 FEET, TO THE POINT OF BEGINNING.

CONTAINS 423.0 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

**TRACT 5**

5216 Sycamore Drive; Owner -- Charles G. Heter

**DESCRIPTION OF ENTIRE TRACT:**

Lot 19, Block 12, ROELAND PARK of Blocks 10, 11, 12 and 13, a subdivision in the City of Roeland Park, Johnson County, Kansas.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**PERMANENT EASEMENT:**

ALL THAT PART OF LOT 19, ROELAND PARK BLOCKS 10,11,12,13, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 19; THENCE ALONG THE WEST LINE OF SAID LOT, NORTH 45°22'12" WEST, A DISTANCE OF 8.00 FEET; THENCE NORTH 85°54'39" EAST, A DISTANCE OF 10.55 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT; THENCE ALONG SAID SOUTH LINE, ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE LAST DESCRIBED COURSE, HAVING AN INITIAL TANGENT BEARING OF SOUTH 37°15'17" WEST, A RADIUS OF 1940.56 FEET, AN ARC DISTANCE OF 7.99 FEET; TO THE POINT OF BEGINNING.

CONTAINS 32.0 SQUARE FEET OR 0.001 ACRES MORE OR LESS.

**TRACT 6**

5507 Roeland Drive; Owner – James D. Fulton Revocable Trust

DESCRIPTION OF ENTIRE TRACT:

Lot 41, Block 14, ROE MANOR HEIGHTS, a subdivision in Roeland Park, Johnson County, Kansas.

DESCRIPTION OF INTERESTS TO BE ACQUIRED:

TEMPORARY CONSTRUCTION EASEMENT:

ALL THAT PART OF LOT 41, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 41; THENCE ALONG THE WEST LINE OF SAID LOT, ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 39°53'39" WEST, A RADIUS OF 1523.06 FEET, AN ARC DISTANCE OF 43.33 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, ALONG A CURVE TO THE LEFT, SAID CURB HAVING A RADIUS OF 1523.06 FEET, AN ARC DISTANCE OF 27.00 FEET; THENCE NORTH 47°39'29" EAST, A DISTANCE OF 13.81 FEET; THENCE SOUTH 41°39'28" EAST, A DISTANCE OF 27.00 FEET; THENCE SOUTH 47°39'29" WEST, A DISTANCE OF 13.63 FEET, TO THE POINT OF BEGINNING.

CONTAINS 369.0 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

PERMANENT EASEMENT:

ALL THAT PART OF LOT 41, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 41; THENCE SOUTH 44°49'46" EAST, ALONG THE WEST LINE OF SAID LOT, A DISTANCE OF 23.74 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 45°10'14" EAST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 44°21'37" EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 45°10'14" WEST, A DISTANCE OF 3.00 FEET, TO A POINT ON THE WEST LINE OF SAID LOT, THENCE ALONG SAID WEST LINE, ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE LAST DESCRIBED COURSE, HAVING AN INITIAL TANGENT BEARING OF NORTH 43°53'20" WEST, A RADIUS OF 1523.06 FEET, AN ARC DISTANCE OF 25.01 FEET, TO THE POINT OF BEGINNING.

CONTAINS 74.0 SQUARE FEET OR 0.001 ACRES MORE OR LESS.

**TRACT 7**

5213 Rosewood Drive; Owner – Jessica Deuschle

**DESCRIPTION OF ENTIRE TRACT:**

Lot 1, Block 15, ROELAND PARK, a subdivision in the City of Roeland Park, Johnson County, Kansas.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**PERMANENT EASEMENT:**

ALL THAT PART OF LOT 1, ROELAND PARK BLOCKS 13-15, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE WEST LINE OF SAID LOT, NORTH 37°15'08" WEST, A DISTANCE OF 7.00 FEET; THENCE SOUTH 84°34'11" EAST, A DISTANCE OF 10.87 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT; THENCE ALONG SAID SOUTH LINE, SOUTH 55°23'49" WEST, A DISTANCE OF 8.00 FEET; TO THE POINT OF BEGINNING.

CONTAINS 28.0 SQUARE FEET OR 0.001 ACRES MORE OR LESS.

**TRACT 8**

5312 Rosewood Drive; Owner – Terry L. and Dorothy J. Harvey

**DESCRIPTION OF ENTIRE TRACT:**

Lot 6, Block 25, Roeland Park, a subdivision in the City of Roeland Park, Johnson County, Kansas.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 6, ROELAND PARK BLOCKS 14,15,21-29, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE ALONG THE NORTH LINE OF SAID LOT, ALONG A CURVE TO THE RIGHT, NON-TANGENT TO THE LAST DESCRIBED COURSE, HAVING AN INITIAL TANGENT BEARING OF SOUTH 51°50'50" EAST, A RADIUS OF 1143.83 FEET, AN ARC DISTANCE OF 19.01 FEET; THENCE SOUTH 37°34'20" WEST, A DISTANCE OF 7.00 FEET; THENCE NORTH 51°22'15" WEST, A DISTANCE OF 19.00 FEET; THENCE NORTH 37°30'57" EAST, A DISTANCE OF 7.00 FEET, TO THE POINT OF BEGINNING.

CONTAINS 146.0 SQUARE FEET OR 0.003 ACRES MORE OR LESS.

**TRACT 9**

5200 Rosewood Drive; Owner – Patricia A. Rendina

DESCRIPTION OF ENTIRE TRACT:

Lot 12, Block 13, Roeland Park, a subdivision in the City of Roeland Park, Johnson County, Kansas, according to the recorded plat thereof.

DESCRIPTION OF INTERESTS TO BE ACQUIRED:

TEMPORARY CONSTRUCTION EASEMENT:

TEMPORARY CONSTRUCTION EASEMENT:

ALL THAT PART OF LOT 12, ROELAND PARK BLOCKS 13-15, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT (A):

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 12; THENCE ALONG THE EAST LINE OF SAID LOT, ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE LAST DESCRIBED COURSE, HAVING AN INITIAL TANGENT BEARING OF SOUTH 31°56'54" EAST, A RADIUS OF 888.04 FEET, AN ARC DISTANCE OF 17.00 FEET; THENCE SOUTH 57°41'02" WEST, A DISTANCE OF 7.11 FEET; THENCE NORTH 32°26'23" WEST, A DISTANCE OF 17.23 FEET, TO A POINT ON THE NORTH LINE OF SAID LOT; THENCE ALONG SAID NORTH LINE, NORTH 59°36'26" EAST, A DISTANCE OF 7.10 FEET, TO THE POINT OF BEGINNING.

CONTAINS 121.0 SQUARE FEET OR 0.002 ACRES MORE OR LESS.

TRACT (B):

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 12; THENCE ALONG THE SOUTH LINE OF SAID LOT, SOUTH 49°14'15" WEST, A DISTANCE OF 9.00 FEET; THENCE NORTH 36°42'34" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 51°51'24" EAST, A DISTANCE OF 9.14 FEET, TO A POINT ON THE EAST LINE OF SAID LOT; THENCE ALONG SAID EAST LINE, ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE LAST DESCRIBED COURSE, HAVING AN INITIAL TANGENT BEARING OF SOUTH 35°36'25" EAST, A RADIUS OF 888.04 FEET, AN ARC DISTANCE OF 14.59 FEET, TO THE POINT OF BEGINNING.

CONTAINS 134.0 SQUARE FEET OR 0.003 ACRES MORE OR LESS.

**TRACT 10**

5543 Roeland Drive; Owner – Kristin Barker

**DESCRIPTION OF ENTIRE TRACT:**

All of that part of Lot "C", Block 14, ROE MANOR HEIGHTS, a subdivision in the City of Roeland Park, Johnson County, Kansas, according to the recorded plat thereof, lying North of a line drawn from a point in the Easterly line of said lot which is 20 feet South, measured along said Easterly line, from the Northwest corner of said lot to a point in the Westerly line of said lot which is 44.66 feet Southerly, measured along said Westerly lot line from the Northwest corner of said lot.

AND

All of that part of Lot 45, Block 14, ROE MANOR HEIGHTS, a subdivision in Roeland Park, Johnson County, Kansas, according to the recorded plat thereof, lying South of a line drawn from a point in the Westerly line of said lot which is 24 feet Northerly measured along the said Westerly line, from the Southwest corner of said lot to a point in the Easterly line of said lot which is 43.44 feet Northerly, measured along said Easterly line from the Southeast corner of said lot, and all that part of Lot "C", Block 14, in said subdivision lying North of a line drawn from a point in the Easterly line of said lot which is 20 feet Southerly, measured along said Easterly line from the Northeast corner of said lot to a point in the Westerly line of said lot, which is 44.66 feet Southerly measured along said Westerly line from the Northwest corner of said lot.

Commonly Known as 5543 Roeland Drive.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

A TRACT OF LAND BEING A PART OF LOT 45, AND ALL THAT PART OF LOT C, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 45; THENCE ALONG THE WESTERLY LINE OF SAID LOT, NORTH 30°23'47" EAST, A DISTANCE OF 6.25 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE, ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE LAST DESCRIBED COURSE, HAVING AN INITIAL TANGENT BEARING OF NORTH 30°23'47" WEST, A RADIUS OF 1523.06 FEET, AN ARC DISTANCE OF 5.51 FEET; THENCE NORTH 59°04'30" EAST, A DISTANCE OF 9.88 FEET; THENCE SOUTH 32°08'30" EAST, A DISTANCE OF 20.24 FEET; THENCE SOUTH 60°26'01" WEST, A DISTANCE OF 10.49 FEET, TO A POINT ON THE WESTERLY LINE OF SAID TRACT; THENCE ALONG SAID WESTERLY LINE; NORTH 30°07'26" WEST, A DISTANCE OF 8.23 FEET, TO THE POINT OF BEGINNING.

CONTAINS 205.0 SQUARE FEET OR 0.001 ACRES MORE OR LESS.

**TRACT 11**

5545 Roeland Drive; Owner – Loren R. Green, Jr. and Raylene J. Stewart-Green

**DESCRIPTION OF ENTIRE TRACT:**

The North 95 feet of that part of Lot "C", Block 14, ROE MANOR HEIGHTS, a subdivision in the City of Roeland Park, Johnson County, Kansas, lying South and adjacent to Lot 45, Block 14, in said subdivision, as measured at right angles to the South line of said Lot 45, except that part of said premises lying North of a line drawn from a point in the Easterly line of said Lot "C", which is 20 feet Southerly, measured along said Easterly line from the Northeast corner of said Lot to a point in the Westerly line of said lot, which is 44.66 feet Southerly, measured along said Westerly line from the Northwest corner of said lot, except that part of streets and roads.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT C, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 47, BLOCK 14, ROE MANOR HEIGHTS; THENCE ALONG THE WESTERLY LINE OF SAID LOT C, ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 32°45'05" WEST, A RADIUS OF 1103.96 FEET, AN ARC DISTANCE OF 25.04 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY LINE, ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1103.96 FEET, AN ARC DISTANCE OF 16.00 FEET; THENCE NORTH 57°54'43" EAST, A DISTANCE OF 9.76 FEET; THENCE SOUTH 32°07'43" EAST, A DISTANCE OF 16.00 FEET; THENCE SOUTH 57°54'43" WEST, A DISTANCE OF 10.07 FEET, TO THE POINT OF BEGINNING.

CONTAINS 159.0 SQUARE FEET OR 0.001 ACRES MORE OR LESS.

**PERMANENT EASEMENT:**

ALL THAT PART OF LOT C, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 47, BLOCK 14, ROE MANOR HEIGHTS; THENCE ALONG THE WESTERLY LINE OF SAID LOT C, ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 32°45'05" WEST, A RADIUS OF 1103.96 FEET, AN ARC DISTANCE OF 19.55 FEET; THENCE NORTH 57°18'05" EAST, A DISTANCE OF 3.95 FEET; THENCE SOUTH 33°05'26" EAST, A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID LOT

47; THENCE ALONG SAID NORTHERLY LINE, SOUTH 87°14'56" WEST, A DISTANCE OF 4.91 FEET, TO THE POINT OF BEGINNING.

CONTAINS 86.0 SQUARE FEET OR 0.001 ACRES MORE OR LESS.

**TRACT 12**

5555 Roeland Drive; Owner – Delphine Makepeace

**DESCRIPTION OF ENTIRE TRACT:**

Lot 47, Block 14, ROE MANOR HEIGHTS, a subdivision in Roeland Park, Johnson County, Kansas.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 47, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 47; THENCE ALONG THE WESTERLY LINE OF SAID LOT, ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 32°45'05" EAST, A RADIUS OF 1103.96 FEET, AN ARC DISTANCE OF 47.79 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 52°51'31" EAST, A DISTANCE OF 15.64 FEET; THENCE SOUTH 35°34'30" EAST, A DISTANCE OF 21.51 FEET; THENCE SOUTH 52°51'31" WEST, A DISTANCE OF 15.56 FEET, TO A POINT ON THE WESTERLY LINE OF SAID LOT; THENCE ALONG SAID WESTERLY LINE, ALONG A CURVE TO THE RIGHT, NON-TANGENT TO THE LAST DESCRIBED COURSE, HAVING AN INITIAL TANGENT BEARING OF NORTH 36°20'53" WEST, A RADIUS OF 1103.96 FEET, AN ARC DISTANCE OF 21.51 FEET, TO THE POINT OF BEGINNING.

CONTAINS 336.0 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

**PERMANENT EASEMENT:**

ALL THAT PART OF LOT 47, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 47; THENCE ALONG THE WEST LINE OF SAID LOT, NORTH 38°34'27" WEST, A DISTANCE OF 10.00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 38°28'58" WEST, A DISTANCE OF 12.21 FEET; THENCE NORTH 51°59'40" EAST, A DISTANCE OF 2.98 FEET; THENCE SOUTH 38°34'26" EAST, A DISTANCE OF 12.07 FEET, TO A POINT ON THE NORTH LINE OF A 10 FEET DRAINAGE EASEMENT, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE ALONG SAID NORTH LINE, SOUTH 49°21'43" WEST, A DISTANCE OF 3.00 FEET, TO THE POINT OF BEGINNING.

CONTAINS 36.0 SQUARE FEET OR 0.001 ACRES MORE OR LESS.

**TRACT 13**

5601 Roeland Drive; Owner – Stephen R. Fisher

DESCRIPTION OF ENTIRE TRACT:

Lot 48, Block 14, ROE MANOR HEIGHTS, a subdivision in Roeland Park, Johnson County, Kansas.

DESCRIPTION OF INTERESTS TO BE ACQUIRED:

TEMPORARY CONSTRUCTION EASEMENT:

ALL THAT PART OF LOT 48, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 48; THENCE ALONG THE WESTERLY LINE OF SAID LOT, SOUTH 38°34'27" EAST, A DISTANCE OF 2.29 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 51°13'13" EAST, A DISTANCE OF 13.48 FEET; THENCE SOUTH 38°46'47" EAST, A DISTANCE OF 23.00 FEET; THENCE SOUTH 51°13'13" WEST, A DISTANCE OF 13.56 FEET, TO A POINT ON THE WESTERLY LINE OF SAID LOT; THENCE ALONG SAID WESTERLY LINE, NORTH 38°34'27" WEST, A DISTANCE OF 23.00 FEET, TO THE POINT OF BEGINNING.

CONTAINS 311.0 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

**TRACT 14**

5607 Roeland Drive; Owner – Martha Hunt, as Trustee under certain Trust Agreement, dated November 20, 1987

**DESCRIPTION OF ENTIRE TRACT:**

Lot 49, Block 14, ROE MANOR HEIGHTS, a subdivision of ground located in Roeland Park, Johnson County, Kansas, according to recorded plat thereof.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 49, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 49; THENCE ALONG THE WESTERLY LINE OF SAID LOT, SOUTH 38°34'27" EAST, A DISTANCE OF 7.10 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 49°50'43" EAST, A DISTANCE OF 9.73 FEET; THENCE SOUTH 38°46'47" EAST, A DISTANCE OF 13.00 FEET; THENCE SOUTH 49°50'43" WEST, A DISTANCE OF 9.78 FEET, TO A POINT ON THE WESTERLY LINE OF SAID LOT; THENCE ALONG SAID WESTERLY LINE, NORTH 38°34'27" WEST, A DISTANCE OF 13.00 FEET, TO THE POINT OF BEGINNING.

CONTAINS 127.0 SQUARE FEET OR 0.001 ACRES MORE OR LESS.

**TRACT 15**

5619 Roeland Drive; Owner – Steven A. and Lisa D. Finkemeier

**DESCRIPTION OF ENTIRE TRACT:**

Lot 51, Block 14, ROE MANOR HEIGHTS, a subdivision in the City of Roeland Park, Johnson County, Kansas, according to recorded plat thereof.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 51, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 51; THENCE ALONG THE NORTHERLY LINE OF SAID LOT, NORTH 51°14'03" EAST, A DISTANCE OF 13.21 FEET; THENCE SOUTH 38°46'52" EAST, A DISTANCE OF 30.57 FEET; THENCE SOUTH 51°13'13" WEST, A DISTANCE OF 13.32 FEET, TO A POINT ON THE WESTERLY LINE OF SAID LOT; THENCE ALONG SAID WESTERLY LINE, NORTH 38°34'27" WEST, A DISTANCE OF 30.57 FEET, TO THE POINT OF BEGINNING.

CONTAINS 405.0 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

**TRACT 16**

5623 Roeland Drive; Owner – Clinton M. and Laurie A. Jewell

**DESCRIPTION OF ENTIRE TRACT:**

Lot 52, Block 14, ROE MANOR HEIGHTS, a subdivision in the City of Roeland Park, Johnson County, Kansas.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 52, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 52; THENCE ALONG THE WESTERLY LINE OF SAID LOT, SOUTH 38°34'27" EAST, A DISTANCE OF 4.35 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 50°47'35" EAST, A DISTANCE OF 16.98 FEET; THENCE SOUTH 38°46'47" EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 50°47'35" WEST, A DISTANCE OF 17.07 FEET, TO A POINT ON THE WESTERLY LINE OF SAID LOT; THENCE ALONG SAID WESTERLY LINE, NORTH 38°34'27" WEST, A DISTANCE OF 25.00 FEET, TO THE POINT OF BEGINNING.

CONTAINS 426.0 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

**TRACT 17**

5629 Roeland Drive; Owner – Ryan S. Kellerman

**DESCRIPTION OF ENTIRE TRACT:**

Lot 53, Block 14, ROE MANOR HEIGHTS, a subdivision in the City of Roeland Park, Johnson County, Kansas.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 53, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 53; THENCE ALONG THE WESTERLY LINE OF SAID LOT, SOUTH 38°34'27" EAST, A DISTANCE OF 3.83 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 51°28'49" EAST, A DISTANCE OF 15.23 FEET; THENCE SOUTH 38°46'47" EAST, A DISTANCE OF 26.00 FEET; THENCE SOUTH 51°28'49" WEST, A DISTANCE OF 15.32 FEET, TO A POINT ON THE WESTERLY LINE OF SAID LOT; THENCE ALONG SAID WESTERLY LINE, NORTH 38°34'27" WEST, A DISTANCE OF 26.00 FEET, TO THE POINT OF BEGINNING.

CONTAINS 397.0 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

**TRACT 18**

5635 Roeland Drive; Owner – Michael H. and Katherine A. Muenks

**DESCRIPTION OF ENTIRE TRACT:**

Lot 54, Block 14, ROE MANOR HEIGHTS, a subdivision in the City of Roeland Park, Johnson County, Kansas.

**DESCRIPTION OF INTERESTS TO BE ACQUIRED:**

**TEMPORARY CONSTRUCTION EASEMENT:**

ALL THAT PART OF LOT 54, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 54; THENCE ALONG THE WESTERLY LINE OF SAID LOT, SOUTH 38°34'27" EAST, A DISTANCE OF 2.79 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 51°13'13" EAST, A DISTANCE OF 10.97 FEET; THENCE SOUTH 38°46'47" EAST, A DISTANCE OF 25.55 FEET; THENCE SOUTH 51°13'13" WEST, A DISTANCE OF 11.06 FEET, TO A POINT ON THE WESTERLY LINE OF SAID LOT; THENCE ALONG SAID WESTERLY LINE, NORTH 38°34'27" WEST, A DISTANCE OF 25.55 FEET, TO THE POINT OF BEGINNING.

CONTAINS 282.0 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

**TRACT 19**

5641 Roeland Drive; Owner – Robert Shane and Tarin Dean Bell

DESCRIPTION OF ENTIRE TRACT:

Lot 55, Block 14, ROE MANOR HEIGHTS, a subdivision in the City of Roeland Park, Johnson County, Kansas, according to the recorded plat thereof.

DESCRIPTION OF INTERESTS TO BE ACQUIRED:

TEMPORARY CONSTRUCTION EASEMENT:

TEMPORARY CONSTRUCTION EASEMENT:

ALL THAT PART OF LOT 55, BLOCK 14, ROE MANOR HEIGHTS, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 12, RANGE 25, IN THE CITY OF ROELAND PARK, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT (A):

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 55; THENCE ALONG THE WESTERLY LINE OF SAID LOT, SOUTH 38°34'27" EAST, A DISTANCE OF 2.06 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 51°56'55" EAST, A DISTANCE OF 13.39 FEET; THENCE SOUTH 41°00'04" EAST, A DISTANCE OF 25.76 FEET; THENCE SOUTH 50°27'37" WEST, A DISTANCE OF 14.48 FEET, TO A POINT ON THE WESTERLY LINE OF SAID LOT; THENCE ALONG SAID WESTERLY LINE, NORTH 38°34'27" WEST, A DISTANCE OF 26.10 FEET, TO THE POINT OF BEGINNING.

CONTAINS 361.0 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

AND ALSO

TRACT (B):

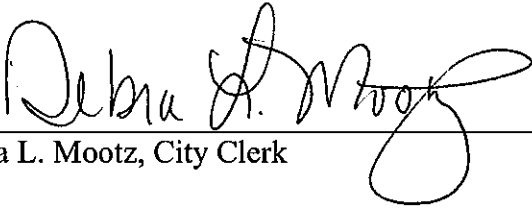
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 55; THENCE ALONG THE WESTERLY LINE OF SAID LOT, NORTH 38°34'27" WEST, A DISTANCE OF 25.00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY LINE, NORTH 38°34'27" WEST, A DISTANCE OF 5.45 FEET; THENCE NORTH 51°25'33" EAST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 38°24'31" EAST, A DISTANCE OF 5.07 FEET, TO A POINT ON THE NORTHERLY LINE OF A 25 FEET DRAINAGE EASEMENT, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE ALONG SAID NORTHERLY LINE, SOUTH 47°04'13" WEST, A DISTANCE OF 5.00 FEET, TO THE POINT OF BEGINNING.

CONTAINS 26.0 SQUARE FEET OR 0.001 ACRES MORE OR LESS.

**SECTION 2.** It is further authorized and provided that, as soon as practicable after the passage of this ordinance, action be initiated to exercise the power of eminent domain in accordance with K.S.A. 26-501 *et seq.*, the Eminent Domain Procedure Act, the condemn all lands and interest therein hereinbefore described, subject to existing easements of record.

**SECTION 3.** This Ordinance shall take effect upon its publication in the official City newspaper.

**PASSED** by the City Council this 7<sup>th</sup> day of July, 2008. **APPROVED** by the Mayor.



Debra L. Mootz, City Clerk

  
Steve Petrehn, Mayor  
Neil R. Shortlidge, City Attorney