COVER SHEET

# OF DOCUMENT: Resolution No. 17-1069 (Benefit District Boundaries) 

DATE OF DOCUMENT: October 17, 2017

GRANTOR (S):

GRANTEE (S):

LEGAL DESCRIPTION: See Resolution No. 17-1069

AFTER RECORDING RETURN TO:
CITY CLERK'S OFFICE CITY OF OLATHE
PO BOX 768
OLATHE, KS 66051

## EXCERPT OF MINUTES OF A MEETING <br> OF THE GOVERNING BODY OF <br> THE CITY OF OLATHE, KANSAS <br> HELD ON October 17, 2017

The governing body met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

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Present: Mayor Cupeland, Councilmembers Mccoy, Vogt, Randail, Bacen, Campbell
    and Reckerian.
Absent: Tone
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The Mayor declared that a quorum was present and called the meeting to order.

## (Other Proceedings)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 et seq.

Thereupon, there was presented a Resolution entitled:

> A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF OLATHE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS.

Thereupon, Councilmember Randall moved that said Resolution be adopted. The motion was seconded by Councilmember Bacon . Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: Mccoy, Randall, Vagt, Copeland, Ryakmon, Baxen and Campell.
Nay: Hone
Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 17 -1069 and was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Johnson County, Kansas, all as required by law.

On motion duly made, seconded and carried, the meeting thereupon adjourned.

## CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Olathe, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.
(SEAL)

(Published in the Olathe News on $\qquad$ , 2017)

RESOLUTION NO. 17-1069


#### Abstract

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF OLATHE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS.


#### Abstract

WHEREAS, a petition (the "Petition") was filed with the City Clerk of the City of Olathe, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City-at-large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 et seq.; and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by $100 \%$ of the owners of record in the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of K.S.A. 12-6a01 et seq. (the "Act").

\section*{THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:}


Section 1. Findings of Advisability. The governing body hereby finds and determines that:
(a) It is advisable to make the following improvements, and hereby authorizes and orders the following improvements to be made in accordance with K.S.A. 12-6a01 et seq:

The construction of Lindenwood Drive at $167^{\text {th }}$ Street to 2,610 North, including grading, storm sewer construction, street lighting, pavement, curb and sidewalk construction
(collectively, the "Improvements").
(b) The estimated or probable cost of the proposed Improvements is:

Three million, two hundred twenty-four thousand, three hundred and nine dollars and sixteen cents (\$3,224,309.16)
(the "Improvement Costs").
(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

See Exhibit A attached hereto.
(d) The method of assessment is:

Equally per square foot located in the Improvement District.
(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is:

One hundred percent $(100 \%)$ to be assessed against the Improvement District and no costs $(0 \%)$ to be paid by the City-at-large.

Section 2. Authorization of Improvements. The above said Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in Section 1 of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Johnson County, Kansas.

ADOPTED by the governing body of the City on OCT 1 'T, 2017.
(SEAL)
ATTEST:


By: Emig Cheren
Title: City Cterk

## EXHIBIT A

Legal Description of Improvement District

Beneffl District Boundary
All that parl of Southeast Quarter and Southwest Quarter of Section 1B, T14S, R24E of the Sixth Principal Meridian, in the City of Olathe, Johnson County, Kansas, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of said Section 18; thence on Kansas State Plane. North Zone. NAD 83 bearings, North $04^{4} 41^{\prime} 02^{\text {n }}$ West along the West line of sarid Southeast Quarter, a distance of 113.96 feet to a point on the North right-of-way line of $167^{\text {th }}$ Street, as it now exists, sald point also being the POINT OF BEGINNING; thence South $82^{\prime 2} 21^{\prime \prime} 21^{\circ}$ West, along the North right-ofway fine of said $167^{\text {th }}$ Street, a distance of 47,10 feet to a point on the East line of Tract "D". SADDLEBROOK OF CEDAR RIDGE PARK, SECOND PLAT, a subdiviston in the City of Olathe, Johnson County, Kansas; thence North $06^{\circ} 42^{\prime 2} 24^{\prime \prime}$ East, along said East line, a distance of 100.80 feet; thence northerly, continuing along said East line, along a curve to the left having a radius of 200 feat, for a distance of 29.29 feet; thence North $01^{\circ} 41^{\prime} 02^{\prime \prime}$ West, continuing along said East line, a distance of 193.84 fees to the Northeast corner of said Tract "D"; thence South $89^{\circ} 40000$ " West, along the North line of said Tract "D" and Lots 92 through 89, SADDLEBROOK OF CEDAR RIDGE PARK, SECOND PLAT, a distance of 329.48 teet to the Northwest corner of said Lot 89; thence North $18^{\circ \prime} 15^{\circ} 00^{\prime \prime}$ West, along the East line of Lots 86 and 85 , SADDLEERROOK OF CEDAR RIDGE PARK, SECOND PLAT, a distance of 96.11 feet to the Northeast corner of said Lot 85; thence North $00^{\circ} 45^{\prime} 00^{\prime \prime}$ East, along the East line of Lol 84, SADDLEBROOK OF CEDAR RIDGE PARK SECOND PLAT, a distance of 72.02 Feet to the Northeast corner of said Lot 84; thence North $08^{\circ} 56^{\prime 2} 20^{\prime \prime}$ East, alone the East line of Lots 83 and 82 , SADDL EBROOK OF CEDAR RIDGE PARK, SECOND PLAT, a distance of 140.18 feet to the Northeast corner of said Lot B2; thence North $20^{\circ} 45^{\prime} 00^{*}$ East, along the East line of Lot 81, SADOLEBROOK OF CEDAR RIDGE PARK. SECOND FLAT, a distance of 47,16 feet; thence North $03^{\circ} 36^{\circ} 00^{\prime \prime}$ East, along the East line of Lois 81 and 80 , SADOLEBROOK OF CEDAR RIDGE FARK. SECOND PLAT, a distence of 70.80 feet; thence North $03^{\circ} 577^{\circ} 00^{5}$ West, aldong the East line of Lots 80 and 79. SADDLEBROOK OF CEDAR RIDGE PARK SECOND PLAT, a distance of 134,59 feet to the Nurtheasl cromer of said Loi 79 ; thence Norh $15^{4} 55^{\prime} 04^{\prime \prime}$ West, along the East line of Lot 76. SADDLEBROOK OF CEDAR RIDGE PARK, SECOND PLAT, a distance of 64.29 feet, thence North 19 $20^{\prime} 00^{\circ}$ West, continuing along said East line, a distance of 13.92 feet to the Northeast corner of said Lot 78 , said point also the Southeast corner of Lot 27. STONEBRIDGE MEADOWS, $1^{\text {st }}$ Plat, a subdivision in the City of Olathe, Johnson County, Kansas; thence North $19^{\circ} 20^{\circ} 00^{\circ}$ West, along the East line of Lots 27 and 26, STONEBRIDGE MEADOWS, $1^{\text {st }}$ Plat, a distance of 146.00 feet to the Northeast corner of said Lot 26; thence North $18^{\circ} 12^{\prime 2} 00^{\prime \prime}$ West, along the East line of Lot 25, STONEBRIDGE MEADOWS, $1{ }^{4}$ Plat, a distance of 71.74 feet io the Northeast corner of said Lol 25; thence North $13^{\circ} 36^{\circ} 70^{\prime \prime}$ West, along the East line of Lot 24, STONEBRIDGE MEADOWS. 13 $^{1}$ Plat, a distance of 71.19 feet to the Northast corner of said Lot 24; thence North $08^{\circ} 06^{\circ} 00^{\prime \prime}$ West, along the East line of Lot 23, STONEBRIDGE MEADOWS, $1^{\text {al }}$ Plat, a distance of 91.19 leet to the Northeast corner of sald Lot 23, said point also being on the South right-of-way $\|$ Ine of $165^{1 / 4}$ Street, as il now exists; thence North $04^{\circ} 00^{\circ} 43^{\prime \prime}$ Wesl, a dislance of 60.08 feet to a point on the North pight-of-way line of said 165 ${ }^{\text {th }}$ Sireel, said point also being the Southeast corner of Lot 22. STONEERIDGE MEADOWS. 1 If Plat; thence North 00 ${ }^{\circ} 1^{1000 " E a s t, ~ a l o n g ~ t h e ~ E a s t ~ l i n e ~ o f ~ s a i d ~ L o t ~ 22 . ~ a ~}$ distance of 82.83 feel to the Northeast corner of said Lot 22 ; thence North $87^{\circ} 11^{100}$ " West, along the North line of said Lol 22 and its westerly prolongation, a distance of 169.90 feet to a point on the West right-of-way line of Parkwood Street, as il now exists; thence southerly, along the West right-of-way line of said of Parkwood Streel, along a curve to the left hawing an intitial tangent bearing of South $02^{\circ} 49^{\prime} 0^{\prime \prime}$ West and a radius of 1,025 feet, for a distance of 11.36 feet to the Northeast comer of Lot 21. STONEBRIDGE MEADOWVS. 15 Plat; lhence North $87^{\circ} 49^{\prime \prime} 06^{\prime \prime}$ West, along the North line of said Lot 21. a distance of 14016 feet to the Northwest corner of said Lot 21; thence North $49^{\circ} 366^{\prime} 00^{\prime \prime}$ West, along the Northasasterly line of Lows 20 through 18. STONEBRIDGE MEADOWS, 181 Plat, a distance of 195.37 feet to the North corner of sald Lot 18; thence North $38^{\circ} 24^{\circ}$ O0" West, alorg the Northeasterty line of Lots 17 and 16. STONEBRIDGE MEADOWS, fal Plat, a distance of 134.42 feet to the Northerly corner of said Lot 16: thence North $14^{\circ} 51^{\prime}$ DO" West, along the East line of Lots 15 anc 14, STONEBRIDGE MEADOWS, $1=$ Plat, a distance of 192.4 s feet to the Northeast carner of said Lot 14; thence South $87^{\circ} 07^{\circ} 08^{*}$ Westh, along the Nerth line of said Lot 14, a distance of 38.54 feer to the Southesst corner of Lat 48. STONEGRIDGE MEADOWS, willat; thence North $16^{\prime \prime} 08^{\prime} 24^{\prime \prime}$ West, along the East line of said Lot 48 and its northerly prolongation, a distance of 187.02 feet to a point on the Northwesteily right-of-way line of $184^{\text {th }}$ Terrace.
as it now exists; thence southwesterly, along the Northwesterly right-of-way line of said 164 ${ }^{\text {n }}$ Terrace. atong a curve to the left having an initial tangemt bearing of South 73 $5134^{\prime \prime}$ West and a radius of 325 feet, for a cistance of 15.16 feel to the Southeast carner of Lot 47 . STONEBRIDGE MEADOWIS, $1^{\text {th }}$ Plat; thence North $18^{\circ} 48^{\circ} 47^{\prime \prime}$ West, along the East line of said L.ol 47, a dislance of 142.95 feet to the Northeast corner of said Lot 47, said point also being on the South line of Lot 69, CEDAR RIDGE PARK.
 along said South line, a distance of 17.64 feet to the Southeast corner of sald Lot 69 ; thence North $86^{\circ} 26^{\circ} 38^{\prime \prime}$ East, along the South line of Lots 68 through 65. CEDAR RIDGE PARK, $2^{\text {ND }}$ PLAT, a distance of 253.96 feet to the Southeast comer of said Lot 65 , said point also being on the West right-of-way line of Parkwod Street, as it now exists; thence South 02"52'52" East, along the West right-of-way tine of said Parkwool Street, a distance of 30.00 faet to a point on the Soulh right-ot-way line of $163{ }^{\prime \prime}$ Terrace, as il now exists; thence North $87^{\circ} 07^{\prime 0} 08^{\circ}$ East, along the South right-ot-way Ine of said 163rr Terrace, a distance of 60.00 feet; thence easterly, continuing along the South right-of.way line of said $163^{\text {red }}$ Terrace. along a curve to the left hawing a radlus of 225 feet, for a distance of 131.48 feet; thence North $53^{\circ} 38^{\prime} 15$ " East, continuting along the South right-of-way line of sald 163rd Terrace, a distance of 16.14 feet; thence North $36^{\circ} 21^{4} 45^{\prime \prime}$ West, 50.00 feet to a point on the North tight-of-way line of sald $163^{\text {re }}$ Terrace, said point also being the Southeest corner of lot 64, CEDAR RIDGE PARK. 2NO PLAT; thence North 02 $2^{\circ} 52^{\prime 2} 52^{\prime \prime}$ Westi, along the East line of Lots 64 through 61, CEDAR RIDGE PAFK, $2^{\text {NO }}$ PLAT, a distance of 231.91 feet to a point on the North line of the Sputhwest Quarter of said Section 18: thence North B7"07"26" East, along said North line, a distance of 736.89 feet to the Northwest corner of the Southeast Quarter of said Section 18; thence North $87^{\circ} 27^{\prime \prime} 19^{\circ}$ East, along the North line of said Southeast Quarter, a distance of 1,41B.83 feel to the Northwest corner of Lof 49, COFFEE CREEK MEADOWS, 15t PLAT, a subdivision in the Cily of Olathe, Johnson County. Kanses; thence South $20^{\circ} 15^{\circ} 00^{\circ}$ East, abong the Whesterly line of Lots 49 and 48 , COFFEE CREEK MEADOWS, ${ }^{\text {st }}$ PLAT, a distance of 178.74 feel to a point on the Northerly rlght-ct-way line of $163^{n-1}$ Terrace, as platted, thence South $69^{\circ} 48^{\prime \prime} 00^{\circ}$ West, atong the Northerly right-ofway line of said $163^{\text {rd }}$ Terrace, a distance of 14.38 feet; thence $\operatorname{Soutn} 20^{\circ} 12^{\prime} 00^{\circ}$ East a distance of 50.00 fael to a point on the Southerly right-of-way line of sald $163^{\text {rc }}$ Terrace sald point also being the Northwest corner of Lot 47, COFFEE CREEK MEADOWS, 1 P PLAT; thence Sailti $36^{\circ} 00^{\circ} 00^{\circ}$ East, along the Southwesterly line of said Lat 47, a distance of 102.60 feet to the South corner of said Lot 47; thence South $30^{\circ} 09100$ " East, along the Southwesterty line of Lot 46, COFFEE CREEK MEADOWS, 1 部 PLAT, a diftance of 59,86 feet to the South corner of said Lot 45; thence South $13^{\prime \prime} 20^{\circ} 00^{\prime \prime}$ East, along the Westerly line of Lot 45, COFFEE CREEK MEADOWS, 1 t PLAT, a distance of 60.90 feet to the Southwest corner of said Lot 45 ; thence South $10^{\circ} 06^{\prime} 00^{\prime \prime}$ East, along the Westerly line of Lots 44 through 41 , COFFEE CREEK MEADOWS, 1 sI PLAT, a tilstance of 273.33 feei to a point on the Northerly right-of-way lene of $164^{\text {th }}$ Streel, as platted; thence North $84^{\circ} 00^{\prime} 00$ " West, along the Northerly Fight-of-way line of said $164^{1 / h}$ Streat a distance of 10.86 feet; thence Westerly. continuing along the Northerly right-of-way line of said $164^{\text {th }}$ Streel, on a curve to the left having a radius of 225.00 feet, for a distance of 99.75 feet; thence South $70^{\circ} 35^{\prime} 00^{\circ}$ West, continuing along the Northerly right-of-way line of said $164^{\text {th }}$ Street, alstance of 38.00 feet; thence South $19^{\circ} 24^{\prime} 00^{\circ}$ East a distance of 50.00 feet lo a point on the Southerly right-of-way line of said $164^{\text {th }}$ Street, said point also being the Norlhwest corner of Tract "N", COFFEE CREEK MEADONS, $2^{\text {ND PLAT, a subdivision in the City of Olathe, Johnson County, Kansas: thence South }}$ $20^{\circ} 155^{\prime 0} 00^{*}$ East, along the Westerly line of said Tract " N ", a distance of 225,00 feet: thence South $29^{\circ} 00^{\circ} 00^{4}$ East, continuing along the Westerly line of said Tract "N" a distantice of 414.23 feel to a point on the Westerly right-of-way line of Britton Streel, as platted; thence Southerly, along the Westerly right-of-way line of said Britton Street, on a curve to the left having an initldel tangent bearing of South $02^{\circ} 53^{\prime \prime} 27^{\prime \prime}$ West and a radius of 525.00 feet, for a distance of 177.68 feet; thence South $16^{\circ} 30^{\prime \prime} 00^{\prime \prime}$ East, continuing along the Westerly right-of-way line of said Britton Street, a distance of 205.38 feet to a point on the Northwesterly right-of-way line of $165^{\text {sh }}$ Sireet, as platted; thence Sculthwesterly, along the Northwesterly right-of.way line of said $165^{\text {h }}$ Street, on a curve to the left having arl initial tangent bearing of South $71^{\circ} 46^{\prime} 26^{\prime \prime}$ West and a radius of 830.00 feet, for a distance of 664.54 feet, thence South $25^{\circ} 54^{\prime} 00^{\prime \prime}$ West, continuing along the Northwesterly right-of-way line of said 1356 Street, a distance of 300.00 feet; thence southwestery, continuing along the Northwasterly right-of-way line of said 165 th Strect, on a curve to the right having e radius of 2,370 feet, for a distance of 249,32 feet to a point on the North right-ot-way line of sald 167 th Street; thence South $87^{\circ} 24^{\circ} 20^{\circ "}$ Wesl, along the North right-of-way line of sald 167 th Street and parallel with the South ilne of said Southeast Quarter, a dlstance of 352.38 feat; thence North $43^{\prime \prime} 45^{\prime} 0 \mathrm{~B}^{\prime \prime}$ West, continuing along the North right-of-way tine of said 167th Street, a allslance of 77.18 Feet; thance

South $82^{\circ} 21^{\prime 2} 24^{\prime \prime}$ West, continuing along the North righl-of-way Ine of said 167 th Street, a distance of 47.28 feet to the POINT OF BEGINNiNG, except any part used or dedicated for streets, roads or public rights of way.

Contains 5,374,524 square feet, or 123.382 acres, mare or labs.

## CERTIFICATION

I, David F. Bryant III, Deputy City Clerk of the City of Olathe, Johnson County, Kansas, do hereby certify that the attached copy of Resolution No. 171069 approved by the Governing Body on the $17^{\text {th }}$ day of October, 2017, and published in The Olathe News of The Kansas City Star, the official newspaper for the City of Olathe, Kansas, on the $28^{\text {th }}$ day of October, 2017, to be true and correct as same appears of record in the offices of the City of Olathe.

DATED this $30^{\text {th }}$ day of October, 2017.

(SEAL)




The Kansias City Star The Lee's Summit Journal

The Cass County Democrat
The Olathe Daily News

## AFFIDAVIT OF PUBLICATION

| Account ${ }^{\text {a }}$ | AdNumber | Ictantification | PO | Amount | Coln | Lnes |
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| 583830 | 0003346212 | (First published in The Olathe News Saturday, 0: | Resolution 17-1089 | \$381.00 | 1 | 830 |

## Attention: DAVID BRYANT

CITY OF OLATHE - LEGALS
PO BOX 768
OLATHE, Ks 66051

## STATE OF MSSOURI I County of JACKSON

1, Nancy Yeager,

make oath ando swear that

CYPRESS MEDIA, LLC, publishers of The Kansas City Star, all it's neighborhood sections and suburban newspapers including 818, 913. Johnson County News, Northland and lls subsidiaries, The Olathe News, The Cass County Democrat-Mlssourian and The Lee's Summit Journal, are published In the Kansas City, Missouri, metro (distribution) area including but not exclusively to Johnson and Wrandotte Counties in the state of Kansas, and Cass, Clay, Jackson and Platte Counties in the state of Missouri. Every publication listed is published weekly, twice weekly or daily. We confirm the notice ran the days scheduded In this statement. A true copy of which is hereto allached was duly published in Olathe News.

FOR THE PERIOD OF: 1dnyel
COMMENCING: 10/2812017
ENDAN: 10/28/2017
EDITION(S):
90/28/2017

Subscribed and aworn to before me, this 30 th day of October in the year of 2017. I cortliy that I was duly quallifed as a Notary Public for the State of Miseourt, Cormisesioned in Jackeon County, Missouri.
My commissian expires September 17, 2021


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 and Jullan GontralezThe sitate of Kansas to fill
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Eric Gamble

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VANC SMITK, Dectased
Case No. 1 PRR-359
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AR persons having an interest in this matter will be giv - in an appor

## Datect Octuber 28, 2017





