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**ORDINANCE NO. 1833**

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE CONDEMNATION AND ACQUISITION OF PRIVATE PROPERTY BY EMINENT DOMAIN FOR THE USE OF THE CITY OF ANDOVER, KANSAS, PURSUANT TO K.S.A. 26-201.

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

SECTION 1. The City of Andover, Kansas, pursuant to K.S.A. 26-201, hereby authorizes and provides for the condemnation and acquisition of the private property described below by eminent domain for the construction and improvement of 159th Street from US-54/400 to Central (Project 008-N-0692-01):

**PERMANENT RIGHT-OF-WAY EASEMENT:**

OWNER: Jeffrey and C. Lynne Greenberg

A TRACT OF LAND SITUATED IN A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION NINETEEN (19), TOWNSHIP TWENTY-SEVEN SOUTH (T27S), RANGE THREE EAST (R03E) OF THE SIXTH PRINCIPAL MERIDIAN (6TH PM), BUTLER COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING (P.O.C.) at the Northwest corner of the Northwest Quarter of Section 19, Township 27 South, Range 3 East; THENCE S 00°44'14" E along the West line of said Northwest Quarter a distance of 1325.14 feet to the Northwest corner of parent tract described in Book 368, Page 362; THENCE N 89°31'35" E along the North line of said parent tract a distance of 25.00 feet to a point on the East Road Right of Way (ROW) line per Road Book C, Page 109, said point being the POINT OF BEGINNING (P.O.B.); THENCE continuing N 89°31'35" E along the North line of said parent tract a distance of 25.00 feet; THENCE S 00°44'14" E a distance of 324.79 feet to a point on the South line of said parent tract; THENCE S 89°26'56" W along the South line of said parent tract a distance of 25.00 feet to said East ROW line; THENCE N 00°44'14" W along said East ROW line a distance of 324.82 feet to the POINT OF BEGINNING (P.O.B.).

Said Tract contains an area of 8120 square feet (0.19 acres) more or less.

Basis of Bearing: The West line of the Northwest Quarter of Section 19, Township 27 South, Range 3 East being measured as S 00°44'14" E.

**TEMPORARY CONSTRUCTION EASEMENT:**

Owner: Jeffrey and C. Lynne Greenberg

A TRACT OF LAND SITUATED IN A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION NINETEEN (19), TOWNSHIP TWENTY-SEVEN SOUTH (T27S), RANGE THREE EAST (R03E) OF THE SIXTH PRINCIPAL MERIDIAN (6TH PM), BUTLER COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING (P.O.C.) at the Northwest corner of the Northwest Quarter of Section 19, Township 27 South, Range 3 East; THENCE S 00°44'14" E along the West line of said Northwest Quarter a distance of 1325.14 feet to the Northwest corner of parent tract described in Book 368, Page 362; THENCE N 89°31'35" E along the North line of said parent tract a distance of 50.00 feet THENCE S 00°44'14" E a distance of 13.02 feet to the POINT OF BEGINNING (P.O.B.); THENCE N 89°15'46" E a distance of 20.50 feet; THENCE S 00°44'14" E a distance of 33.00 feet; THENCE S 89°15'46" W a distance of 20.50 feet; THENCE N 00°44'14" W a distance of 33.00 feet to the POINT OF BEGINNING (P.O.B.).

Said Tract contains an area of 676.5 square feet (0.02 acres) more or less.

Basis of Bearing: The West line of the Northwest Quarter of Section 19, Township 27 South, Range 3 East being measured as S 00°44'14" E.

SECTION 2. This Ordinance shall take effect and be in full force from and after (1) its adoption by the governing body of the City, (2) approval by the Mayor, and (3) publication once in the official newspaper of the City.


*[Remainder of Page Intentionally Left Blank]*

PASSED, ADOPTED and APPROVED by the governing body of the City of Andover, Kansas this 26th day of April 2022.



ATTEST:

CITY OF ANDOVER, KANSAS

  
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Ronnie Price, Mayor

  
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Susan C. Renner, City Clerk