RESOLUTION NO. R-12-67

A RESOLUTION AUTHORIZING THE PURCHASE OF A PERPETUAL RIGHT-OF-WAY WITH THE RIGHT TO USE FOR THE PURPOSE OF PUBLIC ROAD IMPROVEMENTS AND AUTHORIZING PAYMENT THEREFORE IN THE TOTAL SUM OF $1,000 TO DEBBIE L. KUDRICK.

WHEREAS, the City of Coffeyville is reconstructing an intersection located at First and Central, and

WHEREAS, the intersection improvement will cross private property; and

WHEREAS, the owner of property located in a portion of Lot 9, Block 2, Grand Summit Addition to the City of Coffeyville, Montgomery County, Kansas,, has granted, bargained, sold, and conveyed unto the City of Coffeyville a perpetual easement and right-of-way for the purpose of public road improvements; and

WHEREAS, said owner does further grant, bargain, sell and convey unto the City of Coffeyville the perpetual right, privilege and authority to survey, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove a roadway and related appurtenances, in, on, over, under, along and across the property.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Commissioners of the City of Coffeyville, Kansas, that the Mayor hereby authorizes the purchase of said right-of-way easement and hereby authorizes a payment to Debbie L. Kudrick in the sum of $1,000.00 for acquisition thereof.

ADOPTED THIS 10TH DAY OF JULY 2012.

_____
David George, Mayor

ATTEST:

_____
Cindy Price, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
Paul Kritz, City Attorney

RIGHT OF WAY AGREEMENT

This indenture made this 5 day of July, 2012 by and between Debbie L. Kudrick, formerly Debbie L. Wilson, as Grantor, and the City of Coffeyville, Kansas, a municipal corporation, as Grantee.

WITNESSETH: That Grantor, in consideration of the sum of $1,000, does hereby grant to Grantee a perpetual right-of-way, with the right to use for the purpose of public road, including the right to survey, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove a roadway and related appurtenances, in, on, over, under, along and across the following described real property:

> A tract of land located in a portion of Lot 9, Block 2, Grand Summit Addition to the City of Coffeyville, Montgomery County, Kansas, to be used as a road right-of-way, said tract of land being more particularly described as follows:
>
> Beginning at the Southwest corner of said Lot 9; thence N.00°50'11"W. along the West line of said Lot 9, a distance of 25.77 feet;
>
> Thence S.22°17'29"E. a distance of 27.75 feet to the South line of said Lot 9;
>
> Thence S.89°28'53"W. a distance of 10.15 feet to the Point of Beginning, and containing 131 square feet, more or less.

Grantee agrees to leave said premises in good condition and free of surplus rock and debris which it may place on said premises in the construction of said road.

This right-of-way shall be a continuing covenant running with the land and shall be binding upon the successors and assigns of the parties, and each of them.

To have and to hold the same, with all and singular the rights, immunities, privileges, appurtenances thereunto belonging, unto the Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has hereunto set her hand the day and year first above written.

Debbie L. Kudrick

Debbie L. Kudrick

STATE OF KANSAS,
COUNTY OF MONTGOMERY, ss

BE IT REMEMBERED, that on this 5 day of July, 2012, before me, the undersigned, a Notary Public in and for the County and state aforesaid, came Debbie L. Kudrick, who is personally known to me to be the same who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have set my hand and affixed my seal; the day and year last above written.

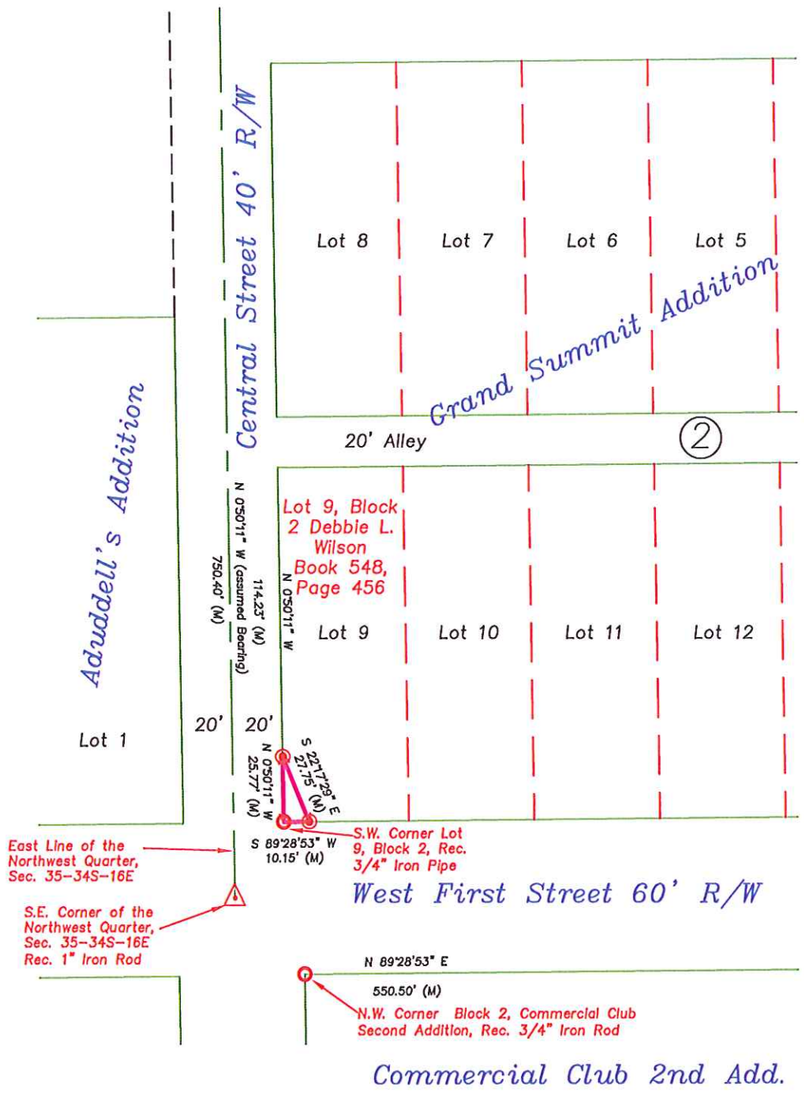
Cindy Price

Notary Public

My Appointment Expires:

01/26/13

CINDY PRICE
Notary Public - State of Kansas
My Appt. Expires 01/26/13



Scale: 1"= 60'

Legal Description

A tract of land located in a portion of Lot 9, Block 2, Grand Summit Addition to the City of Coffeyville, Montgomery County, Kansas, to be used as a Road Right of Way said Tract of Land being more particularly described as follows:

Beginning at the Southwest corner of said Lot 9; Thence N.00°50'11"W. along the West line of said Lot 9, a distance of 25.77 feet;

Thence S.22°17'29"E. a distance of 27.75 feet to the South line of said Lot 9;

Thence 89°28'53"W. a distance of 10.15 feet to the Point of Beginning and containing 131 square feet.

Surveyors Notes

1. THIS PLAT IS NOT VALID UNLESS SIGNED AND SEALED WITH THE SIGNING SURVEYOR'S SEAL.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SEC. 35 BEING ASSUMED AS N.00°50'11"W.
3. ◉ DENOTES 1/2" IRON ROD SET WITH SIGNING SURVEYOR'S PLASTIC IDENTIFICATION CAP UNLESS NOTED.
4. THE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY SHOWN HEREON WAS PREPARED BY THE SIGNING SURVEYOR.

SURVEYOR'S CERTIFICATION

I, JOHN S. MASSMAN, A DULY LICENSED SURVEYOR IN THE STATE OF KANSAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM THE NOTES OF AN ACTUAL FIELD SURVEY DONE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF KNOWLEDGE AND BELIEF.

JOHN S. MASSMAN, L.S.#1082

JOHN S. MASSMAN LICENSED LS-1082 7-5-2012 KANSAS LAND SURVEYOR

Legend

- Proposed Right of Way Line
- Lot Line
- Block Line
- REC Recover
- (M) Measured Dimension this survey
- Iron Rod Recovered
- Iron Rod with Cap Set
- Section Corner

Coffeyville Engineering Department	DESIGNED BY:	CHECKED BY: TKO
	DRAWN BY: JSM	APPROVED BY:
	SCALE: As Shown	FIELD BY: JSM, TKO
TITLE: Lot 9, Block 2 Grand Summit Add. Proposed Right of Way Acquistion		DATE: 6/01/2012
		REF #:
		SHEET #: 1 of 1
DWG. CODE: X:\ESCOTT\STREETS\FIRST & CENTRAL\CENTRAL & FIRST STREET.DWG		