



**City of Leavenworth**  
100 N. 5<sup>th</sup> Street  
Leavenworth, Kansas 66048

**CITY COMMISSION REGULAR MEETING**  
**COMMISSION CHAMBERS**  
**TUESDAY, JUNE 13, 2023 6:00 P.M.**

**Welcome to your City Commission Meeting – Please turn off or silence all cell phones during the meeting**  
*Meetings are televised everyday on Channel 2 at 6 p.m. and midnight and available for viewing on YouTube*

**CALL TO ORDER** – Pledge of Allegiance Followed by Silent Meditation

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**PROCLAMATION:**

1. 2023 Celebration of Juneteenth (pg. 03)

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

2. Minutes from May 23, 2023 Regular Meeting **Action:** Motion (pg. 04)

**Second Consideration Ordinances:**

3. Second Consideration Ordinance No. 8217 Acquisition of Land or Interests by Condemnation in Connection with U.S. 73 Choctaw to Seneca Improvement Project **Action:** Roll Call Vote (pg. 08)
4. Second Consideration Ordinance No. 8218 Amending Code of Ordinances, Chapter 38 Solid Waste, Article II Collection and Disposal **Action:** Roll Call Vote (pg. 51)

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**NEW BUSINESS:**

**Public Comment:** *(i.e. Items not listed on the agenda or receipt of petitions)-Public comment is limited to 2-3 minutes and no action will be taken by the Commission on public comment items - Please state your name and address. A signup sheet will be provided in the commission chambers for anyone wishing to speak.*

**General Items:**

5. Review Unsafe & Dangerous Structures; Given 60 Day Extension at April 11, 2023 Meeting **Action:** Motion (pg. 54)
6. Review Unsafe & Dangerous Fire Damaged Structure; Given 30 Day Extension at May 9, 2023 Meeting **Action:** Motion (pg. 55)

**Resolutions:**

7. Resolution B-2338 Setting Public Hearing for Unsafe and Dangerous Fire Damaged Structure at 707 Pawnee Street **Action:** Motion (pg. 56)

**Bids, Contracts and Agreements:**

8. Consider Award of Bid for Fire Department Concrete Driveway Replacement Project **Action:** Motion (pg. 61)
9. Consider Award of Bid for 2023 Pavement Management Project - Parking Lot and 7<sup>th</sup> Street Program **Action:** Motion (pg. 66)
10. Consider Award of Bid for Tandem Axle Dump Truck with Spreader Controls and Plow Attachments **Action:** Motion (pg. 70)
11. Consider Award of Bid for Sidewalk Improvement Project on Dakota Street – 5<sup>th</sup> to 7<sup>th</sup> **Action:** Motion (pg. 78)

**First Consideration Ordinances:**

12. First Consideration Ordinance Amending Code of Ordinances Section 30-8 Illegal Camping **Action:** Consensus (pg. 82)
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**Consent Agenda:**

Claims for May 20, 2023 through June 9, 2023, in the amount of \$1,942,425.96; Net amount for payroll #11 effective June 2, 2023, in the amount of \$356,850.63 (No Police & Fire Pension). **Action:** Motion

**Reports:**

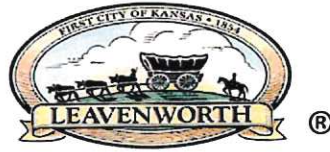
**Discussion Items:**

**Other:**

**Adjournment**

**Action:** Motion

# City of Leavenworth, Kansas



## Proclamation

**WHEREAS,** *On January 1, 1863, President Abraham Lincoln signed the Emancipation Proclamation freeing "All Persons held as Slaves" in the Confederate States; and*

**WHEREAS,** *when Union Troops entered Galveston Bay, Texas on June 19, 1865, the enslaved black people of Galveston, Texas, finally learned that they had been free for two years; and*

**WHEREAS,** *June 19<sup>th</sup> became the recognized day of celebration, and called "Juneteenth" ("Freedom Day") by the former enslaved people of Galveston, Texas; and*

**WHEREAS,** *the newly freed people began to migrate to other parts of the country, they shared their celebration of Juneteenth in their new Black Communities, and the celebration has spread throughout our Country; and*

**WHEREAS,** *Juneteenth is a day of grave remembrance of a dark period in our Nation's history, it is also a day of recognition of hope for the descendants of the black people who survived enslavement; and*

**WHEREAS,** *our Country continues to heal, the recognition of Juneteenth as a Federal Holiday, renews the hope that our country's promise of freedom and equality for all Americans can come true; and*

**WHEREAS,** *the citizens of Leavenworth, Kansas will gather on June 17, 2023 to celebrate Juneteenth with a parade and festival because sharing traditions with fellow community members create strong bonds that transcend differences.*

**NOW, THEREFORE,** *I, Jermaine Wilson, Mayor of the City of Leavenworth, Kansas hereby congratulate and recognize:*

### **The 2023 Celebration of Juneteenth**

**IN WITNESS WHEREOF,** *I set my hand and have affixed the Great Seal of the City of Leavenworth, Kansas this thirteenth day of June in the year of two-thousand and twenty-three.*

\_\_\_\_\_  
Jermaine Wilson, Mayor

ATTEST:

\_\_\_\_\_  
Sarah Bodensteiner, CMC, City Clerk





**CALL TO ORDER** - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Jermaine Wilson, Mayor Pro-Tem Griff Martin and Commissioners Nancy Bauder and Camalla Leonhard. Absent: Commissioner Edd Hingula.

**Staff members present:** City Manager Paul Kramer, Assistant City Manager Penny Holler, Chief Building Inspector Harold Burdette, Police Chief Patrick Kitchens, Public Works Director Brian Faust, Water Pollution Control Superintendent Tim Guardado and City Clerk Sarah Bodensteiner.

Mayor Wilson asked everyone to stand for the pledge of allegiance followed by silent meditation.

**PRESENTATIONS:**

**Mayor's Award** – Mayor Wilson presented the Mayor's Award for Community Service to J.B. Baldwin for his contributions to the sports community in Leavenworth. Mr. Baldwin was present to accept the award.

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

Commissioner Leonhard moved to accept the minutes from the May 9, 2023 regular meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

**Public Comment:** *(Public comment on non-agenda items or receipt of petitions- limited to 2-3 minutes)*  
None.

**Resolutions:**

**Resolution B-2337 Setting Public Hearing for Unsafe Fire Damaged Structure 805 N 18<sup>th</sup> St** – Chief Building Inspector Harold Burdette provided the background information. A fire significantly damaged this structure on January 21, 2023. The City has received insurance proceeds and the funds are to be used by the City to either remove the structure if the owner decides not to address the issue, or be returned to the property owner once repairs are completed and the structure is ready for occupancy. The Inspection staff has spoken with a contractor associated with this property and discussed their intention to repair the structure, but no request for a building permit has been received. A public hearing is required to determine if the structure should be demolished or if the owner will commit to making improvements within a timeframe acceptable to the City Commission. This Resolution sets the public hearing for July 11, 2023.

Commissioner Bauder moved to adopt Resolution B-2337 setting the public hearing for July 11, 2023 regarding the unsafe fire damaged structure located at 805 N 18<sup>th</sup> Street. Commissioner Leonhard seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.



## **Bids, Contracts and Agreements:**

**Consider Approval of Purchase and Replacement of Building Air Handlers for WPC** – Public Works Director Brian Faust presented for consideration approval of the purchase and replacement of air handler units for the Water Pollution Control department. There are three main air handlers used to bring fresh air into buildings and confined spaces at WPC. The fresh air helps make conditions better for equipment that is susceptible to harsh conditions caused by the gases created by sewage coming into the plant. These units also provide heat to the buildings. As the air handlers age, they are experiencing more frequent failures. Repair costs are increasing along with the chance of frozen pipes as well as unsafe conditions for staff working in the areas. The City requested quotes for replacement of the three air handlers. The 2023 CIP contains \$160,000 for the replacement of the air handlers on the main buildings. The original plan was to replace the air handlers one at a time, but quotes came back at a price per unit that allowed the projects to be combined into one versus multiple projects. The total cost of the three units is less than the budgeted CIP amount. Funding for this project is being provided by ARPA dollars.

Commissioner Leonhard:

- Asked for clarification regarding obsolete or hard to find repair parts

Mr. Faust:

- Explained these would be all new units

Commissioner Martin moved to approve the purchase and replacement of three (3) Air Handler Units on the Grit, Bar Screen and Primary Buildings from JF Denney in an amount not to exceed \$127,685.50. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

**Consider Approval of Engineering Services Contract for the Replacement Sludge Dewatering System** – Public Works Director Brian Faust presented for consideration approval of a contract for the evaluation and engineering design for the replacement of the sludge dewatering belt press at the Wastewater Treatment Plant. The current belt press was installed in the early 1990's with a rebuild around 2017. The press began experiencing a number of issues and failures in 2021. The City contracted with ANDRITZ Inc., in 2022 to evaluate the condition of the press and identify the needed repairs. The belt filter press is used to remove water from liquid wastewater residuals and produce a non-liquid material sometimes referred to as cake. Dewatering reduces the volume of material which reduces cost for storage, processing, hauling and disposal. In addition to a belt filter press, a screw press also provides a proven method of dewatering sludge and will be one of the replacement options evaluated in this process. The cost will be funded with ARPA funds set aside for the belt press.

Mr. Kramer:

- Stated the 2017 rebuild was to extend the life of the belt press by about 5 years

Commissioner Leonhard moved to approve the Engineering Services Contract for the evaluation and engineering design of a replacement sludge dewatering system at the Wastewater Treatment Plant with BG Consultants and authorize the Mayor to sign a contract in an amount not to exceed \$49,236. Commissioner

Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

**First Consideration Ordinances:**

**First Consideration Ordinance Declaring the Necessity of Appropriating Private Property by Condemnation Connected with the U.S. 73 Choctaw to Seneca Improvement Project – Public Works** Director Brian Faust presented for first consideration an ordinance authorizing and providing for acquisition of private property by condemnation for the U.S. 73 Choctaw to Seneca Improvement Project. Following processes as outlined by state statutes, the City Commission adopted Resolution B-2336 at the May 9, 2023 meeting. The resolution declared the necessity of acquiring property through eminent domain and authorized a survey and description of the land to be condemned. The next action requires the adoption of the proposed ordinance as prepared by the City Attorney. The tracts to be acquired in this area by condemnation are described in the ordinance. The City needs to acquire Temporary Construction Easements, a Permanent Landscape Easement and Right-of-Way. Orrick & Erskine LLP has maintained contact with the property owners and they are continuing in their efforts to reach agreements on the easements and right-of-way. It is necessary to proceed with the condemnation action until the easements and right-of-way are obtained.

There was consensus by the Commission to place on first consideration.

**First Consideration Ordinance Amending the City Code Solid Waste Collection and Disposal Section – City Manager Paul Kramer** presented for first consideration an ordinance amending the Solid Waste Collection and Disposal section of the City of Leavenworth Code of Ordinances to align with the updated procedures regarding refuse bags. Based on the recommendations from the Solid Waste Citizen Task Force, the City Commission moved forward with the hybrid approach to refuse collection, where residents can choose to get a poly-cart or use trash bags. Through those discussions it was determined that trash bags would no longer be provided to residents by the City. With the adoption of the new approach, the City Code needs to be updated to reflect the change.

Mayor Wilson:

- Stated that people can still buy trash bags from the city, but the city will not be delivering them anymore

Mr. Kramer:

- The city will sell the remaining stock of bags, but once that is depleted the city will not restock

Commissioner Bauder:

- Stated that people can still put out trash bags even if they don't take a trash cart

There was consensus by the Commission to place on first consideration.

**Consent Agenda:**

Commissioner Leonhard moved to approve claims for May 6, 2023 through May 19, 2023, in the amount of \$816,879.59; Net amount for Payroll #10 effective May 19, 2023 in the amount of \$373,488.13 (Includes

Police and Fire Pension in the amount of \$10,383.15). Commissioner Martin seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

**Other:**

City Manager Paul Kramer:

- Provided an update on the YAC building request for proposals
- Credited Brian Faust and Tim Guardado on the work they've done in regard to the assessments at the WWTP

Commissioner Leonhard:

- Have a great rest of the week

Commissioner Martin:

- Excited to see the poly-carts

Mayor Wilson:

- Saturday, May 27<sup>th</sup>, Melissa Etheridge will be in town to accept a Mayor's Award at City Hall

**Executive Session – Discussion of Matters Related to Security Measures –** Mayor Wilson moved to recess into executive session for a period of 15 minutes for the purpose of discussing security measures pursuant to the discussion of matters relating to security measures that protect a public body or agency, public building or facility or the information system of a public body or agency exception per K.S.A. 75-4319 (b) (12) (C). The City Commission, City Manager and Police Chief will be present. The open meeting will resume in the City Commission Chambers at 6:37 p.m. Commissioner Bauder seconded the motion and the motion was unanimously approved. Mayor Wilson declared the motion carried 4-0.

The City Commission returned to open session at 6:37 p.m.

**Adjournment:**

Commissioner Bauder moved to adjourn the meeting. Commissioner Leonhard seconded the motion and the motion was unanimously approved and the meeting was adjourned.


Time Meeting Adjourned 6:37 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC



**POLICY REPORT  
SECOND CONSIDERATION ORDINANCE 8217  
ACQUISITION OF LAND OR INTERESTS THEREIN BY CONDEMNATION FOR THE U.S. 73  
CHOCTAW TO SENECA IMPROVEMENT PROJECT**

**June 13, 2023**

  
\_\_\_\_\_  
Sarah Bodensteiner, CMC  
City Clerk

  
\_\_\_\_\_  
Paul Kramer  
City Manager

**BACKGROUND:**

At the May 23, 2023 City Commission regular meeting the City Commission reviewed and placed on first consideration:

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE  
ACQUISITION OF LANDS OR INTERESTS THEREIN BY  
CONDEMNATION FOR THE U.S. 73 (CHOCTAW TO SENECA)  
IMPROVEMENT PROJECT, IN THE CITY OF LEAVENWORTH, KANSAS.**

There have been no other changes since first consideration.

Ordinance No. 8217 is now presented for second consideration and requires a roll call vote.

**ATTACHMENTS:**

- Ordinance No. 8217

(Published in the Leavenworth Times on June 16, 2023)

**ORDINANCE NO. 8217**

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF LANDS OR INTERESTS THEREIN BY CONDEMNATION FOR THE U.S. 73 (CHOCTAW TO SENECA) IMPROVEMENT PROJECT, IN THE CITY OF LEAVENWORTH, KANSAS.**

**WHEREAS**, on May 9, 2023, and pursuant to K.S.A. 26-201, the Governing Body of the City of Leavenworth, Kansas, did by Resolution No. B-2336 declare the necessity for, and authorize the completion of, surveys and descriptions of lands or interests therein to be condemned by the City, for use by the City for rights-of-way, permanent easements, landscape easements, temporary construction easements, and other interests in real property, including but not limited to for the completion of the Leavenworth CCLIP-PR (U.S. 73 from Choctaw to Seneca), KDOT Project No. 052 KA05590-01, and City project no. 2020-939 project, as shown on the plan documents therefor (the “Project”); and

**WHEREAS**, Resolution No. B-2336 was published once in the official City newspaper as shown in Exhibit A, which is attached hereto and incorporated herein by reference; and

**WHEREAS**, surveys and legal descriptions of the lands or interests therein to be condemned have been made and prepared by a competent engineer and filed with the City Clerk, such legal descriptions and interests being as shown and/or described on Exhibit B, which is attached hereto and incorporated herein by this reference;

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

**Section 1:** It is hereby authorized and provided that the above-described lands and interests be acquired by condemnation pursuant to K.S.A. 26-201 and K.S.A. 26-501, *et seq.*, for the above-described purposes.

**Section 2:** This ordinance shall take effect and be in force from and after its publication in the official city newspaper as provided by law.

**PASSED and APPROVED** by the Governing Body on the 13<sup>th</sup> day of June, 2023.

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Jermaine Wilson, Mayor

{SEAL}

**ATTEST:**

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Sarah Bodensteiner, CMC, City Clerk

**EXHIBIT A**

[Resolution No. B-2336--Proof of Publication]



# "EXHIBIT A"

## Leavenworth Times Affidavit of Publication

(Published in the Leavenworth Times on May 13, 2023)  
**RESOLUTION NO. B-2336**  
**A RESOLUTION DECLARING THE NECESSITY TO APPROPRIATE PRIVATE PROPERTY CONNECTED WITH THE U.S. 73 (CHOCTAW TO SENECA) IMPROVEMENT PROJECT, FOR THE USE OF THE CITY AND AUTHORIZING SURVEYS AND DESCRIPTIONS OF LAND OR INTERESTS TO BE CONDEMNED TO BE PREPARED.** WHEREAS, the City of Leavenworth, Kansas, intends to undertake certain street and other public improvements, generally described as Leavenworth CCLIP-PR (U.S. 73 from Choctaw to Seneca), KDOT Project No. 052 KA05590-01, and City project no. 2020-939, as shown on the plan documents therefor (the "Project"); and in furtherance thereof, the City shall require certain easements and/or rights-of-way; and WHEREAS, pursuant to K.S.A. 26-201, whenever it shall be deemed necessary by the governing body of

any city to appropriate private property for the use of the city for any purpose whatsoever, the governing body shall by resolution declare such necessity and authorize a survey and description of the land or interest to be condemned to be made by a licensed land surveyor or a professional engineer who is competent to conduct a land survey and filed with the city clerk. NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS: Section 1: That the Governing Body does hereby deem it necessary to appropriate private property for the use of the City for the purposes of rights-of-way, permanent easements, landscape easements, temporary construction easements, and other interests in real property to complete the Project. Section 2: That the Governing Body does hereby authorize a survey and description of the lands or interests to be condemned to be made by a licensed land surveyor or a professional engineer who is competent to conduct land surveys, the same to be filed with the City Clerk. Section 3: That the City Clerk shall cause this Resolution to be published once in the official city newspaper as provided by K.S.A. 26-201. Section 4: This Resolution shall be effective upon its adoption by the City Commission of the City of Leavenworth, Kansas. **PASSED AND ADOPTED** by the City Commission of the City of Leavenworth, Kansas, this 9th day of May, 2023. Jermaine Wilson, Mayor (SEAL) ATTEST: Sarah Bodensteiner, CMC, City Clerk

I, Tammy Lawson, of lawful age, being first duly sworn on oath, states, that she is a Legal Representative of the Times, a daily newspaper, printed and published in Leavenworth, Leavenworth County, Kansas, that said newspaper has been published for at least Fifty (50) Times a year and has been so published for at least five (5) years prior to the first publication of the attached Notice that said newspaper has a general paid circulation on a monthly and yearly basis in Leavenworth County, Kansas and is not a trade, religious or fraternal publication and has been printed and published in Leavenworth County, Kansas and has a general paid circulation in said County. The attached Notice was published on the following dates in a regular issue of said newspaper.

Publication was made on the 13<sup>th</sup> day of May, 2023.

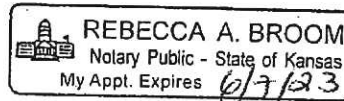
WITNESS my hand this 19th day of May, 2023.

Tammy Lawson  
 Legal Representative

Subscribe and sworn before me, this 19 day of May, 2023.

Rebecca A. Broom  
 Notary Public

My Commission Expires: 6/7/23



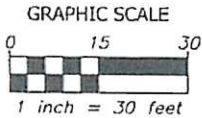
**EXHIBIT B**

[Surveys and Legal Descriptions]

"EXHIBIT B"

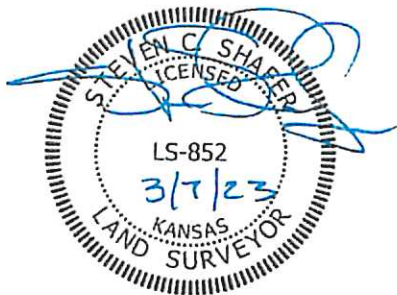
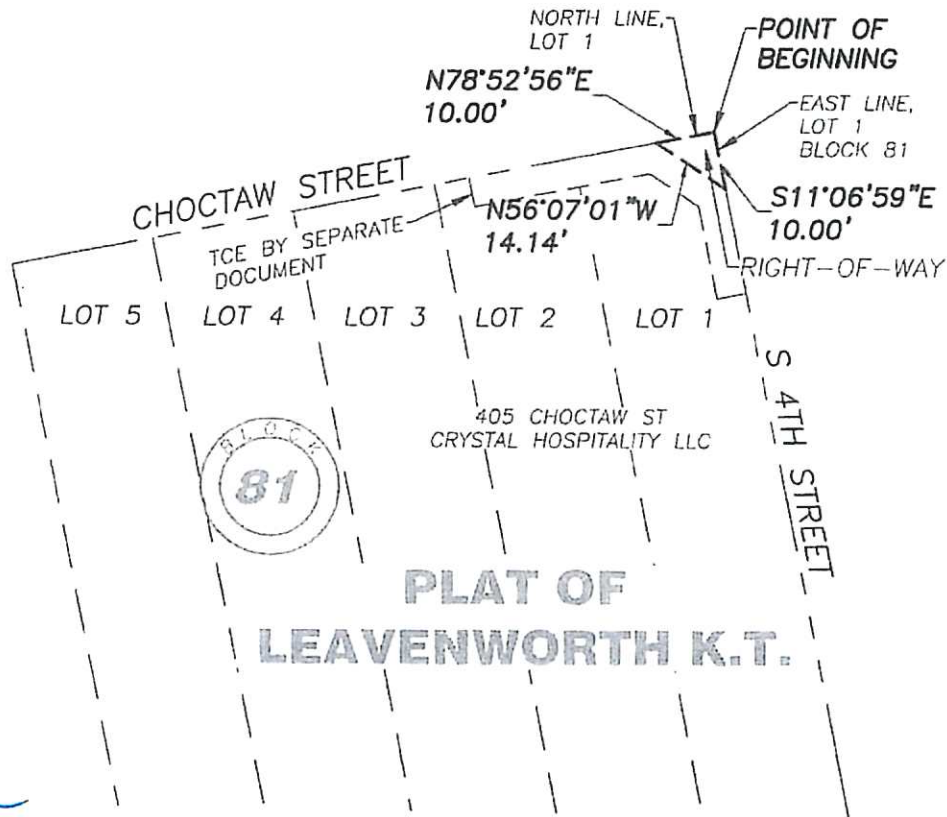
# EXHIBIT A

RIGHT-OF-WAY EXHIBIT  
 PART OF LOT 1, BLOCK 81, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 1



**LEGEND**

TCE Temporary Construction Easement



**EFCO**  
 CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 RIGHT-OF-WAY EXHIBIT  
 LOT 1, BLOCK 81,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/07/2023  
 Sheet:

1 OF 2



# "EXHIBIT B"

## EXHIBIT A

### RIGHT-OF-WAY EXHIBIT PART OF LOT 1, BLOCK 81, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS DESCRIPTION (SEE SHEET 1 FOR MAP) TRACT 1

A Tract of land for the purposes of a Right-of-Way Easement, being a part of Lot 1, Block 81, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

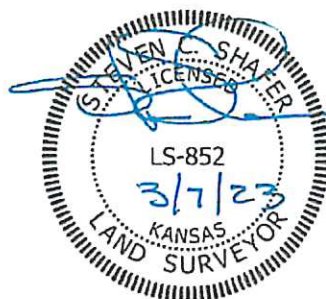
(Note: For course orientation the bearings in this description are based on the East line of Lot 1, Block 81 having a bearing of South 11° 06' 59" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

BEGINNING at the Northeast corner of said Lot 1;

Thence South 11° 06' 59" East, 10.00 feet, on the East line of said Lot 1;

Thence North 56° 07' 01" West, 14.14 feet, to the North line of said Lot 1;

Thence North 78° 52' 56" East, 10.00 feet, on the North line of said Lot 1, to the POINT OF BEGINNING, said Tract containing 50 square feet or 0.0011 acres.



Sheet:

2  
OF  
2

Drawn By: TC

Project No: 031930

Field Date: 11/17/2021

Issue Date: 03/07/2023

Project:

RIGHT-OF-WAY EXHIBIT

LOT 1, BLOCK 81,

LEAVENWORTH K.T.

CITY OF LEAVENWORTH,

LEAVENWORTH COUNTY, KANSAS

Client:

CITY OF LEAVENWORTH

100 N. 5TH STREET,

LEAVENWORTH, KANSAS

66048



CIVIL ENGINEERING / SURVEYING / UTILITIES

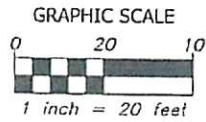
712 State Avenue, Kansas City, KS 66101

Phone: (913) 371-5300

Mar 07, 2023 - 11:38am Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 1\031930-SRVY-RW-TRACT 1.dwg

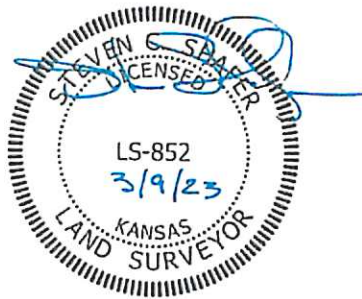
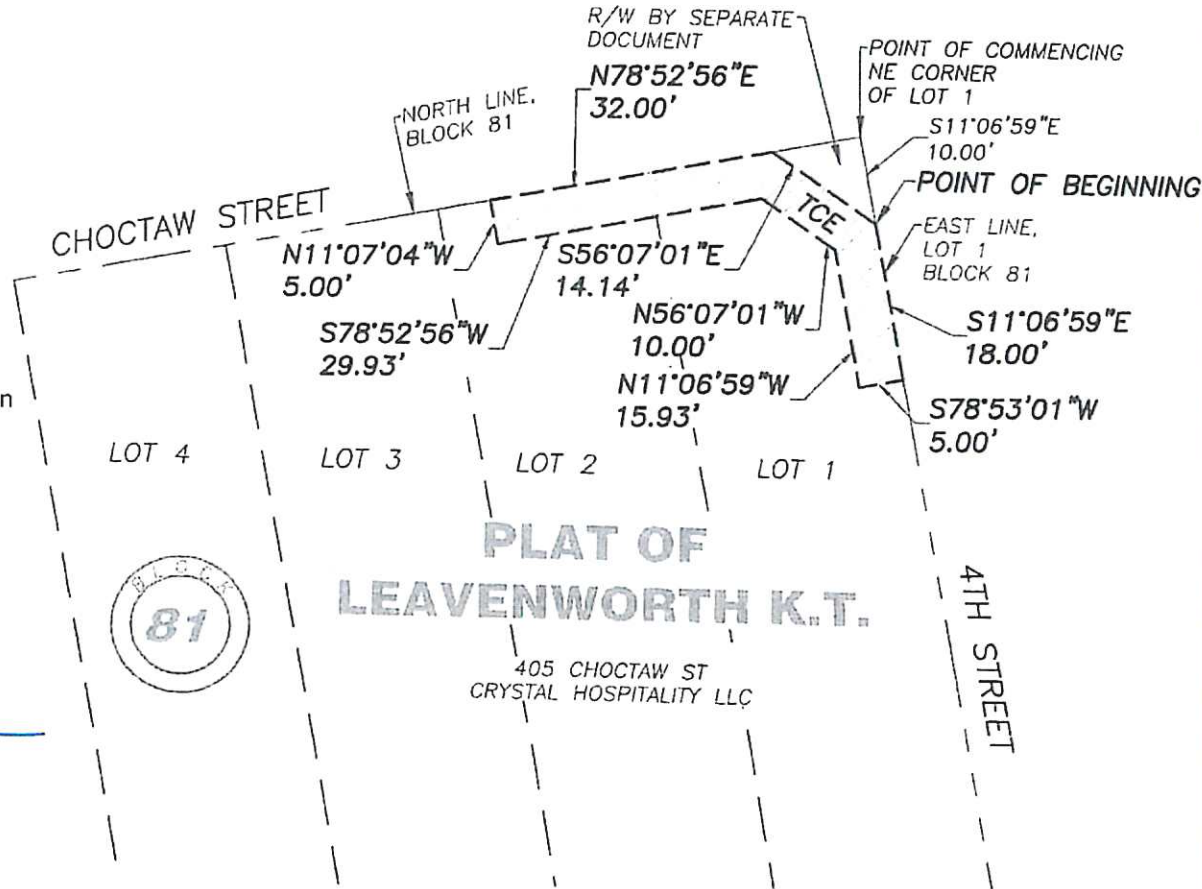
# "EXHIBIT B"

## EXHIBIT A TEMPORARY CONSTRUCTION EASEMENT LOTS 1 AND 2, BLOCK 81, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS MAP (SEE SHEET 2 FOR DESCRIPTION) TRACT 1



### LEGEND

- TCE Temporary Construction Easement
- R/W Right-of-Way



**BHC**  
CIVIL ENGINEERING / SURVEYING / UTILITIES  
712 State Avenue, Kansas City, KS 66101  
Phone: (913) 371-5300

Client:  
CITY OF LEAVENWORTH  
100 N. 5TH STREET,  
LEAVENWORTH, KANSAS  
66048

Project:  
TEMPORARY CONSTRUCTION EASEMENT  
LOTS 1 AND 2, BLOCK 81,  
LEAVENWORTH K.T.  
CITY OF LEAVENWORTH,  
LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
Project No: 031930  
Field Date: 11/17/2021  
Issue Date: 03/09/2023  
Sheet:

1 OF 2



# "EXHIBIT B"

## EXHIBIT A TEMPORARY CONSTRUCTION EASEMENT LOTS 1 AND 2, BLOCK 81, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS DESCRIPTION (SEE SHEET 1 FOR MAP) TRACT 1

A Tract of land for the purposes of a Temporary Construction Easement, being a part of Lots 1 and 2, Block 81, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the East line of Lot 1, Block 81, having a bearing of South 11° 06' 59" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Northeast corner of said Lot 1, Block 81;

Thence South 11° 06' 59" East, 10.00 feet, on the East line of said Lot 1, to the POINT OF BEGINNING of said Tract herein described;

Thence South 11° 06' 59" East, 18.00 feet, continuing on said East line;

Thence South 78° 53' 01" West, 5.00 feet;

Thence North 11° 06' 59" West, 15.93 feet;

Thence North 56° 07' 01" West 10.00 feet;

Thence South 78° 52' 56" West, 29.93 feet;

Thence North 11° 07' 04" West, 5.00 feet, said North line, Block 81;

Thence North 78° 52' 56" East, 32.00 feet, on said North line;

Thence South 56° 07' 01" East, 14.14 feet, to the East line, to the POINT OF BEGINNING, said Tract containing 300 square feet or 0.0069 acres.



Mar. 09, 2023 - 9:37am Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 1\031930-SRVY-TCE-TRACT 1.dwg

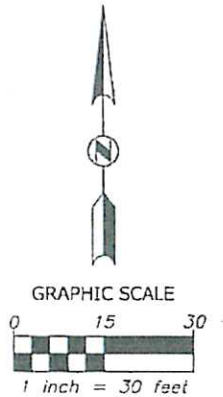
Sheet:	DAJ	Project:	Client:	 <b>CIVIL ENGINEERING / SURVEYING / UTILITIES</b> 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300
2	Drawn By:	TEMPORARY CONSTRUCTION EASEMENT	CITY OF LEAVENWORTH	
OF	Project No:	LOTS 1 AND 2, BLOCK 81,	100 N. 5TH STREET,	
2	Field Date:	LEAVENWORTH K.T.	LEAVENWORTH, KANSAS	
	Issue Date:	CITY OF LEAVENWORTH,	66048	
		LEAVENWORTH COUNTY, KANSAS		



"EXHIBIT B"

# EXHIBIT A

LANDSCAPE EASEMENT EXHIBIT  
 PART OF LOT 1, BLOCK 47, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 2

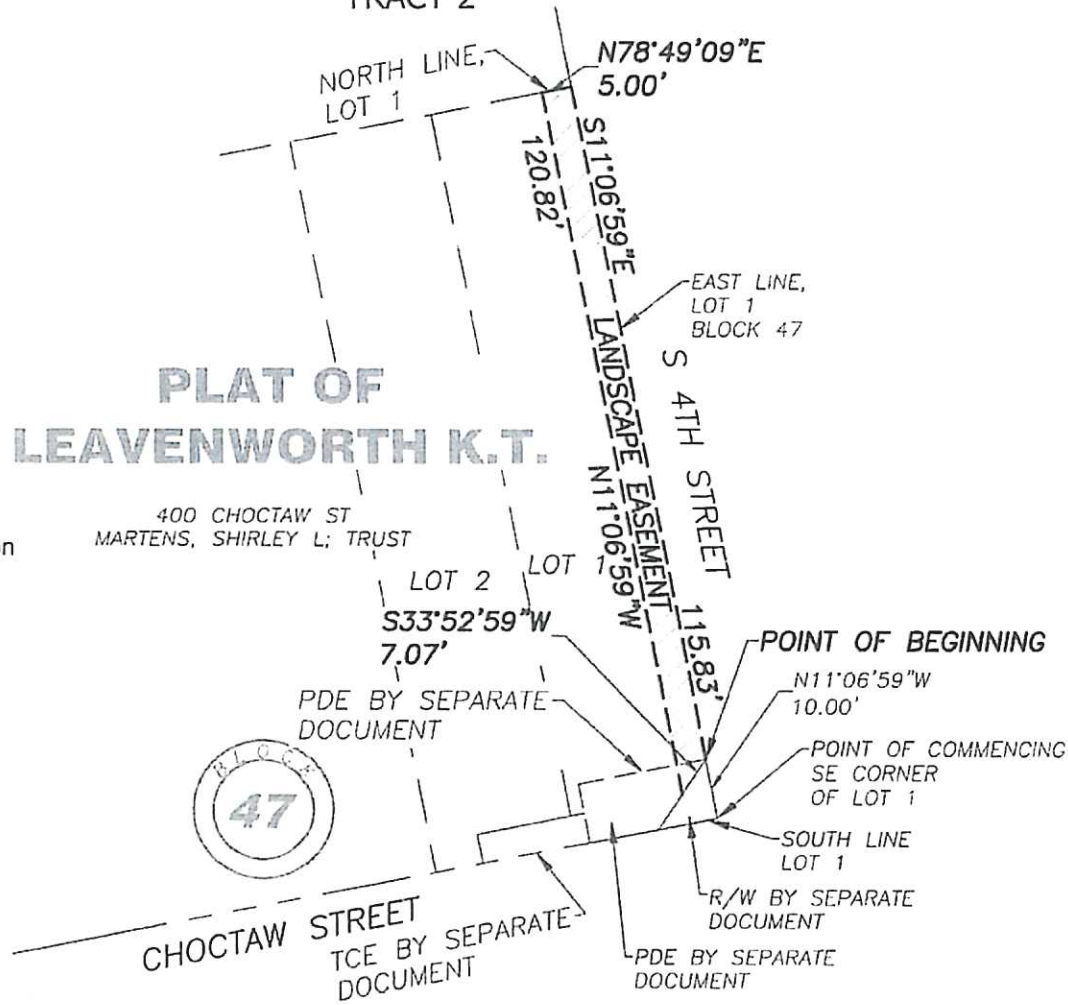


**LEGEND**

- R/W Right-of-Way
- PDE Permanent Drainage Easement
- TCE Temporary Construction Easement



## PLAT OF LEAVENWORTH K.T.



**BHIC**  
 CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

**Client:**  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

**Project:**  
 LANDSCAPE EASEMENT EXHIBIT  
 LOT 1, BLOCK 47,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

**Drawn By:** DAJ  
**Project No:** 031930  
**Field Date:** 11/17/2021  
**Issue Date:** 03/07/2023  
**Sheet:**

1 OF 2

"EXHIBIT B"

**EXHIBIT A**

LANDSCAPE EASEMENT EXHIBIT  
 PART OF LOT 1, BLOCK 47, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 DESCRIPTION (SEE SHEET 1 FOR MAP)  
 TRACT 2

A Tract of land for the purposes of a Landscape Easement, being a part of Lot 1, Block 47, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the East line of Lot 1, Block 47 having a bearing of South 11° 06' 59" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Southeast corner of Lot 1, Block 47;

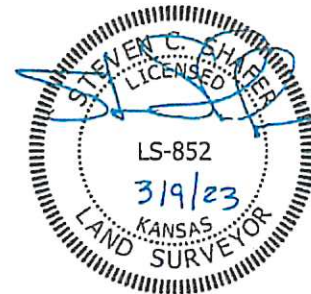
Thence North 11° 06' 59" West, 10.00 feet, on the East line of Lot 1, to the POINT OF BEGINNING of Tract herein described;

Thence South 33° 52' 59" West, 7.07 feet;

Thence North 11° 06' 59" West, 120.82 feet, parallel to the East line of said Lot 1, to a point on the North line of said Lot 1;

Thence North 78° 49' 09" East, 5.00 feet, on the North line of said Lot 1, to the Northeast corner of said Lot 1;

Thence South 11° 06' 59" East, 115.83 feet, on the East line of said Lot 1, to the POINT OF BEGINNING, said Tract containing 592 square feet or 0.0136 acres.



Mar 09, 2023 - 9:53am Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-Tract 2\031930-SRVY-LE-Tract 2.dwg

Sheet: <b>2</b> OF <b>2</b>	Drawn By: DAJ Project No: 031930 Field Date: 11/17/2021 Issue Date: 03/07/2023	Project: LANDSCAPE EASEMENT LOT 1, BLOCK 47, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS
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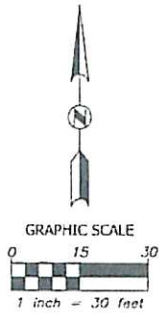
Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048



# "EXHIBIT B"

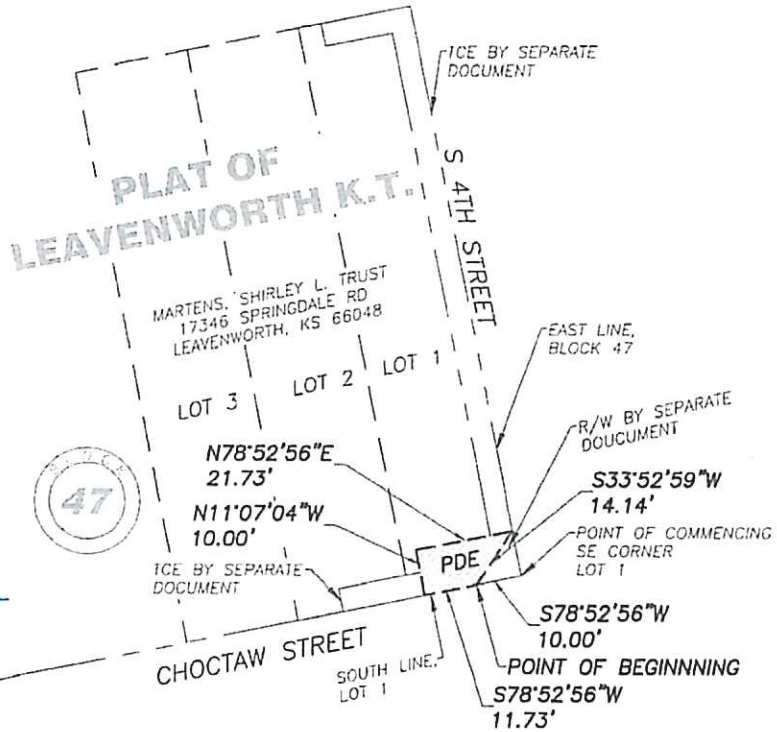
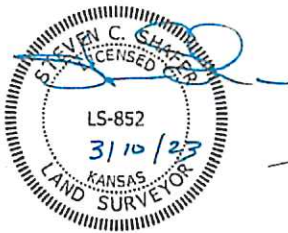
## EXHIBIT A

PERMANENT DRAINAGE EASEMENT  
 PART OF LOT 1, BLOCK 47, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 2



### LEGEND

- PDE Permanent Drainage Easement
- R/W Right-of-Way
- TCE Temporary Construction Easement



Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 PERMANENT DRAINAGE EASEMENT  
 LOT 1, BLOCK 47,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 02/7/2023  
 Issue Date: 03/10/2023  
 Sheet:

1 OF 2



"EXHIBIT B"

EXHIBIT A

PERMANENT DRAINAGE EASEMENT  
PART OF LOT 1, BLOCK 47, LEAVENWORTH K.T.  
CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
DESCRIPTION (SEE SHEET 1 FOR MAP)  
TRACT 2

A Tract of land for the purpose of a Permanent Drainage Easement, being a part of Lot 1, Block 47, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the South line of Lot 1, Block 47, having a bearing of South 78° 52' 56" West, and are referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Southeast corner of Lot 1, Block 47;

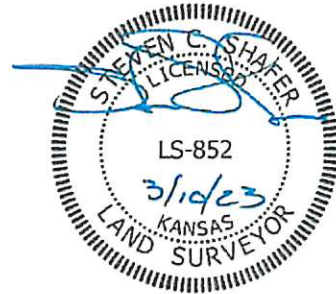
Thence South 78° 52' 56" West, 10.00 feet, on the South line of said Lot 1, to the POINT OF BEGINNING of said Tract herein described;

Thence South 78° 52' 56" West, 11.73 feet, on the South line of said Lot 1;

Thence North 11°07' 04" West, 10.00 feet;

Thence North 78°52' 56" East, 21.69 feet, to the East line of said Lot 1;

Thence South 33° 52' 59" West, 14.14 feet, to the POINT OF BEGINNING, said Tract containing 167 square feet or 0.0038 acres



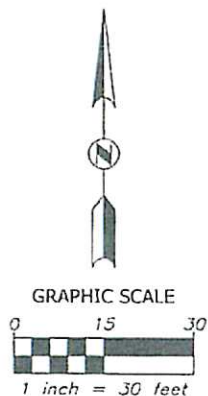
Mar 10, 2023 - 9:46am Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930--Tract 2\031930--SRVY--PDE--Tract 2.dwg

Sheet: <b>2</b> OF <b>2</b>	Drawn By: <b>DAJ</b> Project No: <b>031930</b> Field Date: <b>11/17/2021</b> Issue Date: <b>03/10/2023</b>	Project: PERMANENT DRAINAGE EASEMENT LOT 1, BLOCK 47 LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS	Client: CITY OF LEAVENWORTH 100 N. 5TH STREET, LEAVENWORTH, KANSAS 66048	<b>BHC</b> CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300
--------------------------------------	---	--	--	---

"EXHIBIT B"

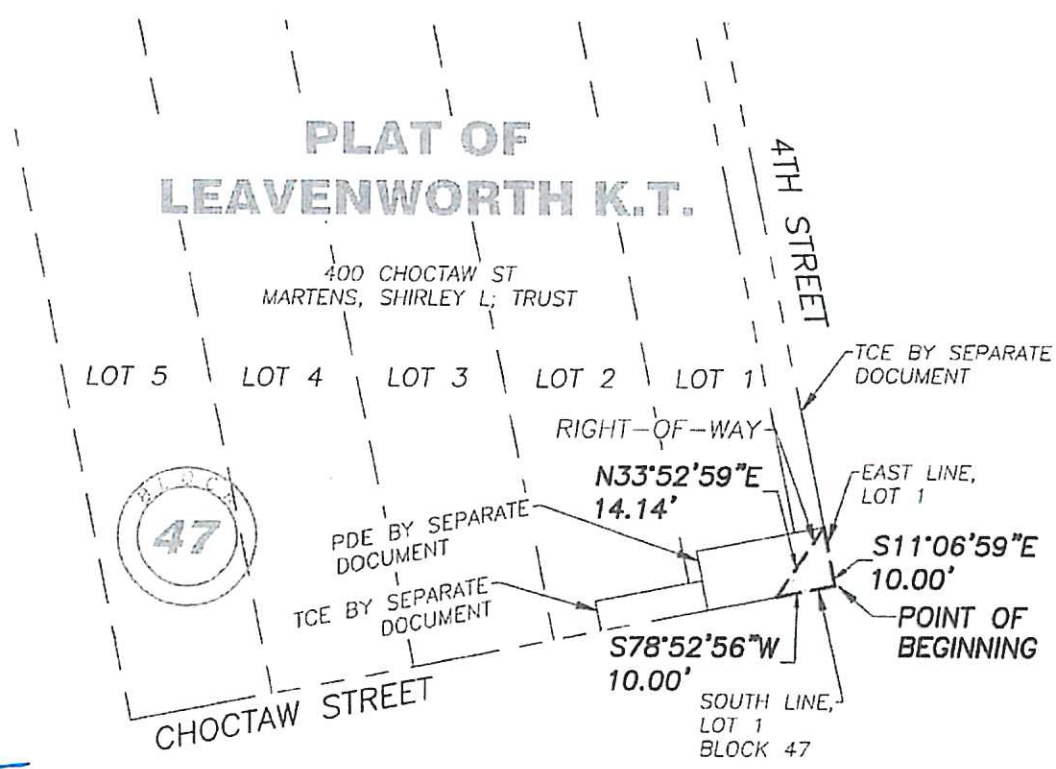
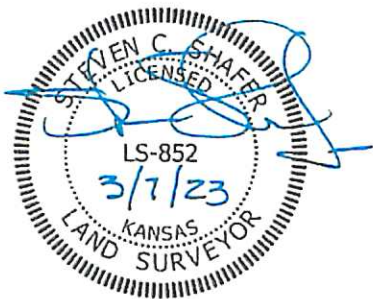
# EXHIBIT A

RIGHT-OF-WAY EXHIBIT  
 PART OF LOT 1, BLOCK 47, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 2



**LEGEND**

- TCE Temporary Construction Easement
- PDE Permanent Drainage Easement



**B/C**  
 CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client: CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project: RIGHT-OF-WAY EXHIBIT  
 LOT 1, BLOCK 47,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/07/2023  
 Sheet:



"EXHIBIT B"

EXHIBIT A

RIGHT-OF-WAY EXHIBIT

PART OF LOT 1, BLOCK 47, LEAVENWORTH K.T.  
CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
DESCRIPTION (SEE SHEET 1 FOR MAP)  
TRACT 2

A Tract of land for the purposes of a Right-of-Way Easement , being a part of Lot 1, Block 47, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

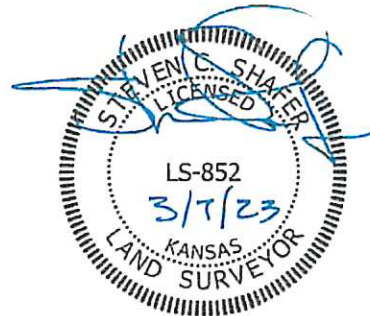
(Note: For course orientation the bearings in this description are based on the South line of Lot 1, Block 47 having a bearing of South 78° 52' 56" West, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

BEGINNING at the Southeast corner of said Lot 1, Block 47;

Thence South 78° 52' 56" West, 10.00 feet, on the South line of said Lot 1;

Thence North 33° 52' 59" East, 14.14 feet, to the East line of said Lot 1;

Thence South 11° 06' 59" East, 10.00 feet, on the East line of said Lot 1, to the POINT OF BEGINNING, said Tract containing 50 square feet.



Mar 07, 2023 - 12:01pm Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-Tract 2\031930-SRVY-RW-TRACT 2.dwg

Sheet:  
2  
OF  
2

Drawn By: DAJ  
Project No: 031930  
Field Date: 11/17/2021  
Issue Date: 03/07/2023

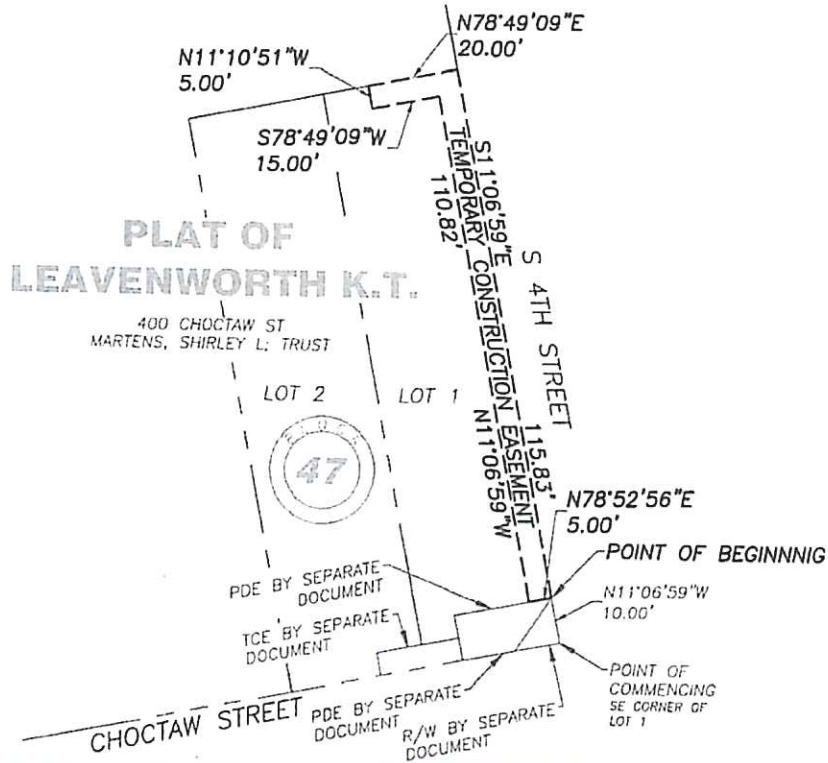
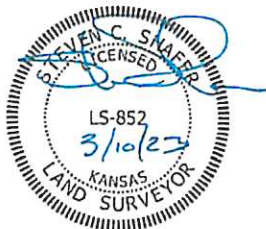
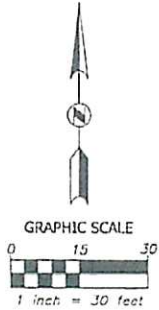
Project:  
RIGHT-OF-WAY EXHIBIT  
LOT 1, BLOCK 47,  
LEAVENWORTH K.T.  
CITY OF LEAVENWORTH,  
LEAVENWORTH COUNTY, KANSAS

Client:  
CITY OF LEAVENWORTH  
100 N. 5TH STREET,  
LEAVENWORTH, KANSAS  
66048

**BHC**  
CIVIL ENGINEERING / SURVEYING / UTILITIES  
712 State Avenue, Kansas City, KS 66101  
Phone: (913) 371-5300

# "EXHIBIT B"

## EXHIBIT A TEMPORARY CONSTRUCTION EASEMENT PART OF LOT 1, BLOCK 47, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS MAP (SEE SHEET 2 FOR DESCRIPTION) TRACT 2



**Client:**  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

**Project:**  
 TEMPORARY CONSTRUCTION EASEMENT  
 LOT 1, BLOCK 47,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

**Drawn By:** DAJ  
**Project No:** 031930  
**Field Date:** 11/17/2021  
**Issue Date:** 03/10/2023  
**Sheet:**

1 OF 2

"EXHIBIT B"

# EXHIBIT A

## TEMPORARY CONSTRUCTION EASEMENT PART OF LOT 1, BLOCK 47, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS DESCRIPTION (SEE SHEET 1 FOR MAP) TRACT 2

A Tract of land for the purposes of a Temporary Construction Easement, being a part of Lot 1, Block 47, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the East line of Lot 1, Block 47, having a bearing of South 11° 06' 59" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Southeast Corner of said Lot 1, Block 47;

Thence North 11° 06' 59" West, 10.00 feet, on said East line of Lot 1, to the POINT OF BEGINNING said Tract herein described;

Thence North 78° 52' 56" East, 5.00 feet, departing said East line of Lot 1;

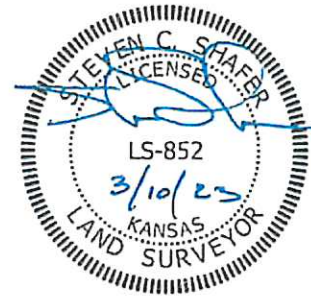
Thence North 11° 06' 59" West, 110.82 feet, parallel to said East line of Lot 1;

Thence South 78° 49' 09" West, 15.00 feet, parallel to the North line of said Lot 1;

Thence North 11° 10' 51" West, 5.00 feet, to a point on said North line of Lot 1;

Thence North 78° 49' 09" East, 20.00 feet, on said North line of Lot 1, to the Northeast Corner of said Lot 1;

Thence South 11° 06' 59" East, 115.83 feet, on said East line of Lot 1, to the POINT OF BEGINNING, said Tract containing 653 square feet, or 0.0150 acres.



I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930--Tract 2\031930--SRVY--TCE--TRACT 2(2).dwg  
Mar 10, 2023 - 8:24am Plotted by: david.jones

Sheet: <b>2</b> OF <b>2</b>	Drawn By: DAJ Project No: 031930 Field Date: 11/17/2021 Issue Date: 03/10/2023	Project: TEMPORARY CONSTRUCTION EASEMENT LOT 1, BLOCK 47, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS	Client: CITY OF LEAVENWORTH 100 N. 5TH STREET, LEAVENWORTH, KANSAS 66048	 <b>BHC</b> CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300
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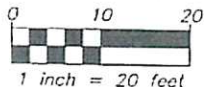
# "EXHIBIT B"

## EXHIBIT A

TEMPORARY CONSTRUCTION EASEMENT  
 PART OF LOTS 1 AND 2, BLOCK 47, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 2



GRAPHIC SCALE

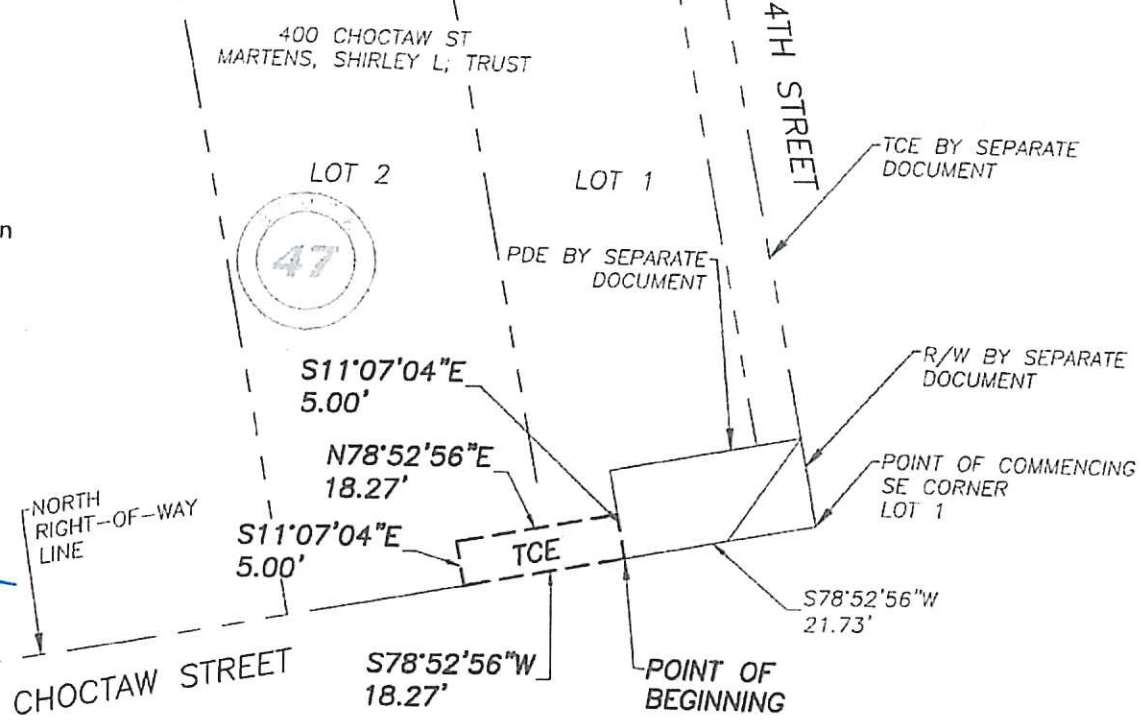


### LEGEND

- TCE Temporary Construction Easement
- R/W Right-of-Way
- PDE Permanent Drainage Easement



### PLAT OF LEAVENWORTH K.T.



CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 TEMPORARY CONSTRUCTION EASEMENT  
 LOTS 1 AND 2, BLOCK 47,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/08/2023  
 Sheet:

1 OF 2



"EXHIBIT B"

# EXHIBIT A

## TEMPORARY CONSTRUCTION EASEMENT PART OF LOTS 1 AND 2, BLOCK 47, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS DESCRIPTION (SEE SHEET 1 FOR MAP) TRACT 2

A Tract of land for the purposes of a Temporary Construction Easement, being part of Lots 1 and 2, Block 47, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation, the bearings in this description are based on the North Right-of-Way line of Choctaw Street, having a bearing of South 78° 52' 56" West, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Southeast Corner of Lot 1, Block 47;

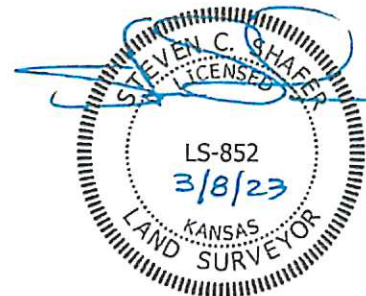
Thence South 78° 52' 56" West, 21.73 feet, on the North Right-of-Way line of Choctaw Street, to the POINT OF BEGINNING, said Tract herein described;

Thence South 78° 52' 56" West, 18.27 feet, continuing on said North Right-of-Way line of Choctaw Street;

Thence North 11° 07' 04" West, 5.00 feet;

Thence North 78° 52' 56" East, 18.27 feet;

Thence South 11° 07' 04" East, 5.00 feet, to said Right-of-Way line of Choctaw Street, to the POINT OF BEGINNING, said Tract containing 91 square feet or 0.0021 acres.



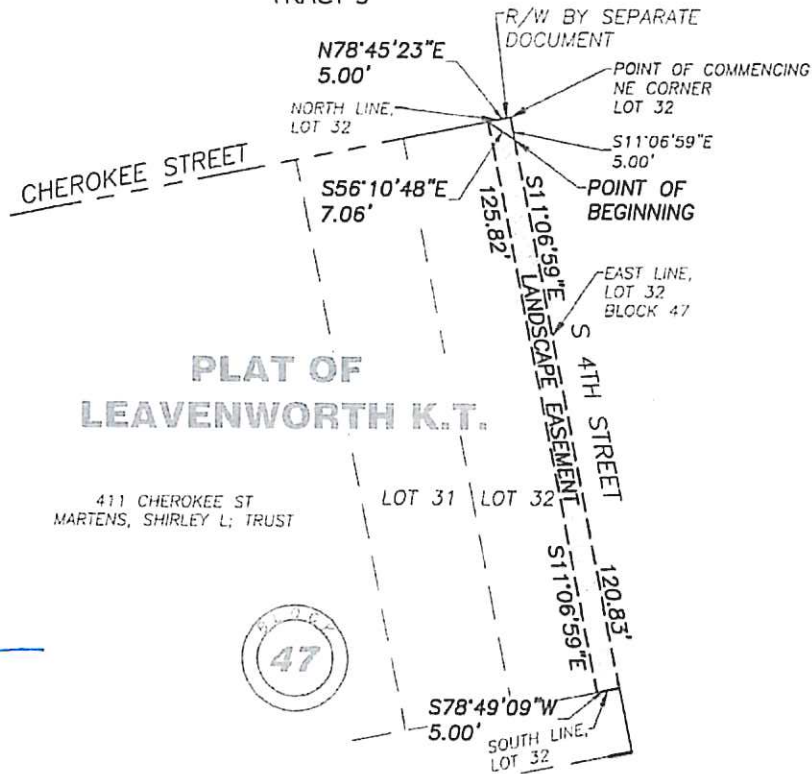
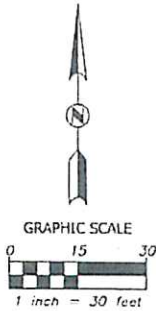
Mar 08, 2023 - 9:47am Plotted by: david.jones i:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 2\031930-SRVY-TCE-TRACT 2.dwg

Sheet: <b>2</b> OF <b>2</b>	Drawn By: <b>DAJ</b> Project No: <b>031930</b> Field Date: <b>11/17/2021</b> Issue Date: <b>03/08/2023</b>	Project: TEMPORARY CONSTRUCTION EASEMENT LOTS 1 AND 2, BLOCK 47, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS	Client: CITY OF LEAVENWORTH 100 N. 5TH STREET, LEAVENWORTH, KANSAS 66048	 CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300
--------------------------------------	---	--	--	---

# "EXHIBIT B"

## EXHIBIT A

LANDSCAPE EASEMENT EXHIBIT  
 PART OF LOT 32, BLOCK 47, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 3



PLAT OF  
 LEAVENWORTH K.T.

411 CHEROKEE ST  
 MARTENS, SHIRLEY L; TRUST

LOT 31 LOT 32  
 S 4TH STREET  
 120.83'



**ETIC**  
 CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 LANDSCAPE EASEMENT EXHIBIT  
 LOT 32, BLOCK 47,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/10/2023  
 Sheet:

1 OF 2

# "EXHIBIT B"

## EXHIBIT A

### LANDSCAPE EASEMENT EXHIBIT PART OF LOT 32, BLOCK 47, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS DESCRIPTION (SEE SHEET 1 FOR MAP) TRACT 3

A Tract of land for the purposes of a Landscape Easement, being a part of Lot 32, Block 47, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the East line of Lot 32, Block 47, having a bearing of South 11° 06' 59" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Northeast corner of said Lot 32, Block 47;

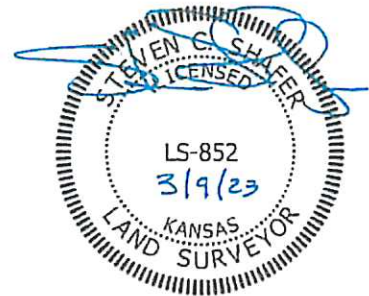
Thence South 11° 06' 59" East, 5.00 feet, on the East line of said Lot 32, to the POINT OF BEGINNING of Tract herein described;

Thence South 11° 06' 59" East, 120.83 feet, on said East line, to the Southeast corner of Lot 32;

Thence South 78° 49' 09" West, 5.00 feet, on the South line of Lot 32, Block 47;

Thence South 11° 06' 59" East, 125.82 feet, to the North line of said Lot 32;

Thence South 56° 10' 48" East, 7.06 feet, to the POINT OF BEGINNING, said Tract containing 617 square feet or 0.0142 acres.



Mar 09, 2023 - 10:02am Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 3\031930-SRVY-LE-TRACT 3.dwg

Sheet:	DAJ	Project:
2	031930	LANDSCAPE EASEMENT
OF	11/17/2021	LOT 32, BLOCK 47,
2	03/09/2023	LEAVENWORTH K.T.
		CITY OF LEAVENWORTH,
		LEAVENWORTH COUNTY, KANSAS

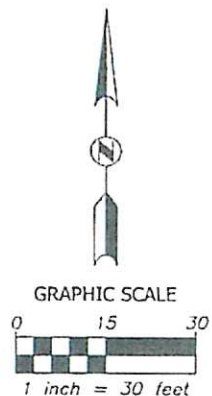
Client:  
CITY OF LEAVENWORTH  
100 N. 5TH STREET,  
LEAVENWORTH, KANSAS  
66048

**BHC**  
CIVIL ENGINEERING / SURVEYING / UTILITIES  
712 State Avenue, Kansas City, KS 66101  
Phone: (913) 371-5300



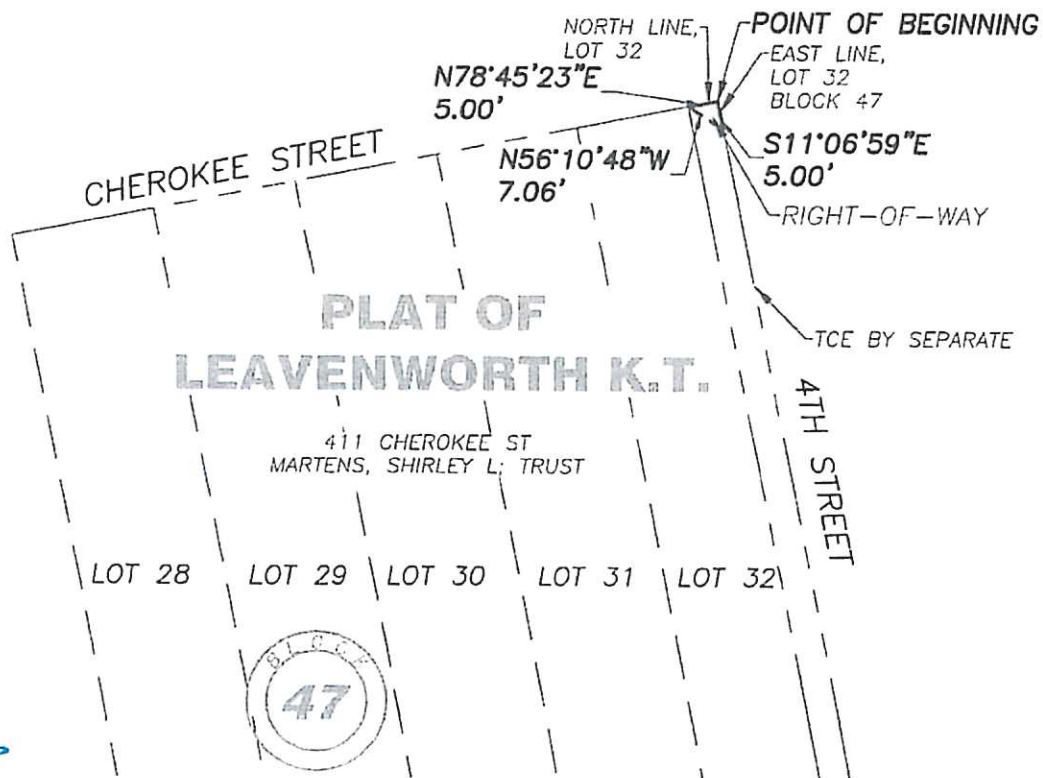
"EXHIBIT B"

**EXHIBIT A**  
 RIGHT-OF-WAY EXHIBIT  
 PART OF LOT 32, BLOCK 47, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 3



**LEGEND**

TCE Temporary Construction Easement



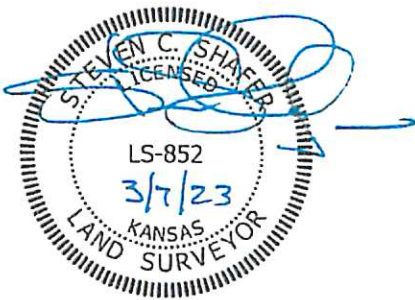
**BLIC**  
 CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 RIGHT -OF-WAY EXHIBIT  
 LOT 32, BLOCK 47,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/07/2023  
 Sheet:

1 OF 2





"EXHIBIT B"

# EXHIBIT A

RIGHT-OF-WAY EXHIBIT  
PART LOT 32, BLOCK 47, LEAVENWORTH K.T.  
CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
DESCRIPTION (SEE SHEET 1 FOR MAP)  
TRACT 3

A Tract of land for the purposes of a Right-of-Way Easement, being a part of Lot 32, Block 47, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

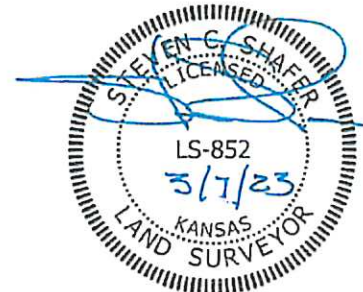
(Note: For course orientation the bearings in this description are based on the East line of Lot 32, Block having a bearing of South 11° 06' 59" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

BEGINNING at the Northeast corner of said Lot 32, Block 47;


Thence South 11° 06' 59" East, 5.00 feet, on the East line of said Lot 32;

Thence North 56° 10' 48" West, 7.06 feet, to the North line of said Lot 32;

Thence North 78° 45' 23" East, 5.00 feet, on the North line of said Lot 32, to the POINT OF BEGINNING, said Tract containing 13 square feet or 2.9844 acres .

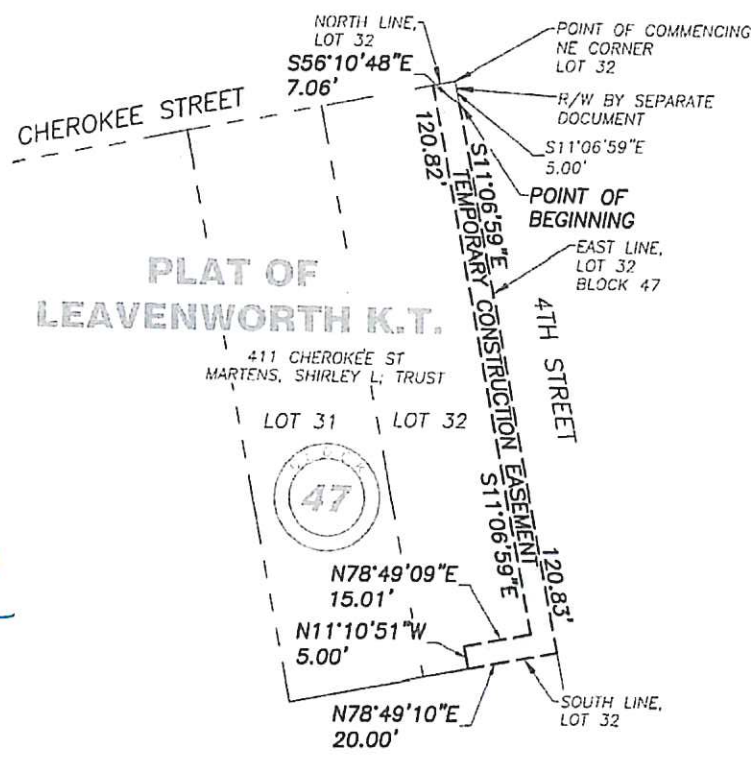
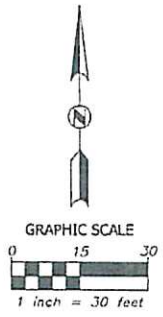


Mar 07, 2023 - 12:49pm Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 3\031930-SRWY-RW-TRACT 3.dwg

Sheet: <b>2</b> OF <b>2</b>	Drawn By: <b>DAJ</b> Project No: <b>031930</b> Field Date: <b>11/17/2021</b> Issue Date: <b>03/07/2023</b>	Project: <b>RIGHT-OF-WAY EXHIBIT</b> <b>LOT 32, BLOCK 47,</b> <b>LEAVENWORTH K.T.</b> <b>CITY OF LEAVENWORTH,</b> <b>LEAVENWORTH COUNTY, KANSAS</b>	Client: <b>CITY OF LEAVENWORTH</b> <b>100 N. 5TH STREET,</b> <b>LEAVENWORTH, KANSAS</b> <b>66048</b>	 <b>CIVIL ENGINEERING / SURVEYING / UTILITIES</b> 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300
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# "EXHIBIT B"

## EXHIBIT A TEMPORARY CONSTRUCTION EASEMENT LOT 32, BLOCK 47, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS MAP (SEE SHEET 2 FOR DESCRIPTION) TRACT 3



**Client:**  
CITY OF LEAVENWORTH  
100 N. 5TH STREET,  
LEAVENWORTH, KANSAS  
66048

**Project:**  
TEMPORARY CONSTRUCTION EASEMENT  
LOT 32, BLOCK 47,  
LEAVENWORTH K.T.  
CITY OF LEAVENWORTH,  
LEAVENWORTH COUNTY, KANSAS

**Drawn By:** DAJ  
**Project No:** 031930  
**Field Date:** 11/17/2021  
**Issue Date:** 03/10/2023  
**Sheet:**

1 OF 2

"EXHIBIT B"

EXHIBIT A

TEMPORARY CONSTRUCTION EASEMENT  
LOT 32, BLOCK 47, LEAVENWORTH K.T.  
CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
DESCRIPTION (SEE SHEET 1 FOR MAP)  
TRACT 3

A Tract of land for the purposes of a Temporary Construction Easement, being a part of Lot 32, Block 47, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the East line of Lot 32, Block 47, having a bearing of South 11° 06' 59" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Northeast corner of said Lot 32, Block 47;

Thence South 11° 06' 59" East, 5.00 feet, continuing on the East line of said Lot 32, to the POINT OF BEGINNING of said Tract herein described;

Thence South 11° 06' 59" East, 120.83 feet, continuing on said East line;

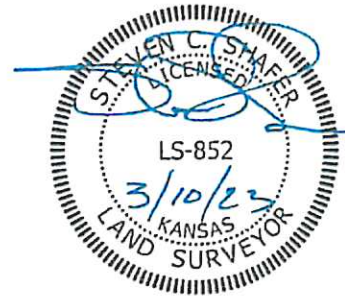
Thence South 78° 49' 10" West, 20.00 feet, on the South line of said Lot 32;

Thence North 11° 10' 51" West, 5.00 feet;

Thence North 78° 49' 09" East, 15.01 feet;

Thence North 11° 06' 59" West, 120.82 feet, parallel to said East line of Lot 32, to a point on the North line of said Lot 32;

Thence South 56° 10' 48" East, 7.06 feet, to the POINT OF BEGINNING, said Tract containing 702 square feet, or 0.0161 acres.



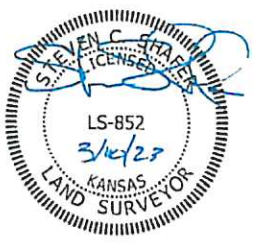
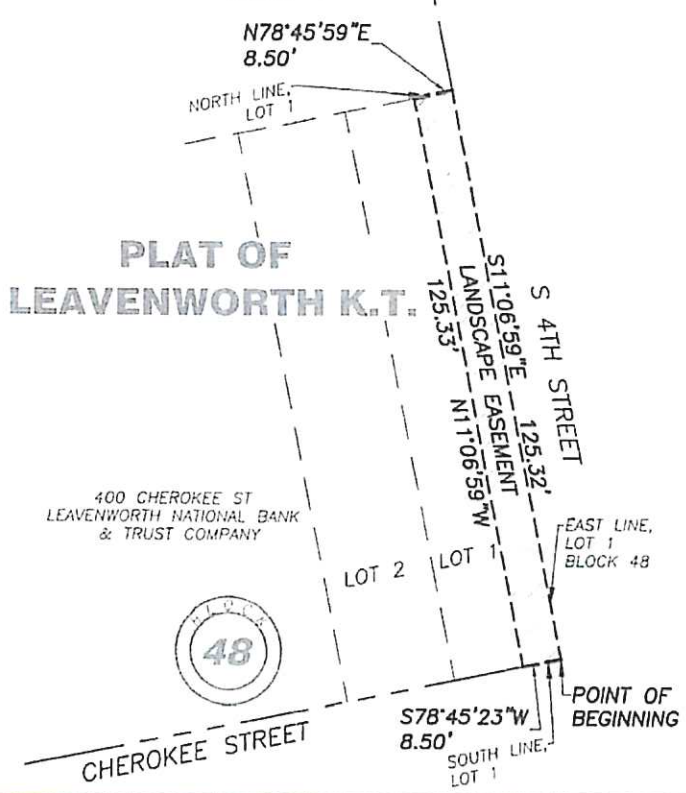
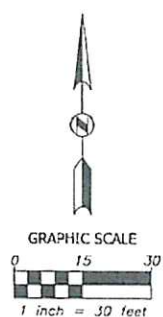
I:\031930\00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 3.dwg  
Mar 10, 2023 - 9:55am Plotted by: david.jones

Sheet: <b>2</b> OF <b>2</b>	Drawn By: <b>DAJ</b> Project No: <b>031930</b> Field Date: <b>11/17/2021</b> Issue Date: <b>03/10/2023</b>	Project: TEMPORARY CONSTRUCTION EASEMENT LOT 32, BLOCK 47, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS	Client: CITY OF LEAVENWORTH 100 N. 5TH STREET, LEAVENWORTH, KANSAS 66048	 CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300
--------------------------------------	---	--	--	---



# "EXHIBIT B"

## EXHIBIT A LANDSCAPE EASEMENT EXHIBIT PART OF LOT 1, BLOCK 48, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS MAP (SEE SHEET 2 FOR DESCRIPTION) TRACT 4



**ELC**  
CIVIL ENGINEERING / SURVEYING / UTILITIES  
712 State Avenue, Kansas City, KS 66101  
Phone: (913) 371-5300

**Client:**  
CITY OF LEAVENWORTH  
100 N. 5TH STREET,  
LEAVENWORTH, KANSAS  
66048

**Project:**  
LANDSCAPE EASEMENT EXHIBIT  
LOT 1, BLOCK 48,  
LEAVENWORTH K.T.  
CITY OF LEAVENWORTH,  
LEAVENWORTH COUNTY, KANSAS

**Drawn By:** DAJ  
**Project No:** 031930  
**Field Date:** 11/17/2021  
**Issue Date:** 03/10/2023  
**Sheet:**

1 OF 2

"EXHIBIT B"

**EXHIBIT A**

LANDSCAPE EASEMENT EXHIBIT  
 PART OF LOT 1, BLOCK 48, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 DESCRIPTION (SEE SHEET 1 FOR MAP)  
 TRACT 4

A Tract of land for the purpose of a Landscape Easement , being a part of Lot 1, Block 48, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the South line of Lot 1, having a bearing of South 78° 45' 23" West, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

BEGINNING at the Southeast corner of said Lot 1, Block 48;

Thence South 78° 45' 23" West, 8.50 feet, on the South line of said Lot 1;

Thence North 11° 06' 59" West, 125.33 feet;

Thence North 78° 45' 59" East, 8.50 feet, on the North line of said of Lot 1;

Thence South 11° 06' 59" East, 125.32 feet, on the East line of said Lot 1, to the POINT OF BEGINNING, said Tract containing 1,065 square feet, or 0.0245 acres.

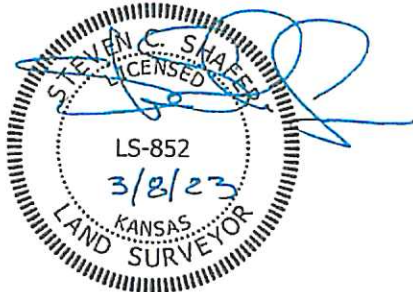
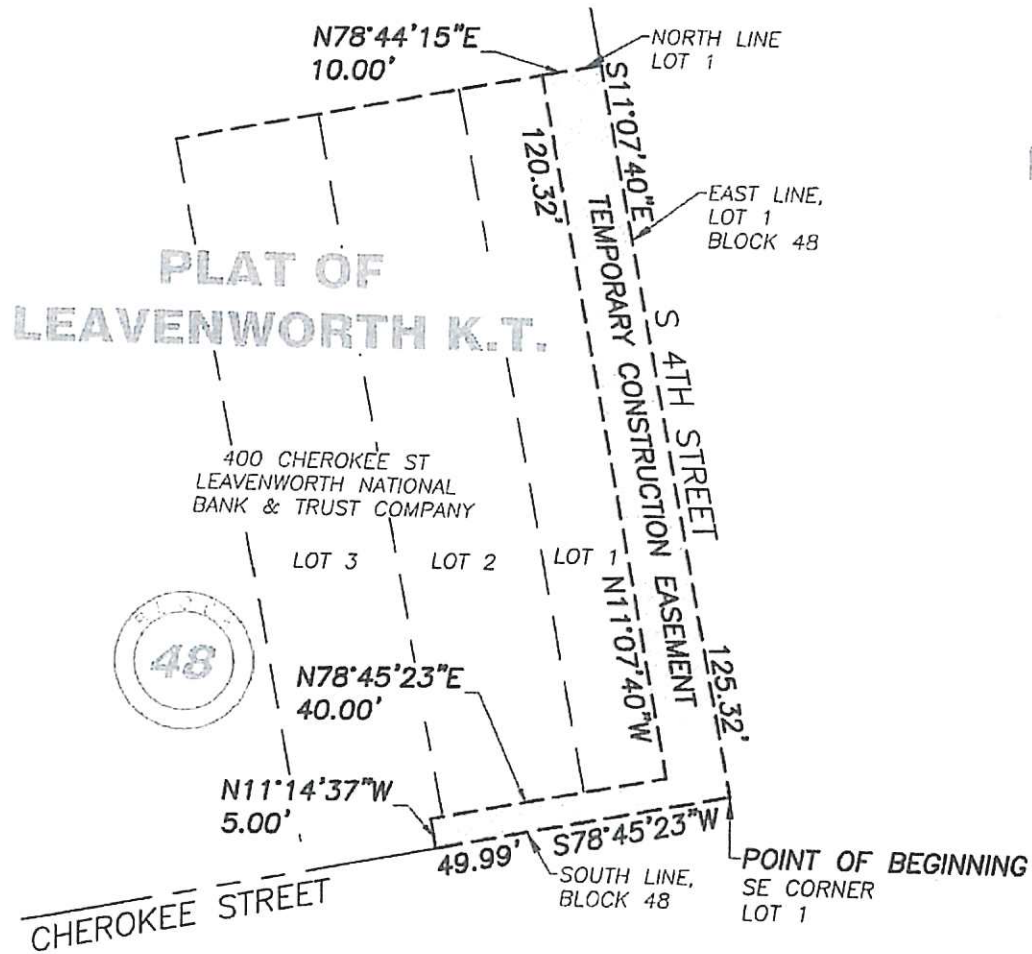
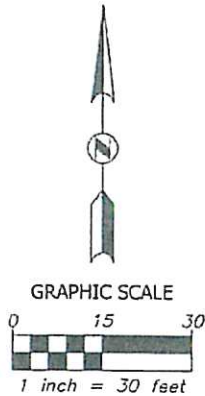


Mar 10, 2023 - 1:04pm Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 4\031930-SRVY-LE-TRACT 4.dwg

Sheet:	DAJ	Project:	Client:	 CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300
2	Drawn By:	LANDSCAPE EASEMENT EXHIBIT	CITY OF LEAVENWORTH	
OF	Project No: 031930	LOT 1, BLOCK 48,	100 N. 5TH STREET,	
2	Field Date: 11/17/2021	LEAVENWORTH K.T.	LEAVENWORTH, KANSAS	
	Issue Date: 03/10/2023	CITY OF LEAVENWORTH,	66048	
		LEAVENWORTH COUNTY, KANSAS		

"EXHIBIT B"

**EXHIBIT A**  
 TEMPORARY CONSTRUCTION EASEMENT  
 PART LOT 1 THROUGH 3 BLOCK 48, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 4



**ETC**  
 CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 TEMPORARY CONSTRUCTION EASEMENT  
 LOT 1 THOURGH 3, BLOCK 48,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/08/2023  
 Sheet:

1 OF 2



"EXHIBIT B"

# EXHIBIT A

## TEMPORARY CONSTRUCTION EASEMENT PART OF LOT 1 THROUGH 3, BLOCK 48, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS DESCRIPTION (SEE SHEET 1 FOR MAP) TRACT 4

A Tract of land for the purpose of a Temporary Construction Easement, being a part of Lot 1 Through 3, Block 48, LEAVENWORTH K.T., a subdivision in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the South line of Lot 1, having a bearing of South 78° 45' 23" West, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

BEGINNING at the Southeast corner of said Lot 1 Block 48;

Thence South 78° 45' 23" West, 49.99 feet, on the South line of said Lots 1,2, and 3, Block 48;

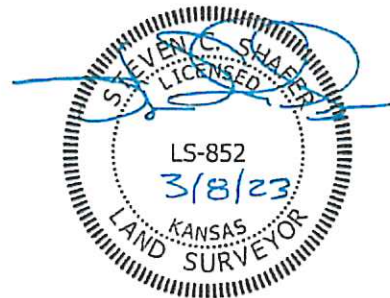
Thence North 11° 14' 37" West, 5.00 feet;

Thence North 78° 45' 23" East, 40.00 feet;

Thence North 11° 07' 40" West, 120.32 feet, to the North line of said Lot 1;

Thence North 78° 45' 59" East, 10.00 feet, on said North line;

Thence South 11° 07' 40" East, 125.32 feet, on the East line of said Lot 1, to the POINT OF BEGINNING, said Tract containing 1,453 square feet or 0.0336 acres.



Mar. 08, 2023 - 11:47am Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 4\031930-SRVY-TCE-TRACT 4.dwg

Sheet:	DAJ	Project:
2	031930	TEMPORARY CONSTRUCTION EASEMENT
OF	11/17/2021	LOT 1 THROUGH 3, BLOCK 48,
2	03/08/2023	LEAVENWORTH K.T.
		CITY OF LEAVENWORTH,
		LEAVENWORTH COUNTY, KANSAS

Client:
CITY OF LEAVENWORTH
100 N. 5TH STREET,
LEAVENWORTH, KANSAS
66048

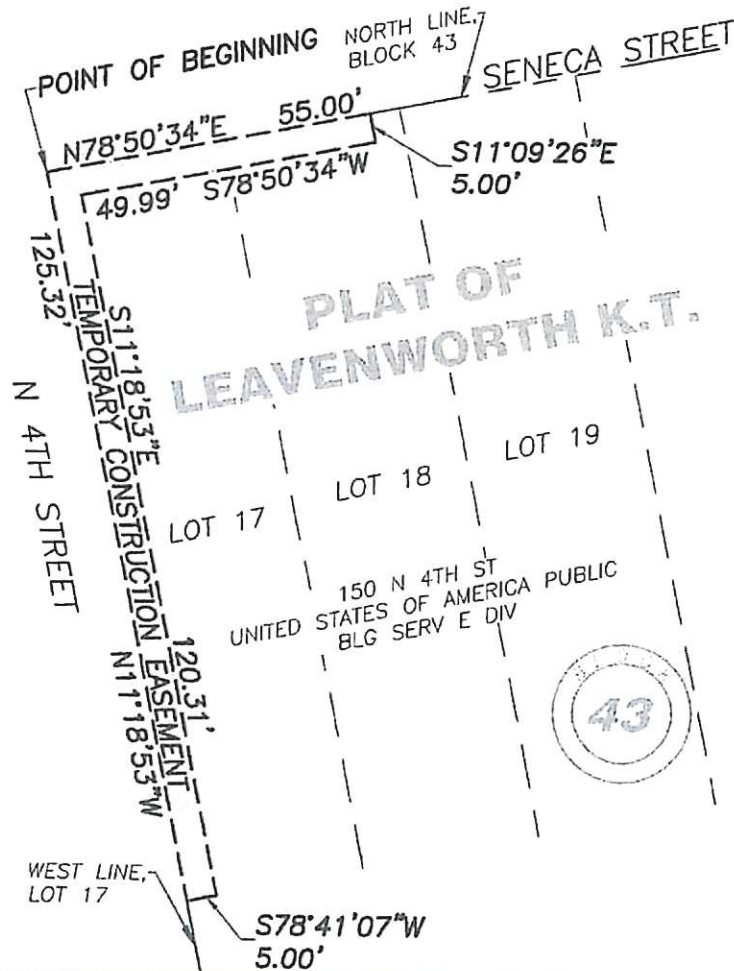
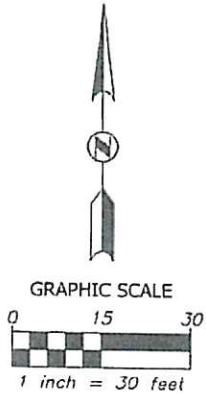


**BHC**  
CIVIL ENGINEERING / SURVEYING / UTILITIES  
712 State Avenue, Kansas City, KS 66101  
Phone: (913) 371-5300

"EXHIBIT B"

# EXHIBIT A

TEMPORARY CONSTRUCTION EASEMENT  
 PART OF LOT 17 AND 18, BLOCK 43, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 12



**Client:**  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

**Project:**  
 TEMPORARY CONSTRUCTION EASEMENT  
 LOTS 17 THROUGH 18, BLOCK 43,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

**Drawn By:** DAJ  
**Project No:** 031930  
**Field Date:** 02/7/2023  
**Issue Date:** 03/08/2023  
**Sheet:**

1 OF 2



# "EXHIBIT B"

## TEMPORARY CONSTRUCTION EASEMENT PART OF LOTS 17 AND 18, BLOCK 43, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS DESCRIPTION (SEE SHEET 1 FOR MAP) TRACT 12

A Tract of land for the purpose of a Temporary Construction Easement, being a part of Lots 17 and 18, Block 43, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of Lot 17, Block 43, having a bearing of North 78° 50' 34" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

BEGINNING at the Northwest corner of Lot 17, Block 43;

Thence North 78° 50' 34" East, 55.00 feet, on the North line of said Block 43;

Thence South 11° 09' 26" East, 5.00 feet;

Thence South 78° 50' 34" West, 49.99 feet;

Thence South 11° 18' 53" East, 120.31 feet;

Thence South 78° 41' 07" West, 5.00 feet, to the Southwest corner of said Lot 17 of said Block 43;

Thence North 11° 18' 53" West, 125.32 feet, on the West line said Lot 17, to the POINT OF BEGINNING, said Tract containing 877 square feet or 0.0201 acres.



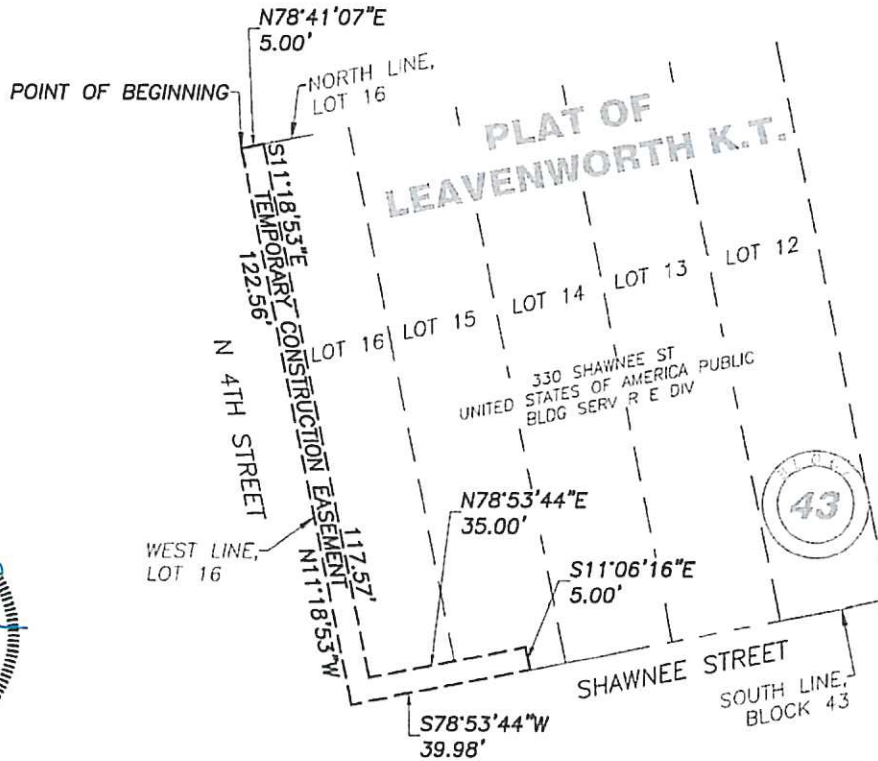
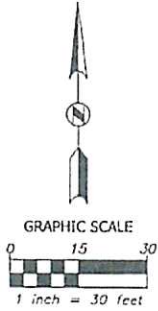
Mar 08, 2023 - 12:51pm Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 12\031930-SRVY-TCE-TRACT 12.dwg

Sheet: <b>2</b> OF <b>2</b>	Drawn By: DAJ Project No: 031930 Field Date: 11/17/2021 Issue Date: 03/08/2023	Project: TEMPORARY CONSTRUCTION EASEMENT LOTS 17 THROUGH 18, BLOCK 43, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS	Client: CITY OF LEAVENWORTH 100 N. 5TH STREET, LEAVENWORTH, KANSAS 66048	 <b>BHC</b> CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300



# "EXHIBIT B"

## EXHIBIT A TEMPORARY CONSTRUCTION EASEMENT PART OF LOT 15 AND 16, BLOCK 43, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS MAP (SEE SHEET 2 FOR DESCRIPTION) TRACT 13



**BLIC**  
CIVIL ENGINEERING / SURVEYING / UTILITIES  
712 State Avenue, Kansas City, KS 66101  
Phone: (913) 371-5300

**Client:**  
CITY OF LEAVENWORTH  
100 N. 5TH STREET.  
LEAVENWORTH, KANSAS  
66048

**Project:**  
TEMPORARY CONSTRUCTION EASEMENT  
LOT 15 AND 16, BLOCK 43,  
LEAVENWORTH K.T.  
CITY OF LEAVENWORTH,  
LEAVENWORTH COUNTY, KANSAS

**Drawn By:** DAJ  
**Project No:** 031930  
**Field Date:** 11/17/2021  
**Issue Date:** 03/10/2023  
**Sheet:**

1 OF 2

"EXHIBIT B"

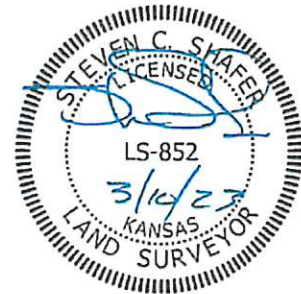
**EXHIBIT A**

TEMPORARY CONSTRUCTION EASEMENT  
 PART OF LOT 15 AND 16, BLOCK 43, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 DESCRIPTION (SEE SHEET 1 FOR MAP)  
 TRACT 13


A Tract of land for the purpose of a Temporary Construction Easement, being part of Lot 15 and 16, Block 43, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the North line of said Lot 16, Block 43, having a bearing of North 78° 41' 07" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

- BEGINNING at the Northwest corner of Lot 16, Block 43;
- Thence North 78° 41' 07" East, 5.00 feet, on the North line of said Lot 16, Block 43;
- Thence South 11° 18' 53" East, 117.57 feet;
- Thence North 78° 53' 44" East, 35.00 feet;
- Thence South 11° 06' 16" East, 5.00 feet, to the South line of said Lot 15;
- Thence South 78° 53' 44" West, 39.98 feet, on the South line Lot 15 and 16;
- Thence North 11° 18' 53" West, 122.56 feet, on the West line of said Lot 16, to the POINT OF BEGINNING, said Tract containing 788 square feet or 0.0181 acres.

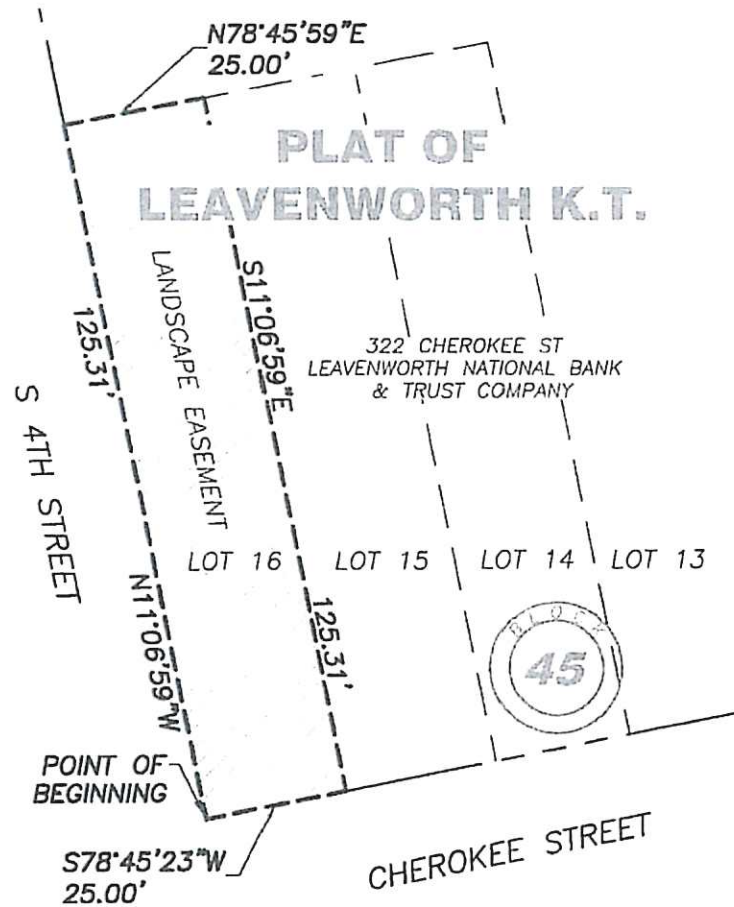
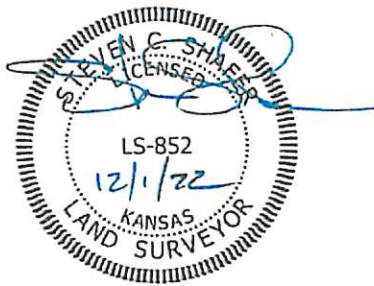
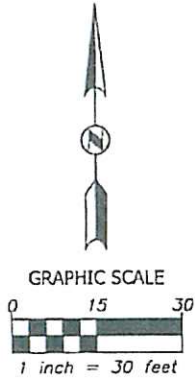


Mar 10, 2023 - 9:34am Plotted by: davidjones I:\031930.00.01 4th St - Chocitaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 13.dwg

Sheet: <b>2</b> OF 2	Drawn By: <b>DAJ</b> Project No: <b>031930</b> Field Date: <b>11/17/2021</b> Issue Date: <b>03/10/2023</b>	Project: TEMPORARY CONSTRUCTION EASEMENT LOT 15 AND 16, BLOCK 43, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS	Client: CITY OF LEAVENWORTH 100 N. 5TH STREET, LEAVENWORTH, KANSAS 66048	 CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300
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# "EXHIBIT B"

LANDSCAPE EASEMENT EXHIBIT  
 LOT 16, BLOCK 45, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)



**BLIC**  
 CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 LANDSCAPE EASEMENT EXHIBIT  
 LOT 16, BLOCK 45,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: TC  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 12/1/2022  
 Sheet:

1 OF 2



# "EXHIBIT B"

## LANDSCAPE EASEMENT EXHIBIT LOT 16, BLOCK 45, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS DESCRIPTION (SEE SHEET 1 FOR MAP)

All of Lot 16, Block 45, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854.

(Note: For course orientation, the bearings in this description are based on the West line of Lot 16, having a bearing of North 11° 06' 59" West, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

BEGINNING at the Southwest corner of said Lot 16, Block 45;

Thence North 11° 06' 59" West, 125.31 feet, on the West line of said Lot 1;

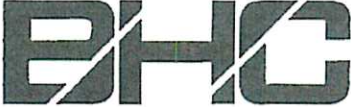
Thence North 78° 45' 59" East, 25.00 feet, departing said West line, to a point on the East line of said Lot 16;

Thence South 11° 06' 59" East, 125.31 feet, on said East line, to the South line of said Lot 16;

Thence South 78° 45' 23" West, 25.00 feet, on the South line of Lot 16, to the POINT OF BEGINNING, said Tract containing 3,133 square feet, or 0.0719 acres.

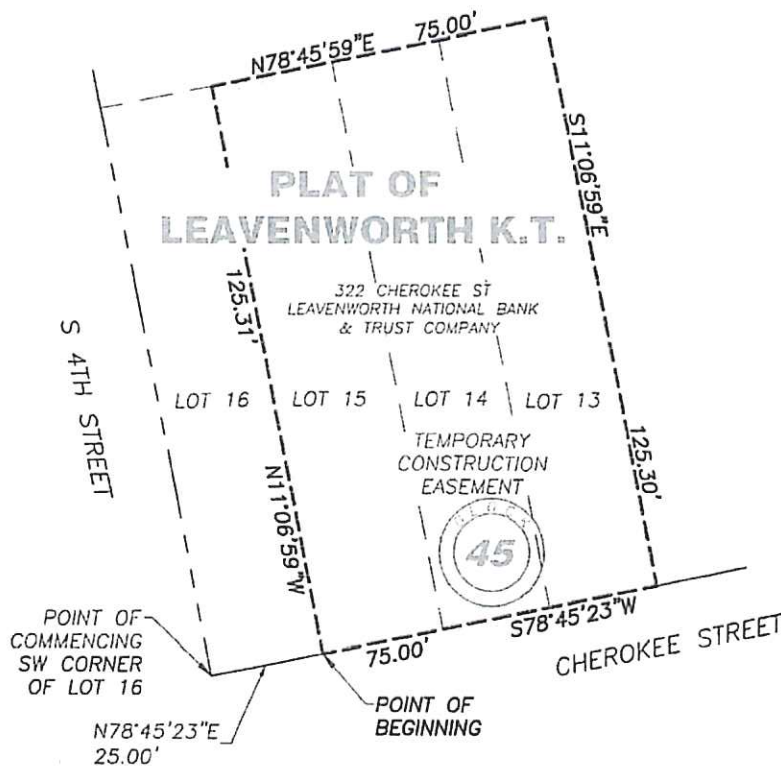
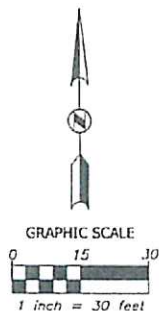


Dec 01, 2022 - 10:34am Plotted by: thomas.carman I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-SRVY-LE.dwg

Sheet:	TC	Project: LANDSCAPE EASEMENT EXHIBIT LOT 16, BLOCK 45, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS	Client: CITY OF LEAVENWORTH 100 N. 5TH STREET, LEAVENWORTH, KANSAS 66048	 <b>BHC</b> CIVIL ENGINEERING / SURVEYING / UTILITIES 712 State Avenue, Kansas City, KS 66101 Phone: (913) 371-5300
2 OF 2	Drawn By: TC	Field Date: 11/17/2021		
	Project No: 031930	Issue Date: 12/1/2022		

# "EXHIBIT B"

TEMPORARY CONSTRUCTION EASEMENT  
 LOTS 13 THROUGH 15, BLOCK 45, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 17



CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 TEMPORARY CONSTRUCTION EASEMENT  
 LOTS 13 THROUGH 15, BLOCK 45,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/10/2023  
 Sheet:

1 OF 2

# "EXHIBIT B"

## TEMPORARY CONSTRUCTION EASEMENT LOTS 13 THROUGH 15, BLOCK 45, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS DESCRIPTION (SEE SHEET 1 FOR MAP) TRACT 17

A Tract of land for the purposes of a Temporary Construction Easement, being part of Lots 13 through 15, Block 45, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the South line of Lot 16, Block 45, having a bearing of North 78° 45' 23" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Southwest Corner of said Lot 16;

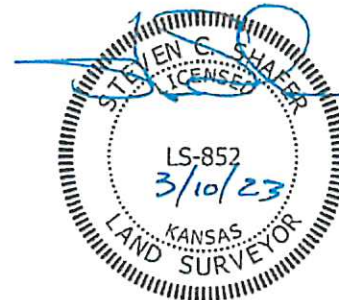
Thence North 78° 45' 23" East, 25.00 feet on said South line of Lot 16, to the POINT OF BEGINNING, said Tract herein described;

Thence North 11° 06' 59" West, 125.31 feet, on the West line of said Lot 15;

Thence North 78° 45' 59" East, 75.00 feet, on the North line of said Lots 13 through 15;

Thence South 11° 06' 59" East, 125.30 feet, on the East line of said Lot 13;

Thence South 78° 45' 23" West, 75.00 feet, on said South line of Lots 13 through 15, to the POINT OF BEGINNING, said Tract containing 9,398 square feet, or 0.2157 acres.



Mar 10, 2023 - 1:25pm Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-Tract 17\031930-SRVY-TCE-TRACT 17(2).dwg

Sheet: <b>2</b> OF <b>2</b>	Drawn By: <b>DAJ</b> Project No: <b>031930</b> Field Date: <b>11/17/2021</b> Issue Date: <b>03/10/2023</b>	Project: TEMPORARY CONSTRUCTION EASEMENT LOTS 13 THROUGH 15, BLOCK 45, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS
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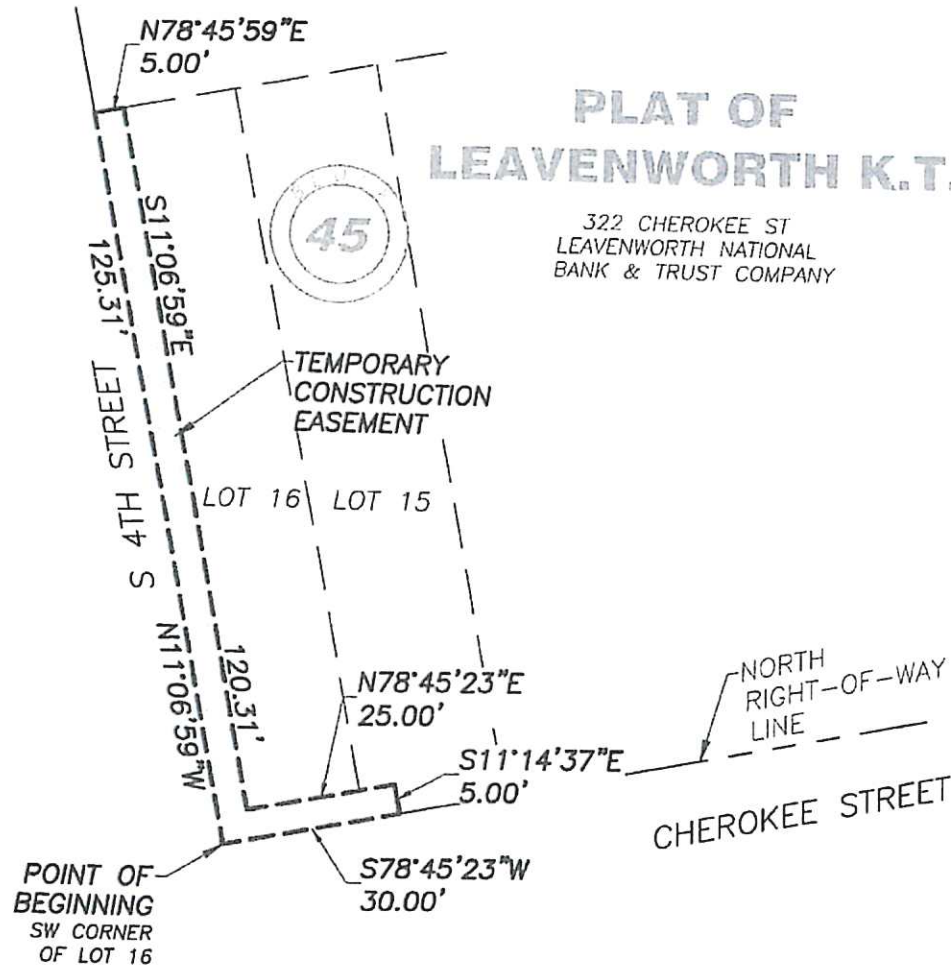
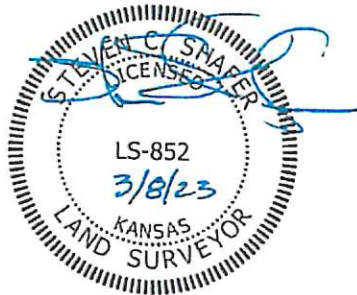
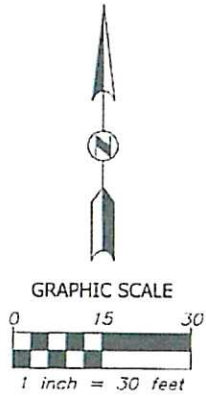
Client: CITY OF LEAVENWORTH 100 N. 5TH STREET, LEAVENWORTH, KANSAS 66048
--



"EXHIBIT B"

**EXHIBIT A**

TEMPORARY CONSTRUCTION EASEMENT  
 PARTS OF LOTS 15 AND 16, BLOCK 45, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 17



**EFHC**  
 CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 TEMPORARY CONSTRUCTION EASEMENT  
 LOTS 15 AND 16, BLOCK 45,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAI  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/08/2023  
 Sheet:

1 OF 2

"EXHIBIT B"

**EXHIBIT A**

TEMPORARY CONSTRUCTION EASEMENT  
 PARTS OF LOTS 15 AND 16, BLOCK 45, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 DESCRIPTION (SEE SHEET 1 FOR MAP)  
 TRACT 17

A Tract of land for the purposes of a Temporary Construction Easement, being a part of Lots 15 and 16, Block 45, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the West line of Lot 16, having a bearing of North 11° 06' 59" West, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

BEGINNING at the Southwest Corner of said Lot 16, Block 45;

Thence North 11° 06' 59" West, 125.31 feet, on said West line of Lot 16, to the Northwest Corner of said Lot 16;

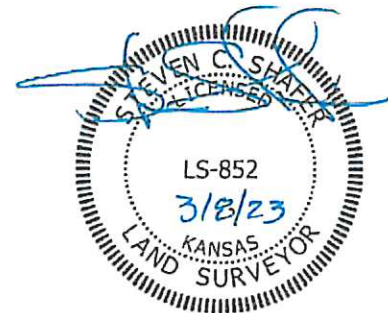
Thence North 78° 45' 59" East, 5.00 feet, on the North line of said Lot 16;

Thence South 11° 06' 59" East, 120.31 feet, parallel to said West line of Lot 16;

Thence North 78° 45' 23" East, 25.00 feet;

Thence South 11° 14' 37" East, 5.00 feet, to a point on the North Right-of-Way line of Cherokee Street;

Thence South 78° 45' 23" West, 30.00 feet, on said North Right-of-Way line of Cherokee Street, to the POINT OF BEGINNING, said Tract containing 653 square feet, or 0.0150 acres.



Mar 08, 2023 - 1:28pm Plotted by: david,jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-Tract 17\031930-SRVY-TCE-TRACT 17.dwg

Sheet:  
 2  
 OF  
 2

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/08/2023

Project:  
 TEMPORARY CONSTRUCTION EASEMENT  
 LOTS 15 AND 16, BLOCK 45,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

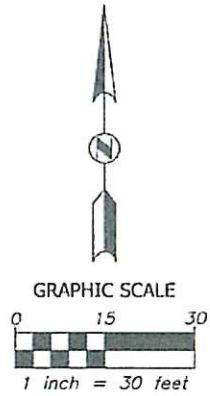




"EXHIBIT B"

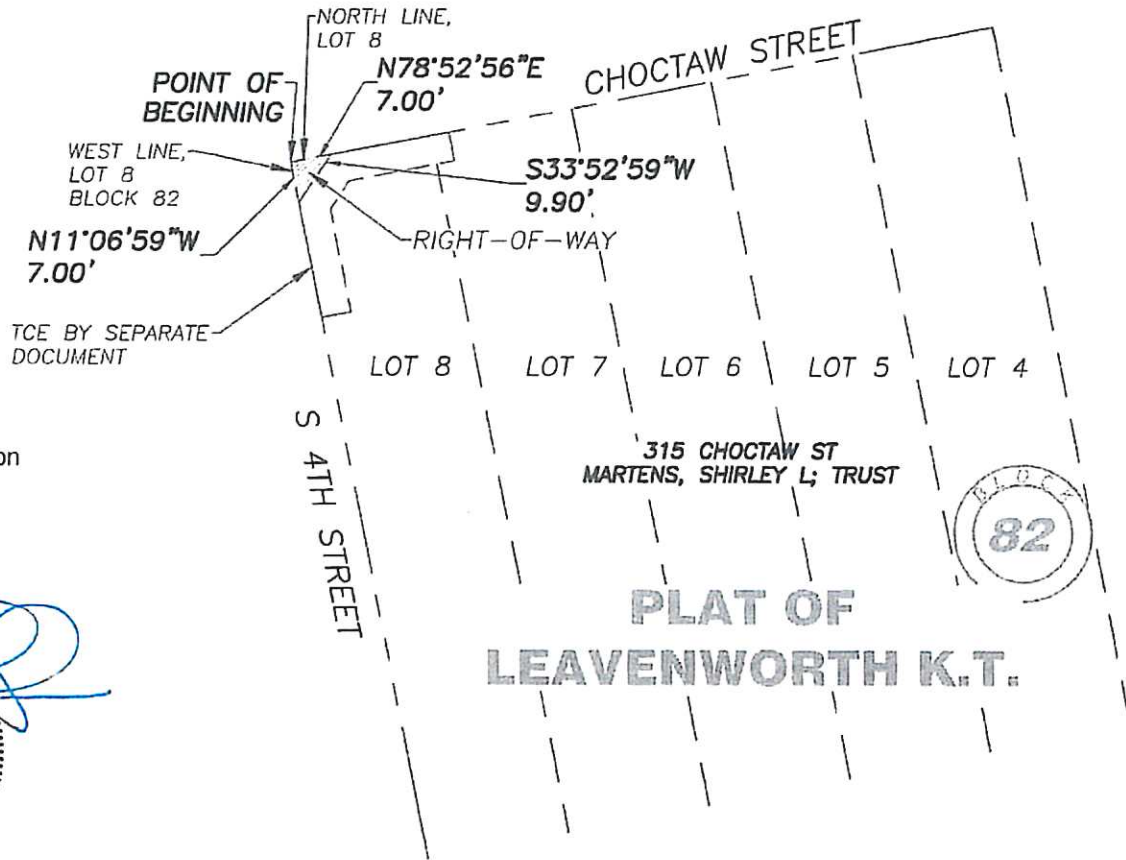
# EXHIBIT A

RIGHT-OF-WAY EXHIBIT  
 PART OF LOT 8, BLOCK 82, LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
 MAP (SEE SHEET 2 FOR DESCRIPTION)  
 TRACT 20



**LEGEND**

TCE Temporary Construction Easement



**BLIC**  
 CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 RIGHT -OF-WAY EXHIBIT  
 LOT 8, BLOCK 82,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/07/2023  
 Sheet:



"EXHIBIT B"

EXHIBIT A

RIGHT-OF-WAY EXHIBIT

PART OF LOT 8, BLOCK 82, LEAVENWORTH K.T.  
CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS  
DESCRIPTION (SEE SHEET 1 FOR MAP)  
TRACT 20

A Tract of land for the purposes of a Right-of-Way Easement, being a part of Lot 8, Block 82, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation, the bearings in this description are based on the North line of Lot 8, having a bearing of North 78° 52' 56" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

BEGINNING at the Northwest corner of said Lot 8, Block 82;

Thence North 78° 52' 56" East, 7.00 feet, on the North line of said Lot 8, Block 82;

Thence South 33° 52' 59" West, 9.90 feet, to the West line of said Lot 8, Block 82;

Thence North 11° 06' 59" West, 7.00 feet, on said West line of Lot 8, Block 82, to the POINT OF BEGINNING, said Tract containing 24.50 square feet or 5.6244 acres.



Mar 07, 2023 - 1:35pm Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-TRACT 20\031930-SRVY-RW-TRACT 20.dwg

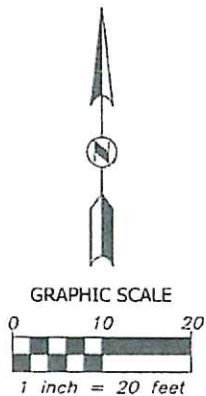
Sheet:	DAJ	Project:
2	031930	RIGHT-OF-WAY EXHIBIT
OF	11/17/2021	LOT 8, BLOCK 82,
2	03/07/2023	LEAVENWORTH K.T.
		CITY OF LEAVENWORTH,
		LEAVENWORTH COUNTY, KANSAS

Client:  
CITY OF LEAVENWORTH  
100 N. 5TH STREET,  
LEAVENWORTH, KANSAS  
66048

**BHC**  
CIVIL ENGINEERING / SURVEYING / UTILITIES  
712 State Avenue, Kansas City, KS 66101  
Phone: (913) 371-5300

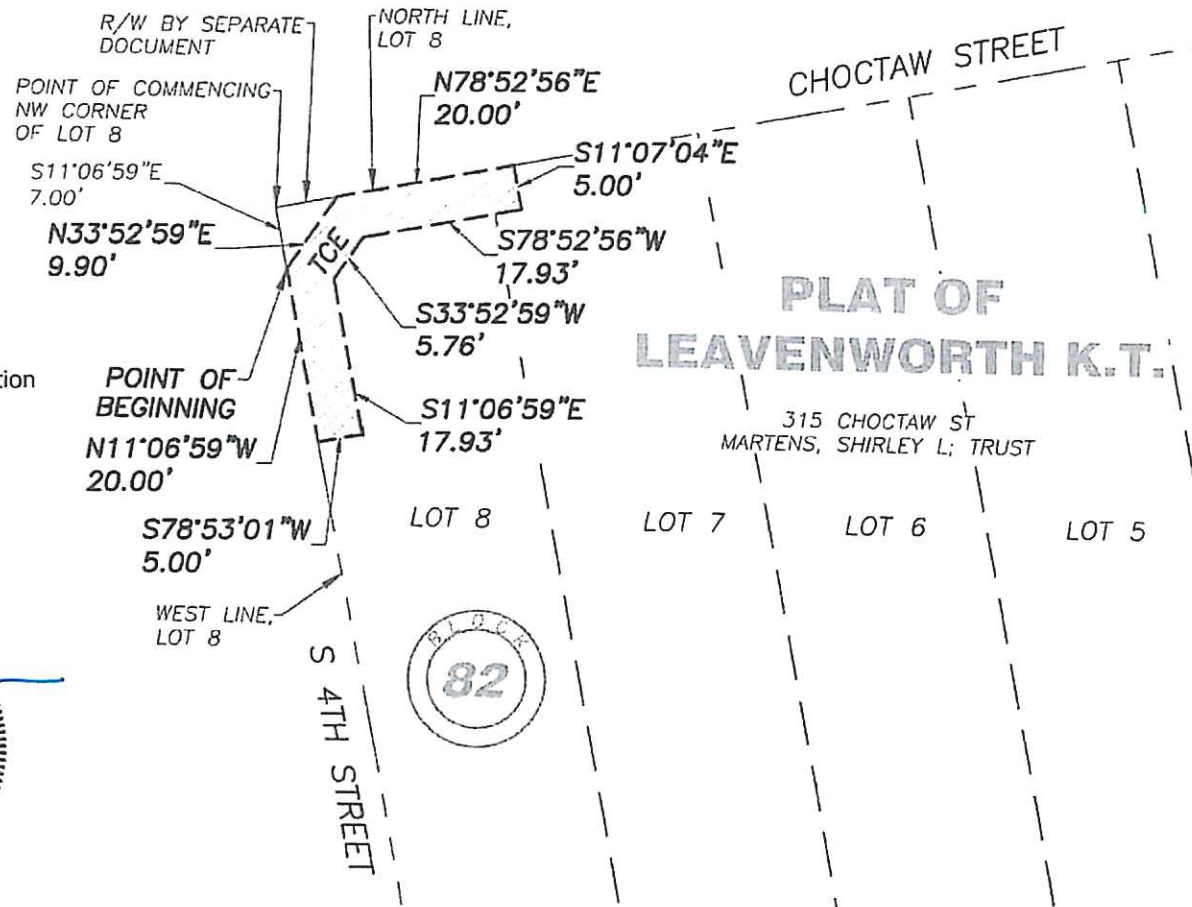
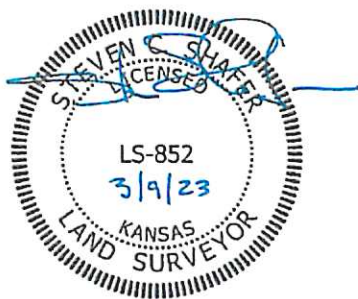
# "EXHIBIT B"

## EXHIBIT A TEMPORARY CONSTRUCTION EASEMENT LOTS 7 AND 8, BLOCK 82, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS MAP (SEE SHEET 2 FOR DESCRIPTION) TRACT 20



### LEGEND

- TCE Temporary Construction Easement
- R/W Right-of-Way



**ELIOT**  
 CIVIL ENGINEERING / SURVEYING / UTILITIES  
 712 State Avenue, Kansas City, KS 66101  
 Phone: (913) 371-5300

Client:  
 CITY OF LEAVENWORTH  
 100 N. 5TH STREET,  
 LEAVENWORTH, KANSAS  
 66048

Project:  
 TEMPORARY CONSTRUCTION EASEMENT  
 LOTS 7 AND 8, BLOCK 82,  
 LEAVENWORTH K.T.  
 CITY OF LEAVENWORTH,  
 LEAVENWORTH COUNTY, KANSAS

Drawn By: DAJ  
 Project No: 031930  
 Field Date: 11/17/2021  
 Issue Date: 03/09/2023  
 Sheet:

1 OF 2



# "EXHIBIT B"

## EXHIBIT A TEMPORARY CONSTRUCTION EASEMENT LOTS 7 AND 8, BLOCK 82, LEAVENWORTH K.T. CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS DESCRIPTION (SEE SHEET 1 FOR MAP) TRACT 20

A Tract of land for the purposes of a Temporary Construction Easement, being a part of Lots 7 and 8, Block 82, LEAVENWORTH K.T., a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas recorded December 20th, 1854, said Tract being more particularly described by Steven C. Shafer, LS-852, with BHC, CLS 175, by metes and bounds as follows:

(Note: For course orientation the bearings in this description are based on the West line of Lot 8, Block 82, having a bearing of South 11° 06' 59" East, referenced to the Kansas State Plane Coordinate System, North Zone, NAD83.)

COMMENCING at the Northwest corner of Lot 8, Block 82;

Thence South 11° 06' 59" East, 7.00 feet, on the West line of said Lot 8, to the POINT OF BEGINNING of said Tract herein described;

Thence North 33° 52' 59" East, 9.90 feet, to the North line of said Lot 8;

Thence North 78° 52' 56" East, 20.00 feet, on the said North line;

Thence South 11° 07' 04" East, 5.00 feet;

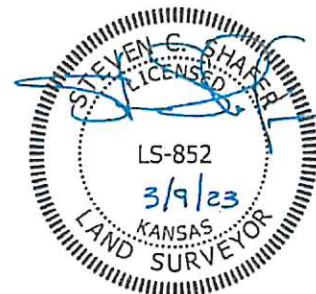
Thence South 78° 52' 56" West, 17.93 feet;

Thence South 33° 52' 59" West, 5.76 feet;

Thence South 11° 06' 59" East, 17.93 feet;

Thence South 78° 53' 01" West, 5.00 feet, to the West line of said Lot 8;

Thence North 11° 06' 59" West, 20.00 feet, on said West line, to the POINT of BEGINNING, said Tract containing 229 square feet or 0.0053 acres.



Mar 09, 2023 - 9:43am Plotted by: david.jones I:\031930.00.01 4th St - Choctaw to Seneca Leavenworth\DWG\Survey\031930-Tract 20\031930-SRVY-TCE-TRACT 20.dwg

Sheet:	DAJ	Project:	TEMPORARY CONSTRUCTION EASEMENT
2	031930	LOTS 7 AND 8, BLOCK 82,	
OF	11/17/2021	LEAVENWORTH K.T.	
2	03/09/2023	CITY OF LEAVENWORTH,	
		LEAVENWORTH COUNTY, KANSAS	

Client:	CITY OF LEAVENWORTH
	100 N. 5TH STREET,
	LEAVENWORTH, KANSAS
	66048

**CIVIL ENGINEERING / SURVEYING / UTILITIES**  
712 State Avenue, Kansas City, KS 66101  
Phone: (913) 371-5300



**POLICY REPORT  
SECOND CONSIDERATION ORDINANCE 8218  
AMENDING CODE OF ORDINANCES, CHAPTER 38 SOLID WASTE, ARTICLE II COLLECTON AND  
DISPOSAL**

**June 13, 2023**

  
\_\_\_\_\_  
Sarah Bodensteiner, CMC  
City Clerk

  
\_\_\_\_\_  
Paul Kramer  
City Manager

**BACKGROUND:**

At the May 23, 2023 City Commission regular meeting the City Commission reviewed and placed on first consideration:

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF ARTICLE II  
(COLLECTION AND DISPOSAL) OF CHAPTER 38 (SOLID WASTE) OF  
THE LEAVENWORTH CODE OF ORDINANCES, DELETING SECTION 38-  
31 THEREIN, ADDING NEW AND SUBSTITUTE PROVISIONS, AND  
REPEALING THE PREVIOUS SECTIONS SO AMENDED.**

There have been no other changes since first consideration.

Ordinance No. 8218 is now presented for second consideration and requires a roll call vote.

**ATTACHMENTS:**

- Ordinance No. 8218

*(Summary Published in the Leavenworth Times on June 16, 2023)*

**ORDINANCE NO. 8218**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF ARTICLE II (COLLECTION AND DISPOSAL) OF CHAPTER 38 (SOLID WASTE) OF THE LEAVENWORTH CODE OF ORDINANCES, DELETING SECTION 38-31 THEREIN, ADDING NEW AND SUBSTITUTE PROVISIONS, AND REPEALING THE PREVIOUS SECTIONS SO AMENDED.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

**Section 1.** Section 38-30 of the Leavenworth Code of Ordinances is hereby deleted in its entirety and amended to read as follows:

**Sec. 38-30. – Residential unit regulations.**

Each family within the city, including those families in multiple-family complexes and commercial establishment owners, shall:

- (1) Use for the collection of refuse a disposable container or a plastic can liner which shall be securely tied at the time of collection;
- (2) Not deposit more than sixty (60) pounds of refuse in any one container;
- (3) Drain all surplus water from garbage and wrap such garbage in heavy paper or place in a plastic bag before depositing such garbage for collection;
- (4) Tie newspapers, magazines and other papers into bundles with heavy cord before depositing the same for collection;
- (5) Place brush and yard debris, grass clippings and leaves in plastic bags, paper bags or other sturdy disposable containers before depositing for collection. Such disposable containers shall not be returned after collection;
- (6) Cut shrubbery, branches and all other similar trash in lengths of not more than five (5) feet and tie into bundles with heavy cord before depositing for collection;
- (7) Place refuse containers, bundles and disposable containers along the street at such times as are set out in this section. Collection of refuse shall ordinarily be made at least once each week and the collection areas shall be divided to provide a systematic and economical collection of such refuse. Refuse shall be at the designated collection point by no later than 7:00 a.m. of the

regularly scheduled collection days and no earlier than 24 hours prior to the day of collection.

**Section 2.** Section 38-31 of the Leavenworth Code of Ordinances is hereby deleted in its entirety and amended to read as follows:

**Sec. 38-31. – Reserved.**

**Section 3.** Sections 38-30 and 38-31 of the Leavenworth Code of Ordinances, in existence as of and prior to the adoption of this ordinance, and all other sections in conflict with the terms of this ordinance, are hereby repealed.

**Section 4.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper as provided by law.

PASSED and APPROVED by the Governing Body on the 13th day of June, 2023.

---

Jermaine Wilson, Mayor

{SEAL}

ATTEST:

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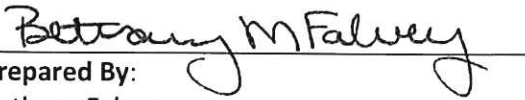
Sarah Bodensteiner, CMC, City Clerk




**POLICY REPORT**

**Review Unsafe and Dangerous Structures**

**June 13, 2023**

  
**Prepared By:**  
Bethany Falvey,  
City Planner

  
**Reviewed By:**  
Paul Kramer,  
City Manager

**DISCUSSION**

On April 11, 2023, the City Commission adopted Resolution B-2331 regarding demolition of 10 structures. At that time, the Commission voted to grant a 60-day extension to the following 5 properties. The current status of each property is as follows:

1. **612 N. 2<sup>nd</sup> Street** – Single family house  
No change.
2. **710 S. 7<sup>th</sup> Street** – Single family house and accessory structure  
No change.
3. **701 Chestnut Street** – Single family house and accessory structure  
Building permit for new roof issued on 5/2/2023. Exterior work ongoing.
4. **200 Osage Street** – Accessory structure  
Building permit for removal of the 2<sup>nd</sup> story was issued on 03/24/2023. Work is ongoing.
5. **229 Osage Street** – Single family house  
Active building permit for interior and exterior renovations, work ongoing.

Staff will present current photos and statuses of the properties during the June 13, 2023 City Commission meeting.

**RECOMMENDED ACTION**

- Motion to remove listed properties from demolition list.
- Motion to grant extension to complete repairs to listed properties.
- Motion to proceed with demolition of listed properties.

**POLICY REPORT PWD NO. 23-27**

**UPDATE FOR UNSAFE STRUCTURE  
1015 OTTAWA STREET**

June 13, 2023

Prepared by:

  
Harold D. Burdette,  
Chief Building Inspector

Reviewed by:

  
Brian D. Faust  
Director of Public Works

Reviewed by:

  
Paul Kramer,  
City Manager

**ISSUE**

Consider the status of the fire-damaged structure located at 1015 Ottawa Street.

**BACKGROUND**

This structure was damaged by fire on November 10, 2022. The City received a check from insurance proceeds for \$34,500. A Public Hearing was held on May 9, 2023, regarding the status of the structure. The Commission adopted Resolution No. B-2334, which stated that the owner was given 30 days for repair or removal of the structure, and the City Commission would review the status of the project at the next scheduled meeting after those 30 days.

The owner has been working with Planning & Zoning staff towards obtaining a demolition permit for the structure. City staff is still waiting on confirmation that all utilities have been disconnected before the demolition permit can be issued. A contractor has been selected by the owner for the demolition once the permit is issued.

When structures are damaged by fire and other hazards and the damage is severe enough that the settlement from the insurance company exceeds 75% of the face value of the policy covering the structure, the insurance company is required to draft a payment to the City of Leavenworth for 15% of the settlement. This money is to be used to either remove the structure if the owner decides not to repair it, or returned to the property owner once repairs have progressed to a reasonable point or are completed and the structure is ready for occupancy. In this situation, the money will be returned to the previous property owner when released.

**RECOMMENDATION**

Staff recommends that the City Commission allow additional time for the completion of the demolition.



**RESOLUTION SETTING HEARING DATE FOR UNSAFE STRUCTURE  
707 PAWNEE STREET**

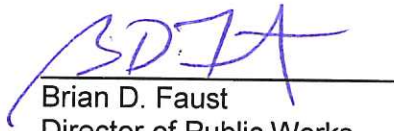
**JUNE 13, 2023**

Prepared by:



Harold D. Burdette,  
Chief Building Inspector

Reviewed by:



Brian D. Faust  
Director of Public Works

Reviewed by:



Paul Kramer,  
City Manager

**ISSUE:**

Consider a resolution setting July 25, 2023 as the date of a public hearing regarding the unsafe or dangerous structure located at 707 Pawnee Street.

**BACKGROUND:**

A fire significantly damaged this structure on March 29, 2023. Inspection staff has spoken with persons who intend to repair the structure, but no request for a building permit has been received.

When structures are damaged by fire or other causes and the damage is severe enough that the settlement from the insurance company exceeds 75% of the face value of the policy covering the structure, the insurance company is required to draft a payment to the City of Leavenworth for 15% of the settlement. This money is to be used by the city to either remove the structure if the owner decides not to address the issue, or be returned to the property owner once repairs are completed and the structure is ready for occupancy, or the owner has the structure demolished. The City has received money in regards to this property. The money will be returned to the owner once repairs have advanced to the point that the exterior work has been completed and the interior is ready for sheetrock.

The Chief Building Inspector recommends that proceedings under the provisions of K.S.A. 12-1750, et seq. should be commenced. Approval of this resolution setting the date of the public hearing is the first step in the process. This action will ensure that the City retains control over the proceeds from the fire insurance to assist with efforts to maintain the site.

Pursuant to the provisions of K.S.A. 12-1750, et seq., a public hearing is required to determine if the structure should be demolished or if the owners will commit to making improvements within a time frame acceptable to the City Commission. To establish the hearing date and to begin the legal service of notice process, the City Commission has to establish the hearing date by which assignees and owners must be notified. The legal rights are vested in the hearing and the City Commission should refrain from taking any testimony at this time in order to protect their legal rights in the process.

At the public hearing, the Commission will receive testimony for and against ordering the demolition of the structure. At the conclusion of the July 25, 2023 public hearing, the City Commission findings are adopted by resolution.

**RECOMMENDATION:** Motion to adopt Resolution No. B-2338 setting July 25, 2023 as the date for the public hearing regarding the unsafe structure located at 707 Pawnee Street.

**ATTACHMENT:**

Resolution No. B-2338

Photo of Exterior of 707 Pawnee Street



(To Be Published in the Leavenworth Times on June 16, 2023 and June 23, 2023)

**RESOLUTION NO. B-2338**

**A RESOLUTION FIXING THE TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS, AT WHICH TIME AND PLACE THE OWNER, ITS AGENT, LIEN HOLDERS OF RECORD, AND OCCUPANTS OF THE STRUCTURES HEREIN DESCRIBED MAY APPEAR TO SHOW CAUSE WHY SUCH STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS UNSAFE OR DANGEROUS STRUCTURES, PURSUANT TO K.S.A. 12-1751 *ET SEQ.***

**WHEREAS**, pursuant to K.S.A. 12-1752, the enforcing officer of the City of Leavenworth, Kansas, did on the 24th day of May, 2023, file with the Governing Body of said city a statement in writing that certain structures hereinafter described are unsafe or dangerous and should be ordered by the Governing Body to be repaired or demolished.

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:**

**Section 1.** Notice is hereby given that a public hearing will be held by the City Commission on July 25, 2023, at Leavenworth City Hall, 100 N. 5th Street, Leavenworth, Kansas, 66048, such date being at least thirty (30) days after the last date scheduled for publication of this Resolution. The public hearing will commence at 6:00 p.m. or as soon thereafter as the City Commission can hear the matter. If, as a result of the COVID-19 pandemic or other reason, such public hearing may not be held in person but rather via remote meeting, such remote meeting shall be held at the same date and time, and access instructions for remote participation shall be available at the City's website, [www.leavenworthks.org](http://www.leavenworthks.org), and included with the published agenda for such meeting. At the public hearing, the owners, their agents, heirs, any lien holders of record and other persons affected by certain structures herein described may appear and show cause why such structures should or should not be condemned as dangerous or hazardous structures and ordered repaired or demolished pursuant to K.S.A. 12-1751 *et seq.*:

The structure is described as: A single-family structure located at 707 Pawnee Street. The property is legally described as: Block 102, Lot 43 of DAY & MACAULAY'S Subdivision.

**Section 2.** The City Clerk and/or Chief Building Inspector are hereby authorized and directed to provide for the notice of the public hearing by taking the following action:

- a. A copy of this Resolution shall be mailed by certified mail within three (3) days after its first publication to each such owner, agent, lienholder, and occupant at the last known address and shall be marked "deliver to addressee only."
- b. This Resolution shall be published for two (2) consecutive weeks on the same day of each week.

**Section 3.** This Resolution shall be effective upon its adoption by the City Commission of the City of Leavenworth, Kansas.

**PASSED AND ADOPTED** by the City Commission of the City of Leavenworth, Kansas, this 13th day of June, 2023.

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Jermaine Wilson, Mayor

{SEAL}

**ATTEST:**

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Sarah Bodensteiner, CMC, City Clerk











POLICY REPORT NO. 2023-01

REQUEST FOR APPROVAL OF CONCRETE REPLACEMENT  
OF OUR FIRE STATIONS OVER TWO YEARS.

June 13, 2023

Prepared By:



Gary Birch,  
Fire Chief

Approved By:



Paul Kramer,  
City Manger

**ISSUE:**

The Fire Department is requesting approval to replace a specific amount of concrete driveway.

**BACKGROUND:**

Two of our fire stations built in 2000 and 2001 are in need of driveway replacement. Both the rear and front drives have been in bad condition for several years. The Joint cracks have become so bad that patching with asphalt is no long a viable option. The fire department requested \$128,000 for concrete replacement in 2022 for the 2023 CIP. Both the 2023 and 2024, CIP included \$64,000.00 dollars for replacement. A predetermined budget required us to request proposals for price per square foot / square yard so that we could then determine the amount of concrete to be replaced.

The one proposal received was for 500 square yards at a unit price of \$125.00 totaling \$62,500.00 completed in 2023 and 500 square yards at a unit price of \$130.00 totaling \$65,000.00 completed in 2024.

Company	Bid Total
KAAZ Construction	\$127,500.00
SANDS Construction	(Incomplete Bid)

**BUDGET IMPACT:**

The proposal received for this project over two fiscal years is within our CIP budgeted amount of \$64,000 per year not to exceed \$127,500.00 total.

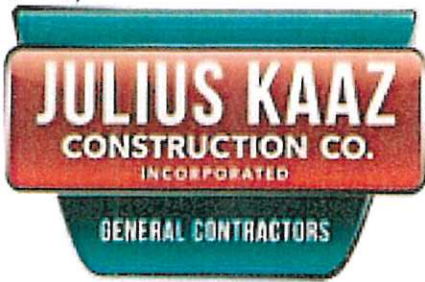
**RECOMMENDATION:**

Staff recommends awarding this project to KAAZ Construction as their proposal meets our scope of work and budgeted amount.









Julius Kaaz Construction Company Inc.  
 716 Cherokee Street  
 Leavenworth, KS 66048  
 913-682-3550  
 jeff@jkaaz.com

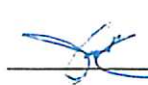
<b>To:</b> City of Leavenworth	<b>Contact:</b> Gary Birch
<b>Address:</b> City Hall Leavenworth, KS 66048 USA	<b>Phone:</b> (913)684-0348
<b>Project Name:</b> LV Fire Station 1 & 2 Driveways	<b>Bid Number:</b>
<b>Project Location:</b> Leavenworth, Leavenworth, KS	<b>Bid Date:</b> 4/6/2023

Line #	Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1		Station #1 (2023) Remove & Replace (6" AB-3 Base & 8" Reinforced Concrete Per S.O.W.)	500.00	SY	\$125.00	\$62,500.00
2		Station #2 (2024) Remove & Replace (6" AB-3 Base & 8" Reinforced Concrete Per S.O.W.)	500.00	SY	\$130.00	\$65,000.00

**Total Bid Price: \$127,500.00**

**Notes:**

- **Certified: DBE/WBE/ HUBZone [WOSB, MODOT, KDOT, KCMO ]**
- **Scope of Work:**  
As stated in bid documents & areas as outlined in attached images. Fire Station 1 completed by 11/1/2023 & Fire Station 2 by 11/1/2024.  
2 Year Maintenance Bond.  
One mobilization for each fire station.
- **General Notes:**
  - All pricing is subject to change or may be with drawn if not accepted within 60 days.
  - Pricing is based on drawings & bid documents.
  - Concrete will be supplied as specified by Geiger Ready-Mix.
  - #4 Rebar at 12" o.c.e.w. pin to existing.
- **Exclusions:**
  - Survey/Testing/Permits/Engineered Drawings/As-Builts/Video & Cleaning Pipe
  - Traffic Control
  - SWPPP/Erosion Control/Seed/Sod
  - Adjustments to utilities, manholes, water valves, storm structures
  - Concrete stain or color
  - Joint Sealing & Compression Seals
  - Removals of Hazardous and/or Contaminated Materials.
  - Bid Bond
  - Payment & Performance Bond
  - Sales Tax
- **Amendments Acknowledged: None**

<p><b>ACCEPTED:</b> The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p><b>Buyer:</b> _____</p> <p><b>Signature:</b> _____</p> <p><b>Date of Acceptance:</b> _____</p>	<p><b>CONFIRMED:</b> <b>Julius Kaaz Construction Company, Inc.</b></p> <p><b>Authorized Signature:</b>  4/6/23</p> <p><b>Estimator:</b> Jeff Kaaz (913)682-3550 jeff@jkaaz.com</p>
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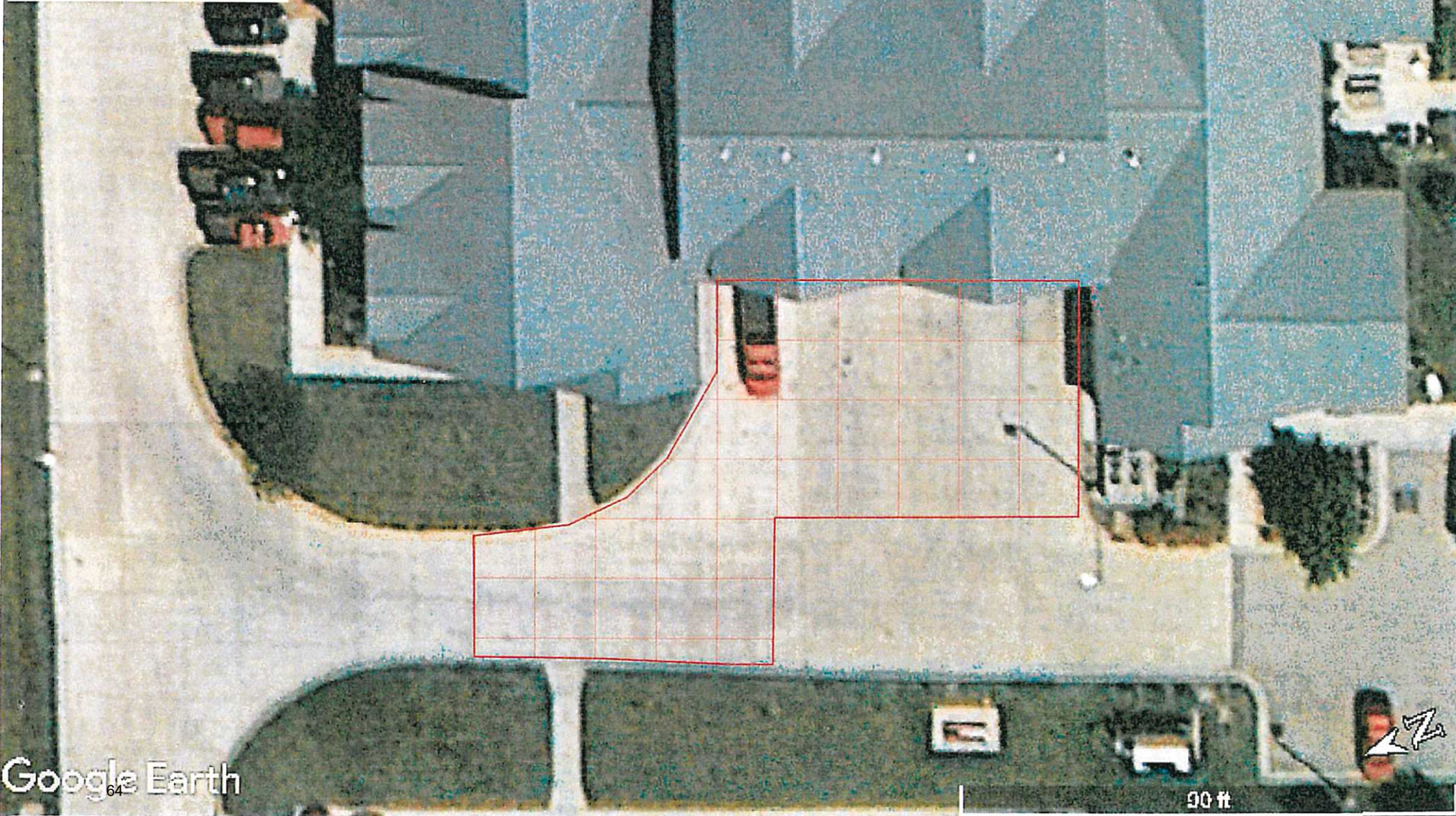
# Fire Station 1

1 - R & R 6" Ab-3 Base & 8" Concrete Paving (Station 1) - 500 SY



Tear out specific amount of driveway and remove from site. The city will mark the limits of concrete removal. Contractor shall arrange for disposal.  
Removal to include existing concrete and 6" of subgrade. If removing adjacent to existing concrete, saw cut (full depth) at closest joint(s).  
Compact base with 6 inches of gravel (AB-3).  
Dowel into adjacent concrete with smooth dowels.  
Place and consolidate 8 inches of reinforced concrete to city specifications.  
Concrete to be reinforced with #4 rebar, 12" OC both ways. Reinforcing mat to be placed on chairs and centered in the concrete (3.5" to 4" chairs). There shall be a minimum of 3" of concrete cover.  
Concrete shall be placed with sufficient cross-slope to drain and shall be broom finished. Ponding on completed drive is not acceptable and will be cause for removal and replacement at the contractor's expense.  
White-pigmented curing compound to be applied immediately after final finishing.  
Cuts/contraction joints shall be a minimum of T/3 in depth.  
Cuts/joints to be done as soon as possible after placement. Contractor will be responsible to remove and replace slabs where cracking occurs for failure to properly and timely place contraction joints. Joint spacing to match existing joints and be no more than 16' apart.  
Contractor to supply all material, equipment and labor.

*Handwritten signature and date: 4-6-23*





# Fire Station 2

3 - R & R 6" Ab-3 Base & 8" Concrete Paving (Station 2) - 500 SY



Tear out specific amount of driveway and remove from site. The city will mark the limits of concrete removal. Contractor shall arrange for disposal. Removal to include existing concrete and 6" of subgrade. If removing adjacent to existing concrete, saw cut (full depth) at closest joint(s). Compact base with 6 inches of gravel (AB-3). Dowel into adjacent concrete with smooth dowels. Place and consolidate 8 inches of reinforced concrete to city specifications. Concrete to be reinforced with #4 rebar, 12" OC both ways. Reinforcing mat to be placed on chairs and centered in the concrete (3.5" to 4" chairs). There shall be a minimum of 3" of concrete cover. Concrete shall be placed with sufficient cross-slope to drain and shall be broom finished. Ponding on completed drive is not acceptable and will be cause for removal and replacement at the contractor's expense. White-pigmented curing compound to be applied immediately after final finishing. Cuts/contraction joints shall be a minimum of 'T/3 in depth. Cuts/joints to be done as soon as possible after placement. Contractor will be responsible to remove and replace slabs where cracking occurs for failure to properly and timely place contraction joints. Joint spacing to match existing joints and be no more than 16' apart. Contractor to supply all material, equipment and labor.

*Handwritten signature and date: 4-6-23*





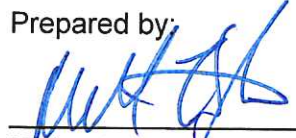
**POLICY REPORT PWD NO. 23-27**

**CONSIDER APPROVAL OF LOW BID FOR  
THE 2023 PAVEMENT MANAGEMENT PROJECT  
(PARKING LOT & 7<sup>th</sup> STREET PROGRAM)**

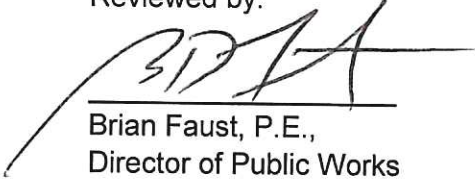
**City Project 2022-990**

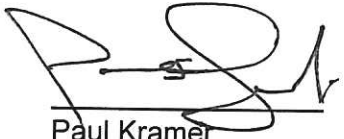
**June 13, 2023**

Prepared by:

  
Michael Stephan,  
Project Manager

Reviewed by:

  
Brian Faust, P.E.,  
Director of Public Works

  
Paul Kramer,  
City Manager

**ISSUE:**

Consider bids received and possible award of the 2023 Pavement Management – Parking Lot & 7<sup>th</sup> Street Program.

**BACKGROUND:**

On September 13, 2022, the City Commission approved a design contract with Alfred Benesch & Company for the design of the 2023 Pavement Management Program.

For 2023, the City Commission authorized a combination of General Improvement Bonds and Sales Tax for the annual maintenance of public streets. The components of the 2023 program include micro-surfacing, mill and overlay, parking lot upgrades and major repair and maintenance work beyond the scope of the Streets Division. The funding for 2023 covers the costs of the 2023 construction of the various components, along with the next phase of a Comprehensive Pavement Management Program. Inspection will be by City Staff.

The Parking Lot & 7<sup>th</sup> Street Program for 2023 includes the City parking lot & street listed below:

- City Hall East Parking Lot  
(Parking Lot Surface, Concrete Repairs, Alley Repairs, ADA Ramps, Sidewalks & Curbs)
- 7<sup>th</sup> Street between Kiowa and Alley North of Dakota  
(ADA Ramps, Sidewalk, Curbs & Asphalt Pavement)

The project plans were prepared by Alfred Benesch & Company and the project was advertised for bid in the Leavenworth Times and at Drexel Technologies. Bids were opened on June 7, 2023 and the bid results are shown below and in the attached bid tabulation.

Company	City	Base Total Bid
Baker Construction	Leavenworth, KS	\$570,324.50
Kansas Heavy Construction	Tonganoxie, KS	\$573,029.30
Kaaz Construction	Leavenworth, KS	\$592,690.00
Linaweaver Construction	Lansing Construction	\$625,005.65
Gunter Construction	Kansas City, KS	\$741,268.50
Engineer's Estimate		\$850,384.00

Baker Construction was the low bidder and met all bidding requirements. Baker Construction has completed Concrete Construction Projects for the City in the past. They have also

completed parking lot construction using a sub-contractor for the asphalt work. The prior work by Baker Construction was completed within the required timeframe and specifications.

**POLICY:**

The City Commission generally awards a contract to the lowest bidder if the bid is less than the Engineer's estimate and whose evaluation by the City indicates that the award will be in the best interest of the City. The low bid was from Baker Construction and all bids were under the engineer's estimate. Baker Construction is well qualified for this work.

**BUDGET IMPACT:**

The 2023 budget included \$2M for the Pavement Management Program. There is also a small amount of additional funding left from the 2022 project.

Current 2023 costs:

• Micro-surfacing (Vance Brothers) awarded March 28 <sup>th</sup> :	\$ 507,790.04
• Mill and Overlay (Little Joe's) awarded May 9 <sup>th</sup> :	\$ 701,688.00
• Subsurface investigation for the city hall lot (Terracon):	\$ 4,400.00
• <u>City Hall Parking lot and 7<sup>th</sup> Street (Kiowa – Dakota):</u>	<u>\$ 570,324.50</u>
• Estimated total (6/13):	\$1,784,202.54

Remaining items to be included in the 2023 program:

- 2024 Contract for Pavement Management Design (estimated at \$125,000).

Staff will work with the micro-surfacing contractor to add additional streets to the 2023 program to help ensure that the remaining 2023 funding goes towards pavement preservation.

**RECOMMENDATION:**

Staff recommends that the City Commission award the 2023 Pavement Management – Parking Lot & 7<sup>th</sup> Street Program to Baker Construction for the amount of \$570,324.50.

**ATTACHMENTS:**

Bid Tabs

2023 CIP Sheet





CITY OF LEAVENWORTH  
 Project No. 2023-990  
 2023 PMP - Parking Lot & N. 7th Street  
 June 7, 2023

BASE BID															
Item	Description	Unit	Quantity	Engineer's Estimate		BAKER CONSTRUCTION		KANSAS HEAVY CONSTRUCTION		KAAZ CONSTRUCTION		LINAWEAVER CONSTRUCTION		GUNTER CONSTRUCTION	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Mobilization	LS	1	\$35,000.00	\$35,000.00	\$20,000.00	\$20,000.00	\$35,000.00	\$35,000.00	\$44,000.00	\$44,000.00	\$40,000.00	\$40,000.00	\$57,490.00	\$57,490.00
2	Construction Staking	LS	1	\$20,000.00	\$20,000.00	\$5,000.00	\$5,000.00	\$4,750.00	\$4,750.00	\$4,150.00	\$4,150.00	\$4,500.00	\$4,500.00	\$4,600.00	\$4,600.00
3	Clearing & Grubbing	LS	1	\$7,500.00	\$7,500.00	\$2,500.00	\$2,500.00	\$19,750.00	\$19,750.00	\$1,500.00	\$1,500.00	\$45,000.00	\$45,000.00	\$4,200.00	\$4,200.00
4	Milling (Headers)	LF	114	\$30.00	\$3,420.00	\$19.00	\$2,166.00	\$22.00	\$2,508.00	\$22.00	\$2,508.00	\$25.00	\$2,850.00	\$28.50	\$3,249.00
5	Milling (Full Width Cut)	SY	2,240	\$3.00	\$6,720.00	\$6.60	\$14,784.00	\$7.15	\$16,016.00	\$7.00	\$15,680.00	\$6.10	\$13,664.00	\$6.00	\$13,440.00
6	2" Asphaltic Concrete Surface Course KC APWA 5-01	TON	457	\$105.00	\$47,985.00	\$143.00	\$65,351.00	\$146.00	\$66,722.00	\$155.00	\$70,835.00	\$115.00	\$52,555.00	\$136.00	\$62,152.00
7	Asphaltic Base Courses KC APWA 5-01	TON	397	\$200.00	\$79,400.00	\$143.00	\$56,771.00	\$155.00	\$61,535.00	\$165.00	\$65,505.00	\$110.00	\$43,670.00	\$198.00	\$78,606.00
8	ADA Ramps (R & R)	SY	348	\$300.00	\$104,400.00	\$190.00	\$66,120.00	\$128.00	\$44,544.00	\$121.00	\$42,108.00	\$240.00	\$83,520.00	\$253.00	\$88,044.00
9	Curb & Gutter (24") (R & R)	LF	2,374	\$75.00	\$178,050.00	\$50.00	\$118,700.00	\$42.00	\$99,708.00	\$44.00	\$104,456.00	\$41.00	\$97,334.00	\$53.00	\$125,822.00
10	Concrete Pavement (8") (R & R)	SY	350	\$200.00	\$70,000.00	\$162.00	\$56,700.00	\$125.00	\$43,750.00	\$116.00	\$40,600.00	\$115.00	\$40,250.00	\$160.00	\$56,000.00
11	6" Granular Subbase, AB-3 Compacted	SY	1,954	\$20.00	\$39,080.00	\$7.25	\$14,166.50	\$17.00	\$33,218.00	\$36.00	\$70,344.00	\$10.00	\$19,540.00	\$31.25	\$61,062.50
12	4" Concrete Sidewalk (R & R)	SF	7,531	\$15.00	\$112,965.00	\$12.00	\$90,372.00	\$10.50	\$79,075.50	\$8.00	\$60,248.00	\$11.75	\$88,489.25	\$11.00	\$82,841.00
13	Concrete Steps	EA	15	\$1,500.00	\$22,500.00	\$400.00	\$6,000.00	\$800.00	\$12,000.00	\$1,100.00	\$16,500.00	\$1,125.00	\$16,875.00	\$1,000.00	\$15,000.00
14	Metal Handrail	LF	70	\$250.00	\$17,500.00	\$200.00	\$14,000.00	\$250.00	\$17,500.00	\$118.00	\$8,260.00	\$200.00	\$14,000.00	\$218.00	\$15,260.00
15	Stamped Concrete Pavement (4") (R & R)	SY	92	\$250.00	\$23,000.00	\$150.00	\$13,800.00	\$135.00	\$12,420.00	\$170.00	\$15,640.00	\$275.00	\$25,300.00	\$180.00	\$16,560.00
16	Grate Inlet (4' x 4')	EA	1	\$5,000.00	\$5,000.00	\$7,500.00	\$7,500.00	\$7,750.00	\$7,750.00	\$6,500.00	\$6,500.00	\$7,500.00	\$7,500.00	\$11,000.00	\$11,000.00
17	Permanent Pavement Markings, 4" Solid White Line (Multi Component Epoxy)	LF	1,344	\$6.00	\$8,064.00	\$4.50	\$6,048.00	\$1.10	\$1,478.40	\$4.50	\$6,048.00	\$4.35	\$5,846.40	\$5.25	\$7,056.00
18	Permanent Pavement Markings, 4" Solid Yellow Line (Multi Component Epoxy)	LF	100	\$10.00	\$1,000.00	\$9.00	\$900.00	\$1.10	\$110.00	\$12.00	\$1,200.00	\$11.00	\$1,100.00	\$13.00	\$1,300.00
19	Permanent Pavement Markings, 24" Solid White Crosswalk Line (Multi Component Epoxy)	LF	96	\$50.00	\$4,800.00	\$38.50	\$3,696.00	\$26.40	\$2,534.40	\$23.00	\$2,208.00	\$22.00	\$2,112.00	\$26.00	\$2,496.00
20	Permanent Pavement Markings, Handicap Symbol (Multi Component Epoxy)	EA	2	\$750.00	\$1,500.00	\$575.00	\$1,150.00	\$330.00	\$660.00	\$450.00	\$900.00	\$450.00	\$900.00	\$770.00	\$1,540.00
21	Seeding	LS	1	\$12,500.00	\$12,500.00	\$1,000.00	\$1,000.00	\$2,200.00	\$2,200.00	\$4,500.00	\$4,500.00	\$5,000.00	\$5,000.00	\$19,000.00	\$19,000.00
22	Asphalt Oil Price Adjustment	LS	1	\$0.00	\$0.00	\$100.00	\$100.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
23	Traffic Control	LS	1	\$25,000.00	\$25,000.00	\$2,000.00	\$2,000.00	\$8,800.00	\$8,800.00	\$7,500.00	\$7,500.00	\$10,000.00	\$10,000.00	\$11,200.00	\$11,200.00
24	Erosion Control	LS	1	\$25,000.00	\$25,000.00	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00	\$1,500.00	\$1,500.00	\$5,000.00	\$5,000.00	\$3,350.00	\$3,350.00
<b>TOTAL BASE BID:</b>				<b>\$850,384.00</b>			<b>\$570,324.50</b>		<b>\$573,029.30</b>		<b>\$592,690.00</b>		<b>\$625,005.65</b>		<b>\$741,268.50</b>

**Capital Improvements Program  
2023 - 2027  
Streets - Pavement Management Program**

**Purpose:**

This allocation provides for the resurfacing of streets throughout the City. It is an allocation based on Ordinance 56 which allows for an amount up to 28% of the previous year's ad valorem receipts to be issued in G.O. bonds for this purpose. When identified projects are complete, FFE funds will be used for the pavement management program, decreasing our reliance on bond proceeds for this program.

Source	Comments	Year	Requested	Projected
Bond Proceeds		2023	\$ 750,000	\$ 750,000
Sales Tax		2023	600,000	600,000
Capital Reserves		2023	650,000	650,000
Bond Proceeds		2024	750,000	750,000
Sales Tax		2024	600,000	600,000
Capital Reserves		2024	650,000	650,000
Bond Proceeds		2025	750,000	750,000
Sales Tax		2025	600,000	600,000
FFE Funds		2025	350,000	350,000
Capital Reserves		2025	300,000	300,000
Bond Proceeds		2026	750,000	750,000
Sales Tax		2026	600,000	600,000
FFE Funds		2026	450,000	450,000
Capital Reserves		2026	200,000	200,000
Bond Proceeds		2027	750,000	750,000
Sales Tax		2027	600,000	600,000
FFE Funds		2027	450,000	450,000
Capital Reserves		2027	200,000	200,000
			<b>\$ 10,000,000</b>	<b>\$ 10,000,000</b>

Uses	Comments	Year	Requested	Projected
Public Works	Street resurfacing, projects are identified annually	2023	\$ 2,000,000	\$ 2,000,000
Public Works	Street resurfacing, projects are identified annually	2024	\$ 2,000,000	2,000,000
Public Works	Street resurfacing, projects are identified annually	2025	\$ 2,000,000	2,000,000
Public Works	Street resurfacing, projects are identified annually	2026	\$ 2,000,000	2,000,000
Public Works	Street resurfacing, projects are identified annually	2027	\$ 2,000,000	2,000,000
			<b>\$ 10,000,000</b>	<b>\$ 10,000,000</b>





POLICY REPORT NO. PWD 23-26

CONSIDER AWARD OF  
2023 FREIGHTLINER 108SD PLUS TANDEM AXLE DUMP TRUCK  
WITH SPREADER CONTROLS AND PLOW ATTACHMENTS  
PUBLIC WORKS DEPARTMENT - STREET DIVISION

June 13, 2023

Prepared by:



Derek Burleson,  
Superintendent of Operations

Reviewed by:



Brian Faust, P.E.,  
Director of Public Works



Paul Kramer,  
City Manager

**Issue:**

Consider approval of the bid for the purchase of a 2023 Freightliner 108SD Plus Tandem Axle Dump Truck with spreader controls and plow attachments for the Street Division.

**Background:**

The Street Division included a tandem axle dump truck in the 2023 CIP. Street Foreman Becky Beaver prepared bid specifications and researched options for purchasing the equipment.

Bid opening was held on May 19, 2023 and two vendors provided bids and a third vendor notified the City that they would not be able to submit.

Vendor	With Trade-In	Without Trade-In
Premier Truck Group	\$226,807.00	\$230,307.00
MHC Kenworth	\$240,811.00	\$243,311.00

**Budget Impact:**

The 2023 CIP included funding in the amount of \$195,000 for replacement of a 2008 International 7400 Tandem Axle Dump Truck. The 2008 dump truck is inoperable due to a blown engine. Trade-in value from both bidders was extremely low and staff recommends that the 2008 truck be placed on the Purple Wave auction site.

**Staff Recommendations:**

Staff recommends that the City Commission approve purchase of a 2023 Tandem Axle Dump Truck with spreader controls and plow attachments for \$230,307 from Premier Truck Group of Kansas City, 8001 NE Parvin Road, Kansas City, Missouri. Delivery is up to 365 days once they receive the purchase order. The difference between the budget and the actual cost will be made up by the reserves in the CIP Sales Tax Fund.

**Attachment:**

- 2023 CIP Sheet
- Bid Tab
- Quote from MHC Kenworth
- Quote from Premier Truck Group of Kansas City

**Capital Improvements Program  
2023 - 2027  
Public Works - Street Equipment**

**Purpose:**

This allocation provides funding for replacement of several pieces of streets equipment through 2026.

Source	Comments	Year	Requested	Projected
Sales Tax	4-ton trailer-mounted hot box	2023	\$ 45,170	\$ 45,170
Sales Tax	Street sweeper	2023	230,000	230,000
Sales Tax	Tandem axle dump truck	2023	195,000	195,000
Sales Tax	1-ton single axle w/boom	2023	85,000	85,000
Sales Tax	2-ton aerial truck	2024	95,000	95,000
Sales Tax	Crack seal machine	2024	30,000	30,000
Sales Tax	Tandem axle dump truck	2025	165,000	165,000
Sales Tax	Flush truck	2025	85,000	85,000
Sales Tax	Vactron tow behind	2025	35,000	35,000
Sales Tax	Single axle dump truck	2026	165,000	165,000
Sales Tax	Single axle dump truck	2026	165,000	165,000
			<b>\$ 1,295,170</b>	<b>\$ 1,295,170</b>

Uses	Comments	Year	Requested	Projected
Public Works	4-ton trailer-mounted hot box	2023	\$ 45,170	\$ 45,170
Public Works	Street sweeper	2023	230,000	230,000
Public Works	Tandem axle dump truck	2023	195,000	195,000
Public Works	1-ton single axle w/boom	2023	85,000	85,000
Public Works	2-ton aerial truck	2024	95,000	95,000
Public Works	Crack seal machine	2024	30,000	30,000
Public Works	Tandem axle dump truck	2025	165,000	165,000
Public Works	Flush truck	2025	85,000	85,000
Public Works	Vactron tow behind	2025	35,000	35,000
Public Works	Single axle dump truck	2026	165,000	165,000
Public Works	Single axle dump truck	2026	165,000	165,000
			<b>\$ 1,295,170</b>	<b>\$ 1,295,170</b>



Crack Seal Machine



Tandem Axle Dump Truck



Flush Truck



4-ton Hot Box



Street Sweeper



## City of Leavenworth Bid Tabulation

**Project or Purchase:** 2023 Tandem Axle Dump Truck  
**Bid Opening Date:** May 19th, 2023  
**Bid Opening Time:** 2:00PM

Bidder	Address (City/State)	Responsive Bidder	With Trade-In	Without Trade-In
Premier Truck Group of Kansas City	Kansas City, Mo	Yes	\$226,807.00	\$230,307.00
MHC Kenworth	Kansas City, Mo	Yes	\$240,811.00	\$243,311.00

All bids are subject to review and approval by City Staff and/or the City Commission

CITY OF LEAVENWORTH  
SPECIFICATIONS FOR  
2023 Tandem Axle Dump Truck with Spreader Controls and Plow Attachment  
BID #01ST - 2023-07

MAKE AND MODEL: 2024 KENWORTH T480

PRICE \$ 163,250 (CHASSIS ONLY)

FIRM SUBMITTING BID: MHC KENWORTH

ADDRESS: 1524 N. CORRINGTON

CITY, STATE & ZIP CODE: KANSAS CITY, MO 64120

AUTHORIZED SIGNATURE: Jeff Janssen

PRINTED NAME: JEFF JANSSEN

TELEPHONE NUMBER: 816-916-7100 FAX NUMBER: 816-483-4391

PROJECTED DELIVERY DATE: 1 Q 24

DATE BID EXPIRES: 6-19-23

SPECIAL NOTES: TRUCK AND BIDS ARE PRICED

SEPERATELY.

TRADE VALUE - \$2,500 FOB MHC

KENWORTH KANSAS CITY



CITY OF LEAVENWORTH  
SPECIFICATIONS FOR  
2023 Tandem Axle Dump Truck with Spreader Controls and Plow Attachment  
BID #01ST - 2023-07

MAKE AND MODEL: Viking MW1542

PRICE \$ 77,561 - dump bed

FIRM SUBMITTING BID: Viking Cives Midwest

ADDRESS: 22956 Hwy 61

CITY, STATE & ZIP CODE: ORAN, MO 63771

AUTHORIZED SIGNATURE: Dee Walls

PRINTED NAME: DAIE Walls

TELEPHONE NUMBER: 816 556-6661 FAX NUMBER: 816 625-0511

PROJECTED DELIVERY DATE: 120 DAYS OF FTR Receipt of F truck

DATE BID EXPIRES: 90 days

SPECIAL NOTES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total  
\$ 240,811.00

**CITY OF LEAVENWORTH  
SPECIFICATIONS FOR  
2023 Tandem Axle Dump Truck with Spreader Controls and Plow Attachment  
BID #01ST - 2023-07**

MAKE AND MODEL: FREIGHTLINER 108SD PLUS

PRICE \$ \$230,307.00 - \$3,500.00 (TRADE) = \$226,807.00

FIRM SUBMITTING BID: PREMIER TRUCK GROUP OF KANSAS CITY

ADDRESS: 8001 NE PARVIN ROAD

CITY, STATE & ZIP CODE: KANSAS CITY, MO 64161

AUTHORIZED SIGNATURE: 

PRINTED NAME: RYAN HUFF

TELEPHONE NUMBER: (816) 413-7504 FAX NUMBER: \_\_\_\_\_

PROJECTED DELIVERY DATE: 365 DAYS FROM RECEIPT OF PURCHASE ORDER.

DATE BID EXPIRES: 7/19/2023

SPECIAL NOTES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_









**POLICY REPORT PWD NO. 23-24**  
**CONSIDER APPROVAL OF LOW BID FOR**  
**SIDEWALK IMPROVEMENTS PROJECT**  
**DAKOTA STREET (5<sup>th</sup> to 7<sup>th</sup>)**

**City Project 2022-981**

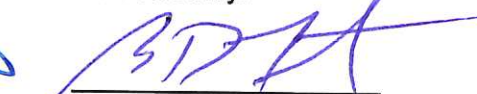
**June 13, 2023**

Prepared by:



Michael Stephan,  
Project Manager

Reviewed by:



Brian Faust, P.E.,  
Director of Public Works



Paul Kramer,  
City Manager

**ISSUE:**

Consider bids received and possible award of the Sidewalk Improvements Project on Dakota.

**BACKGROUND:**

This project is part of the on-going sidewalk repair and replacement work funded by the City's portion of the countywide sales tax.

For 2023, funding is available to complete a section of sidewalk on Dakota Street from 5<sup>th</sup> Street to 7<sup>th</sup> Street. In addition to dedicated sidewalk funding, Community Development is providing CDBG funding to assist with the project.

CDBG funding is subject to federal regulations and an environmental review and request for release of funds, from HUD, was completed. Results of the environmental review reveal the Northern Long-eared Bat is a threatened endangered species. The USFWS Kansas Ecological Services Field Office reviewed the project and recommends that the tree clearing take place outside of June and July due to pup rearing months for the Northern long-eared bat.

The project plans were prepared by BG Consultants and the project was advertised for bid in the Leavenworth Times and at Drexel Technologies. Bids were opened on June 7, 2023 and the bid results are shown below and in the attached bid tabulation.

Company	City	Base Total Bid
Kaaz Construction	Leavenworth, KS	\$ 90,530.00
Baker Construction	Leavenworth, KS	\$106,480.00
Linaweaver Construction	Lansing, KS	\$120,325.00
Freeman Concrete Constr.	Lenexa, KS	\$216,298.00
Engineer's Estimate		\$147,530.00

Kaaz Construction was the low bidder and met all bidding requirements. Kaaz Construction completed Sidewalk Improvements Projects for the City in previous years. The prior work was completed within the required timeframe and specifications. The company has completed numerous concrete projects for other cities in Kansas and Missouri and has the experience to satisfactorily perform this work for the City of Leavenworth.

The sidewalk improvements are expected to begin later this summer or fall with completion prior to the end of this year. The project consists of new ADA ramps and sidewalks along the south side of Dakota Street from 5<sup>th</sup> to 7<sup>th</sup>.

Inspection will be by City Staff.

**POLICY:**

The City Commission generally awards a contract to the lowest bidder if the bid is less than the Engineer's estimate and whose evaluation by the City indicates that the award will be in the best interest of the City. The low bid from Kaaz Construction was under the engineer's estimate and the contractor is well qualified for this work.

**BUDGET IMPACT:**

Funding will be from:

• CDBG:	\$44,058.67
• <u>Sidewalk Funds:</u>	<u>\$46,471.33</u>
Total Cost	\$90,530.00

**RECOMMENDATION:**

Staff recommends that the City Commission approve the low bid submitted by Kaaz Construction for the Sidewalk Improvements on Dakota between 5<sup>th</sup> and 7<sup>th</sup> in the amount of \$90,530.00.

**ATTACHMENTS:**

Bid Tab  
Sidewalk CIP Sheet





**CITY OF LEAVENWORTH**  
**Project No. 2022-981**  
**Sidewalk Improvements Project**  
**June 7, 2023**

BASE BID											
Item	Description	Unit	Quantity	Engineer's Estimate		KAAZ CONSTRUCTION		BAKER CONSTRUCTION		LINAWEAVER CONSTRUCTION	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Contractor Construction Staking	LS	1	\$3,000.00	\$3,000.00	\$4,000.00	\$4,000.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
2	Mobilization	LS	1	\$25,000.00	\$25,000.00	\$12,500.00	\$12,500.00	\$5,000.00	\$5,000.00	\$8,500.00	\$8,500.00
3	Clearing & Grubbing	LS	1	\$5,000.00	\$5,000.00	\$3,500.00	\$3,500.00	\$2,500.00	\$2,500.00	\$10,000.00	\$10,000.00
4	Stormwater Pollution Prevention	LS	1	\$5,000.00	\$5,000.00	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00
5	Hydroseeding	LS	1	\$10,000.00	\$10,000.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$3,000.00	\$3,000.00
6	Traffic Control	LS	1	\$5,000.00	\$5,000.00	\$5,500.00	\$5,500.00	\$2,500.00	\$2,500.00	\$5,500.00	\$5,500.00
7	Remove Curb & Gutter	LF	170	\$25.00	\$4,250.00	\$20.00	\$3,400.00	\$20.00	\$3,400.00	\$6.00	\$1,020.00
8	Remove Sidewalk (Conc. or Brick)	SF	3,540	\$3.00	\$10,620.00	\$2.00	\$7,080.00	\$2.00	\$7,080.00	\$3.50	\$12,390.00
9	Curb & Gutter (Combined) (AE)	LF	110	\$50.00	\$5,500.00	\$60.00	\$6,600.00	\$50.00	\$5,500.00	\$62.50	\$6,875.00
10	Concrete Sidewalk (4") (AE)	SF	4,240	\$9.00	\$38,160.00	\$7.50	\$31,800.00	\$10.00	\$42,400.00	\$11.00	\$46,640.00
11	Sidewalk Ramp (Type A) (AE)	EA	8	\$1,750.00	\$14,000.00	\$1,200.00	\$9,600.00	\$3,200.00	\$25,600.00	\$2,200.00	\$17,600.00
12	Sidewalk Ramp (Type B) (AE)	EA	1	\$2,500.00	\$2,500.00	\$2,050.00	\$2,050.00	\$3,500.00	\$3,500.00	\$2,800.00	\$2,800.00
13	Remove & Reset USPS Mailbox	EA	2	\$3,000.00	\$6,000.00	\$250.00	\$500.00	\$500.00	\$1,000.00	\$500.00	\$1,000.00
	10% Contingency:				\$13,500.00		\$0.00		\$0.00		\$0.00
				<b>TOTAL BASE BID:</b>	<b>\$147,530.00</b>		<b>\$90,530.00</b>		<b>\$106,480.00</b>		<b>\$120,325.00</b>

**Capital Improvements Program  
2023 - 2027  
Streets - Sidewalk Program**

**Purpose:**

City Ordinance 54 defines sidewalk replacement and repairs as a specific use of a portion the county-wide sales tax and county-wide compensating use tax the City receives each year. Specific sidewalk projects are selected by the Sidewalk Advisory Board.

Source	Comments	Year	Requested	Projected
Sales tax		2023	192,500	192,500
Sales tax		2024	300,000	300,000
Sales tax		2025	300,000	300,000
Sales tax		2026	300,000	300,000
Sales tax		2027	300,000	300,000
			<b>\$ 1,392,500</b>	<b>\$ 1,392,500</b>

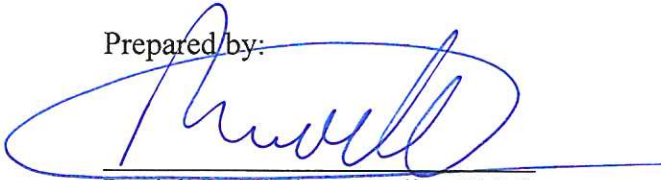
Uses	Comments	Year	Requested	Projected
Sidewalks	Replacement and repair of City sidewalks	2023	\$ 192,500	\$ 192,500
Sidewalks	Replacement and repair of City sidewalks	2024	300,000	300,000
Sidewalks	Replacement and repair of City sidewalks	2025	300,000	300,000
Sidewalks	Replacement and repair of City sidewalks	2026	300,000	300,000
Sidewalks	Replacement and repair of City sidewalks	2027	300,000	300,000
			<b>\$ 1,392,500</b>	<b>\$ 1,392,500</b>





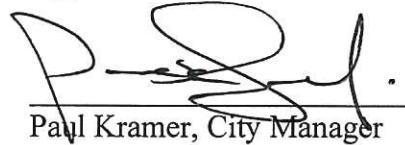
**Policy Report No. 5-2023**  
**2023 Illegal Camping Ordinance - Update**  
**June 13, 2023**

Prepared by:



Patrick R. Kitchens, Police Chief

Approved by:



Paul Kramer, City Manager

**ISSUE:**

Place an ordinance on first consideration that updates Section 30-8 Illegal Camping.

**STAFF RECOMMENDATION:**

Staff recommends approval.

**BACKGROUND:**

On July 6, 2021 the Leavenworth City Commission passed an ordinance titled Illegal Camping that prohibited certain behaviors on public property. (Section 30-8 Illegal Camping) The ordinance provided Police Officers with the tools to better deal with our homeless population in areas such as public parks, under bridges, and those that are in the right-of way. We've had several circumstances of fairly large homeless encampments that required Police and Public Works to intervene and clean up and it's been effective.

Officers are now experiencing a challenge of our homeless population occupying vacant lots that are privately owned. In some instances the owners of the property are indifferent or simply don't visit the property very often. Currently, it has to be dealt with using the Code Enforcement staff and that can take time to remedy. The proposed change asks to adopt a 10 day period of camping on private property. The language does include an exemption.

Officers have also had trouble clarifying permission from the owner. The proposed change establishes clearly how ownership is determined.

**BUDGET IMPACT:**

There is no budget impact.

**COMMISSION ACTION:**

Place an ordinance on first consideration that updates Section 30-8 Illegal Camping by clarifying ownership, limiting camping to 10 days, and authorizing exemptions.



**AN ORDINANCE AMENDING CHAPTER 30, OFFENSES, ARTICLE I, BY AMENDING SECTION 30-8, ILLEGAL CAMPING, OF THE CODE OF THE CITY OF LEAVENWORTH, KANSAS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH KANSAS:**

**Section 1: That the Code of Ordinance of the City of Leavenworth, Kansas, Chapter 30, Offenses, Article I is hereby amended and added to read as follows:**

**Section 30-8. Illegal Camping**

(A) Definitions:

(1) "Camping" shall mean the use of land to conduct one or more "specified activities" (defined below) when, based upon such use, it reasonably appears, considering all the circumstances, that the participants, in conducting the specified activities, are using the area as a living accommodation regardless of the intent of the participants or the nature of any other activities in which they may be engaging. Camping shall not include residing in a permanent structure that may be lawfully occupied as a permanent or temporary residence.

(2) "Specified activities" shall include one or more of the following:

(a) sleeping or preparing to sleep, such as laying down bedding.

(b) storing personal belongings including, but not limited to, clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar materials.

(c) making any fire for the purpose of warmth, or cooking (excluding cooking on a designated city grill as part of a city approved shelter reservation).

(d) erecting a tent, lean-to, or other similar temporary structure.

(3) "Owner" shall mean the individual or entity designated as the owner of the property through the public records filed with Leavenworth County Register of Deeds. If the owner cannot be ascertained by such records, then the consent is deemed invalid.

(B) It shall be illegal to engage in camping on private property without the consent of the property owner. Camping on private property is only permitted for a maximum of 10 days per month.

(C) It shall be illegal to engage in camping within 10 feet of any doorway, loading dock, stairway, or fire escape.

(D) It shall be illegal to engage in camping on any public right-of-way or public property located within the City of Leavenworth.

(E) Exclusions

(1) Approved visitors to the City of Leavenworth Riverfront Park Campground, who follow the rules and regulations of the Riverfront Park Campground, shall be excluded from enforcement of this section.

(2) Camping on any public property for a special event that has been approved by the City Manager or his/her designee, shall be excluded from the enforcement of this section.

(3) Camping on private property for a period of more than 10 days, when a special permit has been approved by the City Manager or his/her designee, shall be excluded from enforcement of this section.

(F) Affirmative Defense.

It shall be an affirmative defense to this charge if all the local homeless shelters defendant would qualify to attend were full on the date of the offense.

(G) Penalty.

Upon a conviction of a violation of this section, the violator shall be fined in an amount not to exceed \$500 or sentenced to a jail term not to exceed 30 days, or both.

**Section 2: EFFECTIVE DATE.** This ordinance shall take effect and be in force, from and after its passage, approval, and publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Leavenworth, Kansas on this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Jermaine Wilson, Mayor

{Seal}

**ATTEST:**

\_\_\_\_\_  
Sarah Bodensteiner, City Clerk