

Rural Water District No. 7, Johnson County, Kansas

Regular Board Meeting Minutes  
June 4, 2024

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Directors present: Frank Denning, Bill Locke, Ken McCarty, Charles Finley, Walter Johnston, and Shaun Henderson. Directors Andrew and Brovont arrived after the start of the meeting. Director Hughes was absent. Others present: Allan Soetaert, Gary Duggan, Brian Hess and Mindy Krouch. Others present via Zoom: Beth Warren.

Chairman Frank Denning called the meeting to order at 5:30 PM.

**1. Consent Agenda Items**

Chairman Denning requested that the Board of Directors consider the Consent Agenda items. Director Locke moved to approve the consent items noted on the agenda. Director McCarty seconded the motion. Motion passed unanimously.

**2. Debt Capacity Report Update**

The District Manager, Allan Soetaert, noted that this was a continued discussion from the previous month and provided an update on the possibility of a future study for consideration of a tiered water rate schedule. Mr. Soetaert then introduced Beth Warren who reviewed the topics that were discussed at last month's board meeting. She went on to talk about the District's current and future needs and forecasted growth and expenses for the general operation and maintenance, as well as proposed capital improvements needs of the District provided by District Staff. Ms. Warren recommended consideration of small incremental stepped increases versus periodic large increases for the benefit of the District's customer base, particularly considering the District's need for some significant capital improvements by 2031. There was further discussion about how implementing a tiered water rate schedule would affect the District's finances. After discussion and additional questions for Ms. Warren, Director Andrew moved to increase water rates by 4% effective on the September 1 billing. Director Brovont seconded the motion. Motion passed unanimously.

**3. Consider Water Line Relocation Agreement (JCPW)**

Mr. Soetaert requested Brian Hess from GBA provide an overview of this project. Mr. Hess explained that Johnson County Public Works (JCPW) is planning improvements along Spoon Creek Rd, between 135<sup>th</sup> and 127<sup>th</sup> Streets. These improvements will require the District to relocate approximately 900 LF of an existing 2-inch main. He went on to explain that this new water main will need to be moved from its current easement corridor into another easement corridor out of the construction limits of JCPW's project. Mr. Soetaert then added that in January of this year, the BOD approved upsizing this relocated main to an 8-inch with an estimated cost of \$42,000. The negotiated relocation agreement proposes that JCPW will pay an estimated \$110,00 to construct the project and will reimburse the District for any expenses incurred in acquiring the new easements. Mr. Soetaert noted that legal counsel has reviewed the agreement. Director Andrew moved to approve the Utility Relocation Agreement; further, authorizing the District Chairman & Secretary to execute such. Director Locke seconded the motion. Motion passed unanimously.

**4. Consider Consulting Services Agreement (GBA)**

Mr. Soetaert introduced an agreement with GBA to provide consulting services for the JCPW relocation project mentioned earlier. Mr. Hess, GBA, reminded the BOD that GBA is quite familiar with this project, having previously completed the Preliminary Engineering Report (PER) that helped establish the costs involved in this relocation project. He explained that the consultation work for this project from GBA will be both in design and project management. Mr. Soetaert noted that legal counsel has reviewed the agreement. Director Locke moved to approve the Engineering Services Agreement with GBA; further authorizing the Chairman and Secretary to execute the agreement upon minor revisions by the District Manager and Legal Counsel. Director McCarty seconded the motion. Motion passed unanimously.

**5. Consider "Construction Phase Services" TimberRidge Tank (GBA)**

Mr. Soetaert explained to the BOD that Contract Amendment #4 is for additional consulting services that will be provided by GBA for the construction of the TimberRidge Tank. The services that will be provided by GBA are extensive and typical of SRF projects. The anticipated costs are approximately \$300,000. Director Andrew moved

to approve the Construction Phase Services Agreement, Amendment #4, with GBA; further authorizing the District Chairman & Secretary to execute the contract amendment #4. Director Henderson seconded the motion. Motion passed unanimously.

**6. Consider Resolution #2024-06-01**

Mr. Soetaert explained that the District has worked with KDOT, HNTB and the City of Gardner to locate a new pipeline for a project along Gardner Road, north 199<sup>th</sup> Street to 191<sup>st</sup> Street, then east to Cedar Niles Road. He went on to say that Ponzer-Youngquist is working with staff to acquire the needed easements and has had some success. However, in order to keep a rapid timeline for this project, it is recommended that the BOD consider a resolution to allow District Manager and Counsel to proceed with eminent domain proceedings on properties where easement conveyances are required for this project. After some discussion, Director Locke moved to adopt Resolution #2024-06-01; further, authorizing Management to work with legal counsel and engineering/appraisal consultants to secure conveyances. Director McCarty seconded the motion. Motion passed unanimously.

**7. Consider Resolution #2024-06-02**

Mr. Soetaert explained staff are in the process of acquiring easements for two pressure reducing valves that will be placed in the northern pressure zone to help provide adequate flows and maintain system pressure. As these stations need to be in service once the TimberRidge tank is operational, it is recommended that the BOD consider a resolution to allow District Manager and Counsel to proceed with eminent domain proceeding on properties where easement conveyances are required for this project. After some discussion, Director Henderson moved to adopt Resolution #2024-06-02; further, authorizing Management to work with legal counsel and engineering/appraisal consultants to secure conveyances. Director Locke seconded the motion. Motion passed unanimously.

**8. Reports/Updates**

**8a. Monthly Report by Staff**

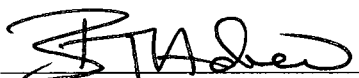
Mr. Soetaert mentioned that there is a lot of construction work happening throughout the District and he and Colin Stalter, District Engineer, are continuing to coordinate all the projects with the various consulting firms. He provided some updates with several neighboring entities. Mr. Soetaert also said that staff has not heard anything regarding the recent SRF submittals which was unlikely prior to July 1<sup>st</sup>. Mr. Soetaert noted that the District should close on its property purchase by the end of the month. Brian Hess, GBA, mentioned there will be a TimberRidge tank construction kick-off meeting later this month. Chairman Denning then discussed a request by Commissioner Shirley Allenbrand to sit on a joint committee to provide input regarding the major transportation corridors in Johnson County.

Director Finley briefly recapped the recent Marais des Cygnes Regional Advisory Committee meeting that he attended.

**9. Adjournment**

There being no further business, Chairman Denning requested a motion to adjourn the meeting. Director Andrew moved such. Director Locke seconded the motion. Motion passed unanimously. Time noted was 7:00 PM.

Respectfully submitted,

  
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Brian Andrew, Secretary

**RURAL WATER DISTRICT NO. 7,  
JOHNSON COUNTY, KANSAS  
RESOLUTION OF NECESSITY TO CONDEMN**

**RESOLUTION 2024-06-01**

**WHEREAS**, Rural Water District No. 7, Johnson County (“the District”), desires to obtain certain easements (hereinafter “Easements”) for the placement of water lines and use of related improvements and equipment on properties in Johnson County, Kansas; and

**WHEREAS**, the District has not been granted easements on certain tracts of land for such purposes.

**THEREFORE, BE IT RESOLVED** by the Board of Directors of the District that it is necessary to exercise its power of eminent domain, pursuant to the provisions of K.S.A. 82a-619, to take easements to permit the District, its employees, agents and contractors to: i) excavate, lay, construct, operate, inspect, and otherwise place and use pipeline within said Easements; ii) excavate, fill and re-grade the Easements; and iii) obtain reasonable access to the Easements by the District’s employees, agents, contractors, vehicles, materials and equipment.

The names of the owners of the parcels affected by the easements to be taken, and which have been deemed necessary for lawful purposes, are as follows:

**TRACT I**

**Owners of Record:** *Shane B. Brown and Tara L. Brown*

**Subject Property:**

*A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 22 EAST, JOHNSON COUNTY, KANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 630 FEET OF THE WEST 660 FEET OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 22 EAST, IN JOHNSON COUNTY, KANSAS; EXCEPT THAT PART USED FOR ROAD PURPOSES.*

*AND EXCEPT FOR THE FOLLOWING:*

*FROM THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 15, RANGE 22, JOHNSON COUNTY, KANSAS; THENCE SOUTH 89° 42' 45" EAST, 369.56 FEET ALONG THE NORTH LINE OF SAID 1/4 SECTION TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 42' 45" EAST 290.44 FEET ALONG THE NORTH LINE OF SAID 1/4 SECTION, THENCE SOUTH 0° 00' 00" WEST 372.0 FEET ALONG A LINE PARALLEL TO THE WEST LINE OF SAID 1/4 SECTION; THENCE SOUTH 89° 07' 09" WEST 290.47 FEET; THENCE NORTH 0° 00' 00" EAST 377.33 FEET ALONG A LINE PARALLEL TO THE WEST LINE OF SAIF 1/4 SECTION TO THE POINT OF BEGINNING.*

*All as recorded in Book 6490, Page 958*

**Area of Easement:**

**Permanent Easement**

*The North twenty (20) feet of the West twenty (20) feet of the above-described tract in the Northwest 1/4 of Section 12, Township 15 South, Range 22 East, in Johnson County, Kansas.*

**Temporary Easement**

*Forty (40) foot wide temporary construction easements shall accompany the east and south sides of the above-described permanent easement. The temporary construction easements shall begin when construction of each pipeline and/or pipeline extension begins and shall continue until 365 days after the completion of construction of each such pipeline and/or pipeline extension by Grantee.*

**TRACT II**

**Owners of Record:** *Denise K. Sadler*

**Subject Property:**

*The South 330' of the West 660', except the South 180' of the West 363' of the South 1/2 of the Southwest 1/4 of Section 1, Township 15, Range 22, Johnson County, Kansas.*

*All as recorded in Book 6169, Page 809*

**Area of Easement:**

**Permanent Easement**

*Fifteen (15) feet in width, parallel and adjacent to the east right-of-way line of Gardner Road; containing 2,250 square feet; as shown in attached Exhibit A.*

**Temporary Easement**

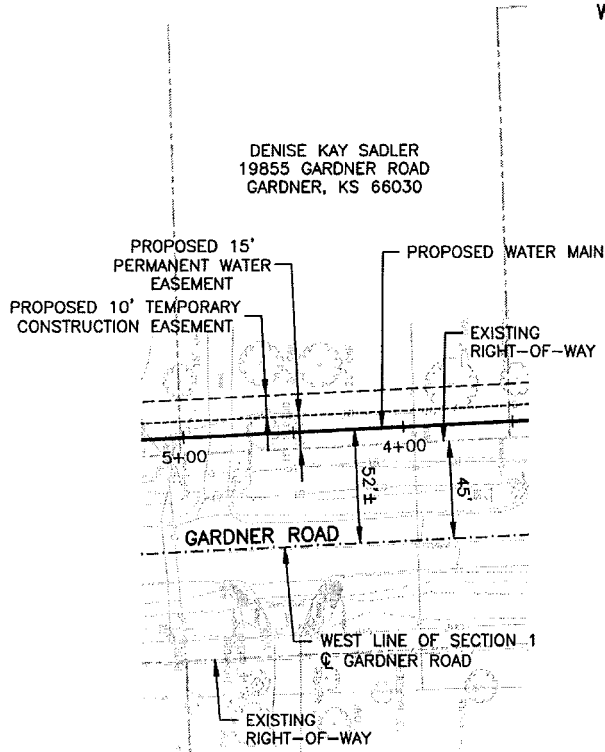
*Ten (10) foot wide easement lying parallel and adjacent to the east side of the above-described permanent easement; containing 1,500 square feet; as shown in attached Exhibit A.*

*The temporary construction easement shall expire 365 days after completion of the pipeline construction on said property.*

**TRACT II – EXHIBIT A**

**EXHIBIT A**

WATER MAIN EASEMENT  
WATER DISTRICT 7, JOHNSON COUNTY, KS  
DENISE KAY SADLER  
SOUTHWEST ¼, SEC. 1, T15S, R22E



PERMANENT EASEMENT = 2250 S.F.  
TEMPORARY EASEMENT = 1500 S.F.



**TRACT III**

**Owners of Record:** *Frank T. Bannister and Karen S. Bannister*

**Subject Property:**

*The North 330 feet of the South 660 feet of the West 660 feet of the South Half of the Southwest 1/4 of Section 1, Township 15, Range 22, Johnson County, Kansas.*

*All as recorded in Book 200711, Page 000756*

**Area of Easement:**

**Permanent Easement**

*Fifteen (15) feet in width, parallel and adjacent to the east right-of-way line of Gardner Road; containing 4,951 square feet; as shown in attached Exhibit A.*

**Temporary Easement**

*Ten (10) foot wide easement lying parallel and adjacent to the east side of the above-described permanent easement; containing 3,301 square feet; as shown in attached Exhibit A.*

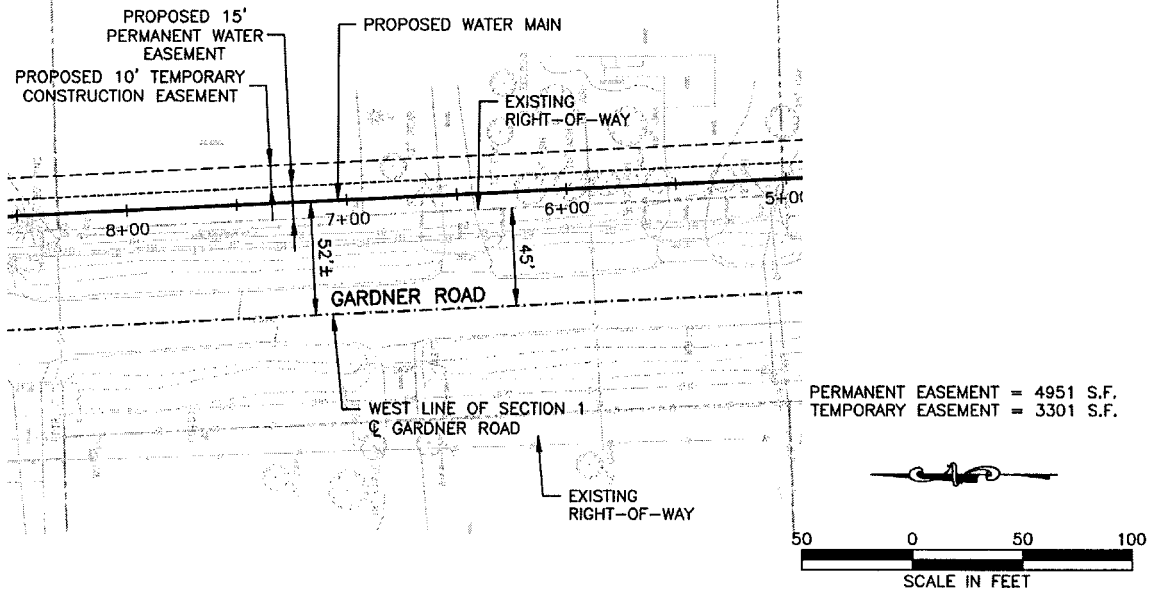
*The temporary construction easement shall expire 365 days after completion of the pipeline construction on said property.*

**TRACT III – EXHIBIT A**

**EXHIBIT A**

**WATER MAIN EASEMENT  
WATER DISTRICT 7, JOHNSON COUNTY, KS  
FRANK T. AND KAREN S. BANNISTER  
SOUTHWEST ¼, SEC. 1, T15S, R22E**

FRANK T. AND KAREN S. BANNISTER  
19815 GARDNER ROAD  
GARDNER, KS 66030





**TRACT IV**

**Owners of Record:** *Matthew L. Hamilton and Tracy A. Hamilton*

**Subject Property:**

*The North 330 feet of the South 990 feet of the West 660 feet of the South Half of the Southwest 1/4 of Section 1, Township 15, Range 22, Johnson County, Kansas.*

*All as recorded in Book 201601, Page 000864*

**Area of Easement:**

**Permanent Easement**

*Fifteen (15) feet in width, parallel and adjacent to the east right-of-way line of Gardner Road; containing 4,951 square feet; as shown in attached Exhibit A.*

**Temporary Easement**

*Ten (10) foot wide easement lying parallel and adjacent to the east side of the above-described permanent easement; containing 3,300 square feet; as shown in attached Exhibit A.*

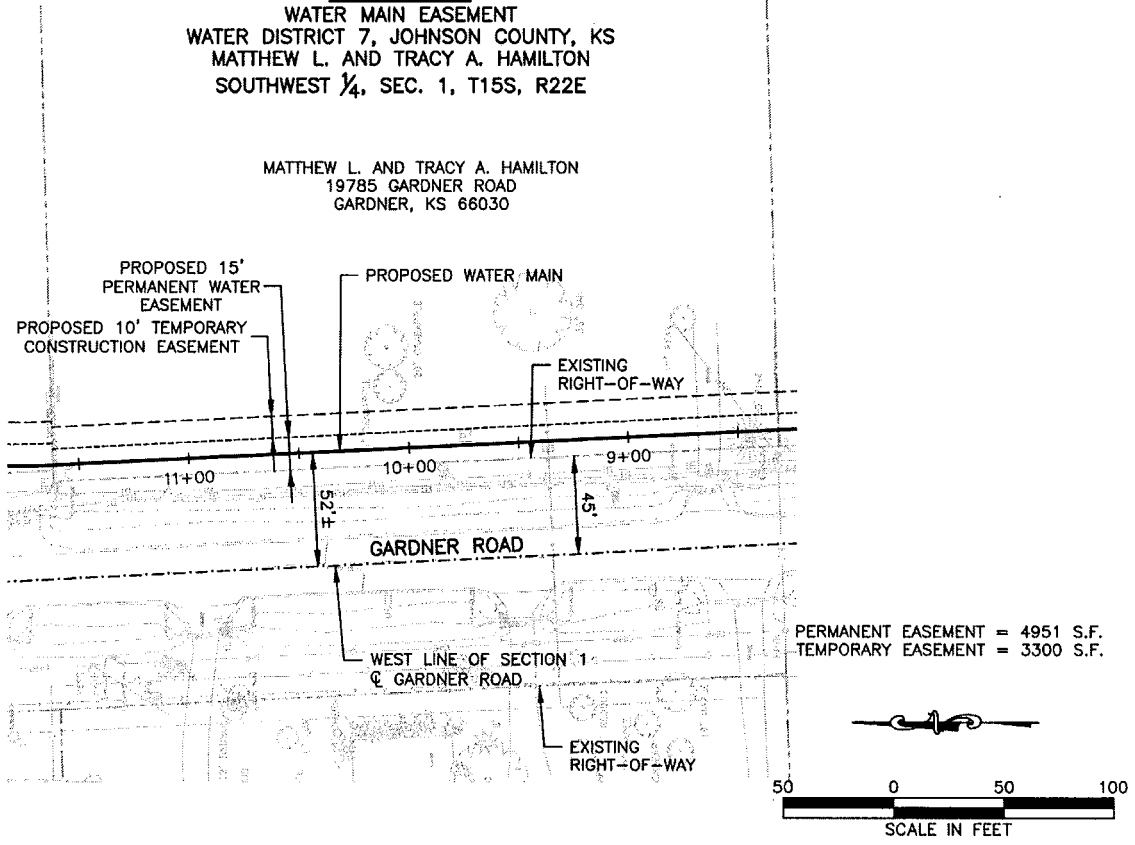
*The temporary construction easement shall expire 365 days after completion of the pipeline construction on said property.*

**TRACT IV – EXHIBIT A**

**EXHIBIT A**

**WATER MAIN EASEMENT  
WATER DISTRICT 7, JOHNSON COUNTY, KS  
MATTHEW L. AND TRACY A. HAMILTON  
SOUTHWEST ¼, SEC. 1, T15S, R22E**

**MATTHEW L. AND TRACY A. HAMILTON  
19785 GARDNER ROAD  
GARDNER, KS 66030**



## TRACT V

**Owners of Record:** *Dan L. Meisinger, Jr., a married person, and Lisa L. Meisinger and Gretchen M. Meisinger, both single*

**Subject Property:**

*THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 15, RANGE 22, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART IN STREETS AND ROADS, AND, BEGINNING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 15, RANGE 22, JOHNSON COUNTY, KANSAS, THENCE EAST 1,309.6 FEET, THENCE SOUTH 644.26 FEET; THENCE WEST 644.49 FEET. THENCE NORTH 311.61 FEET, THENCE WEST 660 FEET, THENCE NORTH 332 FEET TO THE BEGINNING, EXCEPT THAT PART IN STREETS AND ROADS, AND EXCEPT ALL THAT PART OF A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 15 SOUTH, RANGE 22 EAST OF THE 6TH P.M., JOHNSON COUNTY, KANSAS; MORE PARTICULARLY DESCRIBED TO WIT: THE WEST 50 FEET OF THE NORTH HALF OF SAID QUARTER SECTION, AND THE WEST 50 FEET OF THE NORTH 332 FEET OF THE SOUTH-HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 1. SUBJECT TO EXISTING RIGHTS OF WAY AND EASEMENTS.*

**Area of Easement:**

Permanent Easement

*Twenty (20) feet in width, 10 feet on each side of the pipeline, as constructed. The centerline of said easement shall not exceed more than ninety-six (96) feet east of the west line of Section 1, Township 15 South, Range 22 East, in Johnson County, Kansas.*

Temporary Easement

*Ten (10) foot wide temporary construction easements shall accompany both sides of the above-described permanent easement. The temporary construction easements shall continue until 365 days after the completion of construction of such pipeline by Grantee.*

## TRACT VI

**Owners of Record:** *Rodney Farmer and Kristine Farmer, as Trustees of the Farmer Joint Revocable Trust Dated December 3, 2020 Book 202012 at Page 004129*

**Subject Property:**

*Part of the East 1/2 of the Northwest 1/4 of Section 1, Township 15 South, Range 22 East, Johnson County, Kansas, being more particularly described as follows: Beginning at the Northeast corner of the Northwest 1/4 of Said Section 1; thence S. 0°18'49"W. along the East line of the Northwest 1/4 of said Section 1, a distance of 1043.58 feet to a point; thence N.88°50'54"W., a distance of 417.42 feet to a point; thence N. 0°18'49"E., a distance of 1048.58 feet to a point in the North line of the said Northwest 1/4; thence S.88°50'54"E. along the North line of said Northwest 1/4, a distance of 417.42 feet to the Point of Beginning.*

**Area of Easement:**

Permanent Easement

*Twenty (20) feet in width. The centerline of said easement shall be located sixty-five (65) feet south and parallel to the north line of the Northwest 1/4 of Section 1, Township 15 South, Range 22 East, in Johnson County, Kansas.*

Temporary Easement

*A Ten (10) foot wide temporary construction easement shall accompany the south side of the above-described permanent easement. The temporary construction easement shall begin when construction of each pipeline and/or pipeline extension begins and shall continue until 365 days after the completion of construction of each such pipeline and/or pipeline extension by Grantee.*

## TRACT VII

**Owners of Record:** *Fred Fraley and Julia Fraley*

**Subject Property:**

*All of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 15, Range 22, Johnson County, Kansas, and all of the West 1/2 of the Northeast 1/4 of Section 1, Township 15, Range 22, Johnson County, Kansas, except beginning at a point on the North line of the Northeast 1/4 of said Section 1, said point being 630.00 feet East of the Northwest corner of the Northeast 1/4 of said Section 1; thence East along the North line of the Northeast 1/4 of said Section 1, a distance of 330.00 feet; thence South, perpendicular to the North line of the Northeast 1/4 of said Section 1, a distance of 396.00 feet; thence West parallel to the North line of the Northeast 1/4 of said Section 1, a distance of 330.00 feet, thence North perpendicular to the last described course, a distance of 396.00 feet, to the point of beginning, subject to that part used for road purposes.*

**Area of Easement:**

Temporary Easement

*A Ten (10) foot wide temporary construction easement. The centerline of said easement shall be located sixty (60) feet south and parallel to the north line of the Northeast Quarter of Section 1, Township 15 South, Range 22 East, in Johnson County, Kansas. The temporary construction easement shall begin when construction of each pipeline and/or pipeline extension begins and shall continue until 365 days after the completion of construction of each such pipeline and/or pipeline extension by Grantee.*

## TRACT VIII

**Owners of Record:** *Gary Bradford and Cynthia Bradford*

**Subject Property:**

*All that part of the West Half of the Northeast Quarter of Section 1, Township 15, Range 22, Johnson County, Kansas, described as follows: Beginning at a point on the North line of the Northeast Quarter of said Section 1, said point being 630.00 feet East of the Northwest corner of the Northeast Quarter of said Section 1; thence East along the North line of the Northeast Quarter of said Section 1 a distance of 330.00 feet; thence South perpendicular to the North line of the Northeast Quarter of said Section 1, a distance of 396.00 feet; thence West, parallel to the North line of the Northeast Quarter of said Section 1, a distance of 330.00 feet; thence North perpendicular to the last described course a distance of 396.00 feet, to the point of beginning.*

**Area of Easement:**

Permanent Easement

*Twenty (20) feet in width. The centerline of said easement shall be located sixty-five (65) feet south and parallel to the north line of the Northeast Quarter of Section 1, Township 15 South, Range 22 East, in Johnson County, Kansas.*

Temporary Easement

*A Ten (10) foot wide temporary construction easement shall accompany the south side of the above-described permanent easement. The temporary construction easement shall begin when construction of each pipeline and/or pipeline extension begins and shall continue until 365 days after the completion of construction of each such pipeline and/or pipeline extension by Grantee.*

**TRACT IX**

**Owners of Record:** *Fred D. Fraley and Julia N. Fraley, husband and wife,*

**Subject Property:**

*The East Half of the Northeast Quarter of Section 1, Township 15 South, Range 22 East, Johnson County, Kansas except the East 40.00 feet thereof.*

**Area of Easement:**

**Temporary Easement**

*A Ten (10) foot wide temporary construction easement. The centerline of said easement shall be located sixty (60) feet south and parallel to the north line of the Northeast Quarter of Section 1, Township 15 South, Range 22 East, in Johnson County, Kansas.*

*AND;*

*The east eighty (80) feet of the north fifty-five (55) feet of the above-described tract in Section 1, Township 15 South, Range 22 East, in Johnson County, Kansas.*

*The temporary construction easement shall begin when construction of each pipeline and/or pipeline extension begins and shall continue until 365 days after the completion of construction of each such pipeline and/or pipeline extension by Grantee.*

## TRACT X

**Owners of Record:** *Fred Fraley as to an undivided 68.59% interest, and Fred D. Fraley and Julia N. Fraley as to an undivided 31.41% interest*

**Subject Property:**

*The West ½ of the Southwest ¼ of Section 31, Township 14 South, Range 23 East of the 6th P.M. in Johnson County, Kansas, except The West 40.00 feet of the West Half of the Southwest Quarter of Section 31, Township 14 South, Range 23 East of the 6th P.M., Johnson County, Kansas, except the North 273.97 feet of the South 1,649.19 feet thereof, subject to existing road right-of-way, except any part in streets or roads.*

**Area of Easement:**

Permanent Easement

*The south forty (40) feet of the west thirty-five (35) feet of the above-described tract in Section 1, Township 14 South, Range 23 East, in Johnson County, Kansas, except the west fifteen (15) feet of Section 1, Township 14 South, Range 23 East, in Johnson County, Kansas.*

Temporary Easement

*Ten (10) foot wide temporary construction easements shall accompany the east and north side of the above-described permanent easement. The temporary construction easements shall begin when construction of each pipeline and/or pipeline extension begins and shall continue until 365 days after the completion of construction of each such pipeline and/or pipeline extension by Grantee.*



## TRACT XI

**Owners of Record:** *Supernaw Turner, a Kansas limited liability company*

**Subject Property:**

*A tract in the Northwest Quarter (NW/4) of Section Six (6), Township Fifteen (15) South, Range Twenty-three (23) East of the 6th P.M., in Johnson County, Kansas, described by metes and bounds as follows: Commencing at a point 120 Rods West of the Northeast corner of said Northwest Quarter (NW/4), thence running South Seventy-three (73) Rods, thence running East One Hundred Twenty (120) Rods, thence running South to the Southeast corner of said Northwest Quarter (NW/4), thence running West to the Southwest corner thereof, thence running North to the Northwest corner of said Northwest Quarter (NW/4), and thence running East to the Point of Beginning.*

**Area of Easement:**

Permanent Easement

*Twenty (20) feet in width. The centerline of said easement shall be sixty-five (65) feet south of the north line of the Northwest ¼ of Section 6, Township 15 South, Range 23 East, in Johnson County, Kansas.*


Temporary Easement

*Ten (10) foot wide temporary construction easements shall accompany both sides of the above-described permanent easement. The temporary construction easements shall begin when construction of each pipeline and/or pipeline extension begins and shall continue until 365 days after the completion of construction of each such pipeline and/or pipeline extension by Grantee.*

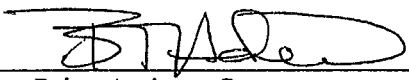
The above-named properties or such parts of the above-named properties as may be deemed necessary by the District, are required for the District to adequately operate its water supply system and serve its customers.

Counsel for the District is authorized and directed to file condemnation proceedings necessary to give effect to this resolution.

Adopted this 4th day of June 2024.

  
\_\_\_\_\_  
Frank P. Denning, Chairman

Attest:

  
\_\_\_\_\_  
Brian Andrew, Secretary

**RURAL WATER DISTRICT NO. 7,  
JOHNSON COUNTY, KANSAS  
RESOLUTION OF NECESSITY TO CONDEMN**

**RESOLUTION 2024-06-02**

**WHEREAS**, Rural Water District No. 7, Johnson County (“the District”), desires to obtain certain easements (hereinafter “Easements”) for the placement of water lines, appurtenances, and use of related improvements and equipment on properties in Johnson County, Kansas; and

**WHEREAS**, the District has not been granted easements on certain tracts of land for such purposes.

**THEREFORE, BE IT RESOLVED** by the Board of Directors of the District that it is necessary to exercise its power of eminent domain, pursuant to the provisions of K.S.A. 82a-619, to take easements to permit the District, its employees, agents and contractors to: i) excavate, lay, construct, operate, inspect, and otherwise place and use pipeline within said Easements; ii) excavate, fill and re-grade the Easements; and iii) obtain reasonable access to the Easements by the District’s employees, agents, contractors, vehicles, materials and equipment.

The names of the owners of the parcels affected by the easements to be taken, and which have been deemed necessary for lawful purposes, are as follows:

## TRACT I

**Owners of Record:** *F. DeWayne Lane*

**Subject Property:**

*All of the east half of the north half of the northeast quarter of Section 35, Township 13 South, Range 22 East, Johnson County, Kansas, except that part in streets or roads.*

**Area of Easement:**

Permanent Easement

*As described in Exhibit A.*

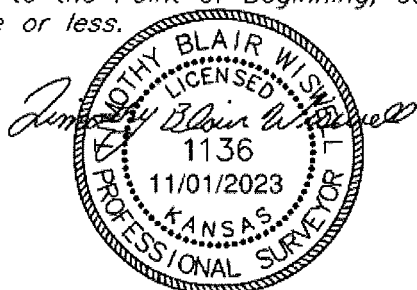
Temporary Easement

*Also, Ten (10) foot wide temporary construction easements shall accompany each side of the above-described permanent easement. The temporary construction easements shall begin when construction of each pipeline and/or pipeline extension begins and shall continue until 365 days after the completion of construction of each such pipeline and/or pipeline extension by Grantee.*

**TRACT I – EXHIBIT A (1 of 2)**

*A tract of land being part of the East Half of the North Half of the Northeast Quarter of Section 35, Township 13 South, Range 22 East of the Sixth Principal Meridian located in Johnson County, Kansas, being more particularly described by Timothy Blair Wiswell, LS 1136, of George Butler Associates Inc., CLS 8, on November 1, 2023, as follows:*

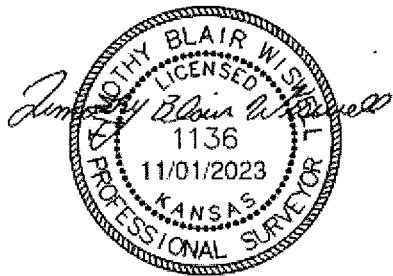
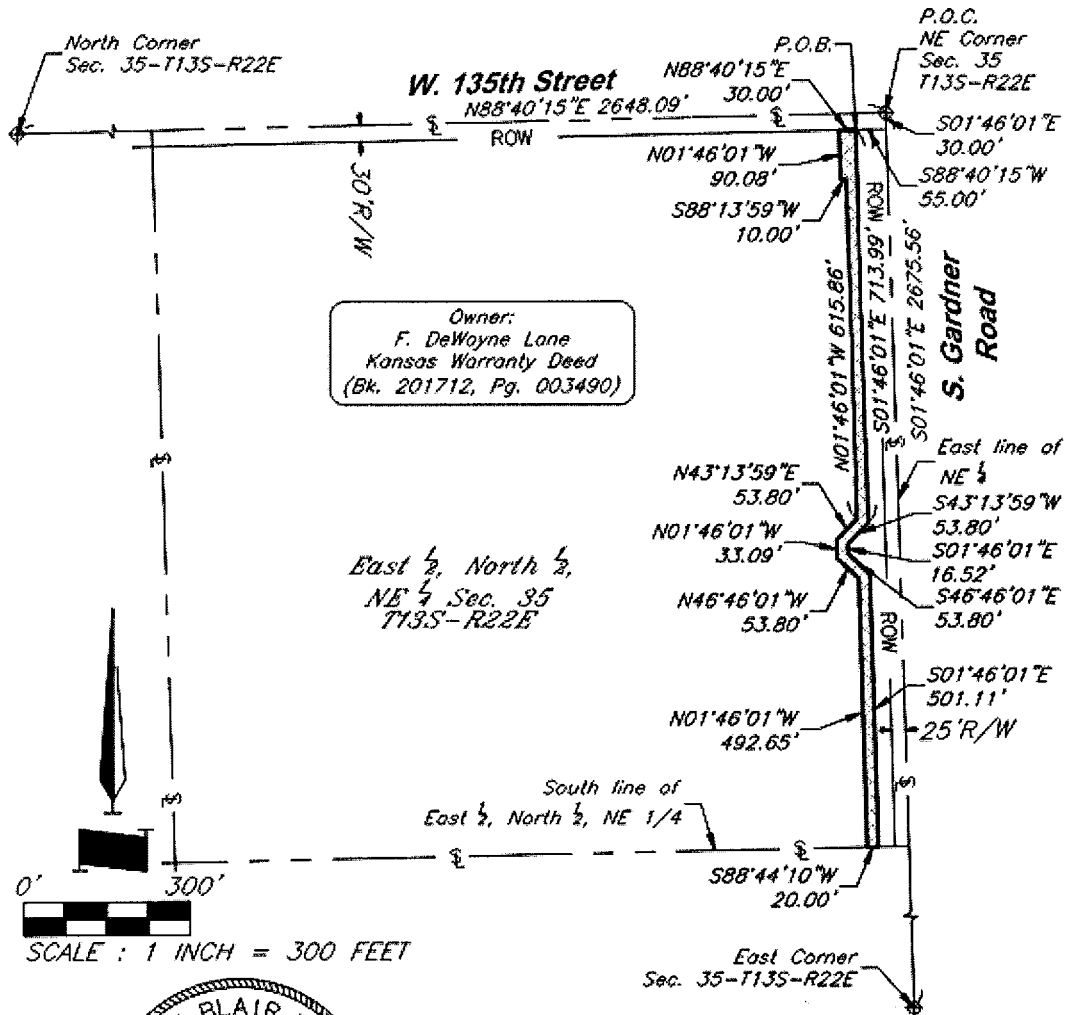
*Commencing at the Northeast Corner of said Section 35; thence South 01°46'01" East, on the East line of said Section, a distance of 30.00 feet; thence South 88°40'15" West, departing said East line, a distance of 55.00 feet, to a point on the South Right-of-Way line of W. 135th Street, as now established and also being the Point of Beginning; thence South 01°46'01" East, a distance of 713.99 feet; thence South 43°13'59" West, a distance of 53.80 feet; thence South 01°46'01" East, a distance of 16.52 feet; thence South 46°46'01" East, a distance of 53.80 feet; thence South 01°46'01" East, a distance of 501.11 feet, to a point on the South line of the East Half, of the North Half, of the Northeast Quarter of said Section 35; thence South 88°44'10" West, on said South line, a distance of 20.00 feet; thence North 01°46'01" West, departing said South line, a distance of 492.65 feet; thence North 46°46'01" West, a distance of 53.80 feet; thence North 01°46'01" West, a distance of 33.09 feet; thence North 43°13'59" East, a distance of 53.80 feet; thence North 01°46'01" West, a distance of 615.86 feet; thence South 88°13'59" West, a distance of 10.00 feet; thence North 01°46'01" West, a distance of 90.08 feet, to a point on said South Right-of-Way line; thence North 88°40'15" East, on said South Right-of-Way line, a distance of 30.00 feet, to the Point of Beginning, containing 27,683.77 square feet or 0.64 acres, more or less.*



*This is to certify that this real property description has been prepared by me or under my direct supervision.*

*Timothy Blair Wiswell  
Kansas P.L.S. 1136*

**TRACT I – EXHIBIT A (2 of 2)**



This is to certify that this real property exhibit was prepared by me or under my direct supervision. This exhibit does not warrant that a boundary survey was performed upon the hereon shown tract of land.

Denotes Permanent Easement  
27.683.77 Square Feet

P.O.C. - Point of Commencing  
P.O.B. - Point of Beginning

**TRACT II**

**Owners of Record:** *Jamie Rocha and Remigio Rocha*

**Subject Property:**

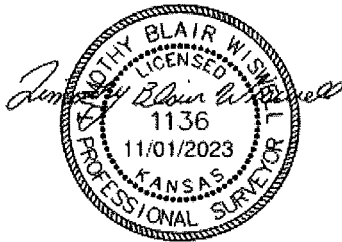
*A tract of land in the Northeast Quarter of Section 32, Township 13, Range 22 of the 6th PM, Johnson County, Kansas, described as follows: The South Half of the Northeast Quarter of the Northeast Quarter of Section 32, Township 13 South, Range 22 East, less the South 33 feet of the West 660 feet thereof, except any part thereof in streets, roads, or public right of way.*

**Area of Easement:**

***PERMANENT WATER EASEMENT:***

*A tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 32, Township 13 South, Range 22 East, of the Sixth Principal Meridian, in the City of Olathe, Johnson County, Kansas, being more particularly described by Timothy Blair Wiswell, LS 1136, of George Butler Associates Inc., CLS 8, on November 1, 2023, as follows:*

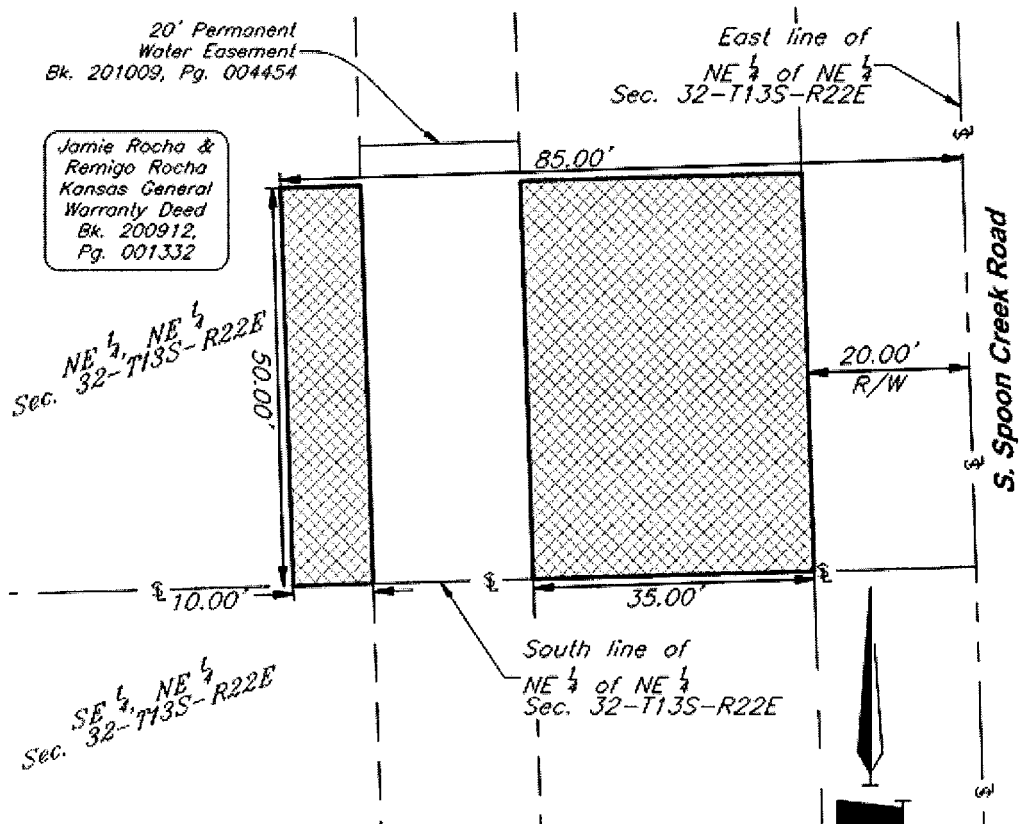
*The West 65 feet, of the East 85 feet, of the South 50 feet, of the Northeast Quarter, of the Northeast Quarter of said Section 32, except that part in an existing permanent water easement, recorded in Book 201009, Page 004454, containing 2,250.02 square feet, or 0.05 acres, more or less, after exception.*



*This is to certify that this real property description has been prepared by me or under my direct supervision.*

*Timothy Blair Wiswell  
Kansas P.L.S. 1136*

**TRACT II - EXHIBIT A**



TIMOTHY BLAIR WISWELL  
 LICENSED  
 1136  
 11/01/2023  
 KANSAS  
 PROFESSIONAL SURVEYOR

Denotes Permanent Easement  
 2,250.02 Square Feet, after exception

This is to certify that this real property exhibit was prepared by me or under my direct supervision. This exhibit does not warrant that a boundary survey was performed upon the hereon shown tract of land.



**TRACT III**

**Owners of Record:** *John W. Voelk and Theresa M. Voelk*

**Subject Property:**

*ALL OF LOT 4, COYOTE VALLEY, A SUBDIVISION IN JOHNSON COUNTY, KANSAS, EXCEPT THE FOLLOWING DESCRIBED TRACTS:*

*ALL THAT PART OF LOT 4, COYOTE VALLEY, A SUBDIVISION OF LAND IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 13, RANGE 22, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTH 0 DEGREES 23 MINUTES 22 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 1400.00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0 DEGREES 23 MINUTES 22 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 441.50 FEET; THENCE SOUTH 69 DEGREES 13 MINUTES 26 SECONDS EAST, ALONG THE NORTH LINE OF LOT 1 OF SAID COYOTE VALLEY AND ITS EXTENSIONS, A DISTANCE OF 523.36 FEET; THENCE NORTH 68 DEGREES 50 MINUTES 42 SECONDS EAST, ALONG THE NORTH LINE OF LOT 2 OF SAID COYOTE VALLEY, A DISTANCE OF 686.41 FEET; THENCE NORTH 1 DEGREE 12 MINUTES 12 SECONDS EAST A DISTANCE OF 501.95 FEET; THENCE NORTH 58 DEGREES 45 MINUTES 36 SECONDS WEST, A DISTANCE OF 619.96 FEET; THENCE SOUTH 45 DEGREES 22 MINUTES 39 SECONDS WEST, A DISTANCE OF 811.00 FEET, TO THE POINT OF BEGINNING.*

*AND EXCEPT:*

*ALL THAT PART OF LOT 4, COYOTE VALLEY, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 00 DEGREES 11'53" WEST ALONG THE EAST LINE OF SAID SECTION 26, A DISTANCE OF 33.00 FEET; THENCE NORTH 89 DEGREES 00'39" WEST, A DISTANCE OF 2639.43 FEET, TO THE N.W. CORNER OF LOT 4; THENCE SOUTH 89 DEGREES 43'38" EAST, ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 2639.18 FEET, TO THE POINT OF BEGINNING.*

**Area of Easement:**

**Permanent Easement**

*As described in Exhibit A. The south forty (45) feet of the east one hundred and thirty-five (135) feet of the above-described tract in Section 26, Township 13 South, Range 22 East, in Johnson County, Kansas, except the east seventy (70) feet of Section 26, Township 13 South, Range 22 East, in Johnson County, Kansas.*


**Temporary Easement**

*Ten (10) foot-wide temporary construction easements shall accompany the west and east sides of the above-described permanent easement. The temporary construction easements shall begin when construction of each pipeline and/or pipeline extension begins and shall continue until 365 days after the completion of construction of each such pipeline and/or pipeline extension by Grantee.*

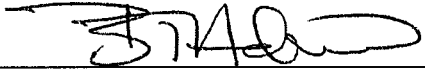
The above-named properties or such parts of the above-named properties as may be deemed necessary by the District, are required for the District to adequately operate its water supply system and serve its customers.

Counsel for the District is authorized and directed to file condemnation proceedings necessary to give effect to this resolution.

Adopted this 4th day of June 2024.

  
\_\_\_\_\_  
Frank P. Denning, Chairman

Attest:

  
\_\_\_\_\_  
Brian Andrew, Secretary