

CITY OF MISSION, KANSAS
COMMUNITY DEVELOPMENT COMMITTEE

WEDNESDAY, NOVEMBER 1, 2017

6:30 p.m.

Mission City Hall

PUBLIC COMMENTS

PUBLIC PRESENTATIONS / INFORMATIONAL ONLY

ACTION ITEMS

1. Dedication of Johnson Drive Right-of-Way, Mission Trails - Danielle Sitzman

The Planning Commission, at their September 25, 2017 meeting, voted to approve the final site plan for the Mission Trails development, a 5-story mixed use building containing apartments, retail space and offices on a 2.8 acre infill site in the downtown near the southwest corner of Johnson Drive and Beverly Avenue. Dedication of right-of-way for on-street parking, sidewalks, and public infrastructure was a required condition.

DISCUSSION ITEMS

OTHER

2. Department Updates - Laura Smith

Kristin Inman, Chairperson
Suzie Gibbs, Vice-Chairperson
Mission City Hall, 6090 Woodson
913-676-8350

City of Mission	Item Number:	1.
ACTION ITEM SUMMARY	Date:	November 1, 2017
Community Development	From:	Danielle Sitzman

Action items require a vote to recommend the item to full City Council for further action.

RE: Dedication of Right-of-Way along Johnson Drive for the Mission Trails redevelopment

RECOMMENDATION: Adopt an ordinance accepting the dedication of Right-of-Way for the Mission Trails redevelopment as described.

DETAILS: The Planning Commission, at their September 25, 2017 meeting, voted to approve the final site plan for the Mission Trails development, a 5-story mixed use building containing apartments, retail space and offices on a 2.8 acre infill site in the downtown near the southwest corner of Johnson Drive and Beverly Avenue. Dedication of right-of-way for on-street parking, sidewalks, and public infrastructure was a required condition. As a final plat has already been approved, the developer is proposing to make the dedication of land through a separate legal document.

An exhibit of the proposed dedication is attached. Staff has reviewed the request and found that that it is in compliance with the approved site plan. An ordinance has been prepared by the City's Land Use Attorney with the corresponding legal description. A separate Deed of Dedication is currently being drafted and will be available prior to the Committee meeting.

CFAA CONSIDERATIONS/IMPACTS: Redevelopment of this property with a mix of uses including multi-family housing helps support a vibrant downtown by creating a market for a variety of sales and services. Efficient use of land by dense infill projects such as this helps support a transit system.

Related Statute/City Ordinance:	
Line Item Code/Description:	
Available Budget:	

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE DEDICATION OF RIGHT OF WAY

WHEREAS, by document dated _____, 2017, _____
offered to dedicate certain right of way to the City of Mission, Kansas; and

WHEREAS, the City is willing to accept such dedication.

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

SECTION 1. Acceptance of Right of Way. The City of Mission, Kansas hereby accepts the permanent dedication of right of way over and upon the real property described on Exhibit "A" attached to this Ordinance.

PASSED by the Governing Body this ____ day of November, 2017.

SIGNED by the Mayor this ____ day of November, 2017.

CITY OF MISSION, KANSAS

By: _____
Steve Schowengerdt, Mayor

[SEAL]

ATTEST:

Martha Sumrall, City Clerk

APPROVED AS TO FORM ONLY:

David K. Martin, City Attorney

Exhibit "A"

October 17, 2017

LEGAL DESCRIPTION
PROPOSED RIGHT OF WAY DEDICATION
SE 1/4, SEC. 8, TWP. 12, RNG. 25
CITY OF MISSION, JOHNSON COUNTY, KANSAS

All that part of the SE 1/4 of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northwest corner of the SE 1/4 of said Section 8; thence N 87° 59' 21" E, along the North line of said SE 1/4, a distance of 497.45 feet; thence S 2° 04' 47" E, a distance of 60.00 feet, to a point on the South right-of-way line of Johnson Drive, as now established; thence S 87° 59' 21" W, along said South right-of-way line, being a line 60.00 feet South of and parallel with the North line of said SE 1/4, a distance of 48.66 feet, to the Point of Beginning; thence continuing S 2° 00' 44" E, a distance of 23.45 feet; thence S 87° 46' 44" W, a distance of 91.62 feet, to a point of curvature; thence Southwesterly along a curve to the left having a radius of 963.00 feet, a central angle of 2° 41' 46", an arc distance of 45.31 feet, to a point of tangency; thence S 85° 04' 58" W, a distance of 35.72 feet, to a point of curvature; thence Westerly along a curve to the right having a radius of 1037.00 feet, a central angle of 6° 00' 34", an arc distance of 108.76 feet, to a point on the West line of a tract of land recorded in Book 201610 at Page 006881 at the Register of Deeds office, Johnson County, Kansas; thence N 2° 04' 47" W, along said West line, a distance of 26.65 feet, to a point on the South right-of-way line of said Johnson Drive; thence N 87° 59' 21" E, along said South right-of-way line, a distance of 281.34 feet, point of beginning.

The above described tract of land contains 7,197 square feet, or 0.165 acres, more or less.

DEED OF DEDICATION

THIS INDENTURE, made on this ____ day of _____, 2017, by and between **JOHNSON 6101, LLC**, a limited liability company and **6201 JOHNSON, INC.**, a corporation, collectively, Grantor, and **THE CITY OF MISSION, KANSAS**, a Municipal Corporation, Grantee

Grantee Mailing Address: Mission City Hall, 6090 Woodson, , Mission, Kansas.

WITNESSETH, that the said Grantor, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does by these presents, **GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM**, unto the said Grantee, its successors and assigns, their respective interests in the following described lots, tracts or parcels of land lying, being and situated in the County of Johnson and State of Kansas, to-wit:

(SEE ATTACHED EXHIBIT "A")

TO HAVE AND TO HOLD the same for the purpose of public right of way and constructing and maintaining a public street and related improvements, including but not limited to, sidewalks, street lights and utilities, together with all singular the rights, privileges, appurtenances and immunities thereto belonging, or in anywise appertaining, unto the said Grantee, and unto its successors and assigns, forever; the said Grantor hereby covenants on its part and on behalf of its successors and assigns that said Grantor is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that said Grantor has good right to convey the same; that the premises are free and clear of any encumbrances done or suffered by the said Grantor or those under whom Grantor claims; and that said Grantor will warrant and

STATE OF _____)
) ss.
COUNTY OF _____)

On this ____ day of _____, 2017, before me personally appeared R. Michael Johnson, President of 6201 JOHNSON, INC., a corporation company, to me known to be the person described in and who executed the foregoing instrument on behalf of such company, and acknowledged that he executed the same as his free act and deed for said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.

Notary Public

My Commission Expires:

EXHIBIT A

October 17, 2017

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