

RECEIVED

JAN 03 2025



STATE OF KANSAS, HARPER COUNTY, KS
This instrument was filed for record
on this 19 day of Dec.
A.D. 2024 at 9:30 o'clock A. M.
and duly recorded in book M40 on
page 1502 fee \$ 72.00
Audrey Anderson
By _____
Deputy

Temporary Construction Easement

This Temporary Construction Easement (Easement) is entered into this 18th day of December 2024, by and between Alice and Mitchell D. Gates (Owners) and the City of Anthony (City).

WHEREAS,

- A. The Owner owns property at 203 E. Main in the City of Anthony, Harper County, Kansas. The legal description is Lots 13,14, and 15, Block 34 of the Original Town in Anthony Kansas.
- B. The City requires a Temporary Construction Easement across the Owner's property as described in attached Exhibit A (Property).

NOW, THEREFORE, Owners and the City agree as follows:

- 1. Owner, does hereby grant, convey and warrant unto the City, its successors, assigns, and lessees the right and easement of ingress to and egress from the above-described land together with the right of use of the Property for the purpose of construction of the CCLIP Project #44-39 KA-6909-01, the reconstruction of the intersecting street and sidewalks at Main Street and Anthony Street. Such use shall include the right to locate workers, materials, and equipment upon Property for construction purposes.
- 2. City will pay the total sum of \$1,200.00 (One-Thousand Two-Hundred Dollars and Zero Cents) as total compensation for the Temporary Construction Easement. Payment shall be made within 30 days after Owners sign the Easement.
- 3. This Temporary Easement will cease on December 31, 2025.
- 4. City shall restore the surface area to the same condition as existed before the commencement of construction and shall be responsible for any permanent damage caused from City's use of Property.

APPROVED

OWNER

Alice Gates

Alice Gates

Dated: 12-18-24

OWNER

Mitchell D. Gates

Mitchell D. Gates

Dated: 12-18-24

CITY OF ANTHONY

Cyndra Kastens

Cyndra Kastens, City Clerk/Administrator

Dated: 12.18.24

COPY

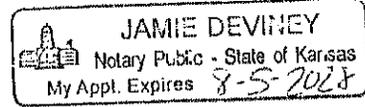
AFFIDAVIT

State of Kansas)SS: County of Harper)

Before me, the undersigned notary public, this day, personally, appeared Alice Gates to me known, who being duly sworn according to law, deposes the following:

Subscribed and sworn to before me this 18 day of December, 2024.

Jamie Deviney Notary Public
My Commission Expires: 8-5-2028



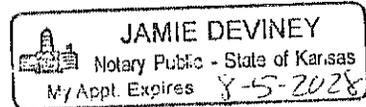
AFFIDAVIT

State of Kansas)SS: County of Harper)

Before me, the undersigned notary public, this day, personally, appeared Mitchell D. Gates to me known, who being duly sworn according to law, deposes the following:

Subscribed and sworn to before me this 18 day of December, 2024.

Jamie Deviney Notary Public
My Commission Expires: 8-5-2028



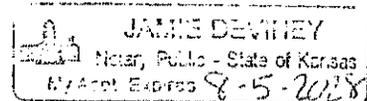
AFFIDAVIT

State of Kansas)SS: County of Harper)

Before me, the undersigned notary public, this day, personally, appeared Cyndra Kastens to me known, who being duly sworn according to law, deposes the following:

Subscribed and sworn to before me this 18 day of December, 2024.

Jamie Deviney Notary Public
My Commission Expires: 8-5-2028



"EXHIBIT A"

A DESCRIPTION FOR A TEMPORARY EASEMENT
IN A PART OF LOTS 13-15, BLOCK 34, OF THE ORIGINAL TOWN OF ANTHONY,
HARPER COUNTY, KANSAS

OWNED BY

ALICE & MITCHELL D. GATES

Temporary Easement Description

A tract of land in a part of Lots 13-15, Block 34, of the Original Town of Anthony, Harper County, Kansas, being more particularly described as follows:

BEGINNING at the Southwest Corner of Lot 13, Block 34, of the Original Town of Anthony; Thence North 00°34'35" West along the West line of said Lot 13, a distance of 14.50 feet; Thence leaving said West line North 89°08'32" East, a distance of 6.00 feet; Thence South 00°34'35" East, a distance of 8.50 feet; Thence North 89°08'32" East, a distance of 69.00 feet to the East line of Lot 15 in said Block 34; Thence South 00°32'33" East along said East line, a distance of 6.00 feet to the South line of said Lot 15 and the North right-of-way line of East Main Street/KS Highway 44; Thence South 89°08'32" West along said North right-of-way line, a distance of 75.00 to the POINT OF BEGINNING. Containing 0.01 acres more or less.

6 November, 2024



Darrin W. Hall, PS 1359 KS
Evans, Bierly, Hutchison & Associates, P.A.
1105 Williams
Great Bend, Kansas 67530
(620) 793-8411

 COPY

A TEMPORARY EASEMENT FOR KDOT
 ON A TRACT OWNED BY
 MITCHELL D AND ALICE GATES
 IN BLOCK 34, ORIGINAL TOWN
 ANTHONY, HARPER COUNTY, KANSAS
 "EXHIBIT A"

R4449.1
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