

Vendor # \_\_\_\_\_

INV # \_\_\_\_\_



### Temporary Easement Settlement

Owner The City of Arkansas City

Multiple owner 100 % Agent Stacy A Jones

Project Name Ark City of Silverdale

Project # 20-107 Line # 138.01B Tract # CL016 & CL016.01

Qtr NE, Section 18 & 19, Twp 34 S, Rng 04E E/W, Cowley County, KS

Or Lot N/A, Block N/A, Subdivision N/A, City N/A

The owner has agreed to the sum of \$ 2,100.00 in full settlement and consideration for a fully executed Temporary Construction / Access Easement on and across the premises described generally as above.

IRS Form W-9 attached

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

Phone Number \_\_\_\_\_

**Evergy Remarks:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OFFICE USE ONLY**

Check To: \_\_\_\_\_ Check Needed Due Upon Receipt

Name: The City of Arkansas City

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Amount \$2,100.00

REMIT TE

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

Bus Unit \_\_\_\_\_ Oper. Unit \_\_\_\_\_

Acct \_\_\_\_\_ Resource \_\_\_\_\_

Dept \_\_\_\_\_ Proj \_\_\_\_\_

Work ID \_\_\_\_\_

NE/4 S19-T34S-R04E  
NE/4 S18-T34S-R04E

### **TEMPORARY CONSTRUCTION EASEMENT**

For and in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged **The City of Arkansas City, Kansas, a Municipal Corporation of the State of Kansas, ("Grantor")** does hereby grant, convey and warrant unto **EVERGY KANSAS SOUTH, INC., a Kansas corporation,** its successors, assigns and lessees, ("**Grantee**") the rights and easement for temporary construction purposes concerning the construction or reconstruction of an electric transmission and/or distribution line, including but not limited to stringing conductors, erecting structures, environmental testing, materials and equipment storage, equipment operation, soil borings, grading, Earthwork, and other construction work, in, along, under, across, and over the following described property located in Cowley County, Kansas, to wit:

**CL016**

The Northeast Quarter of Section 19, Township 34 South, Range 4  
East of the 6th P.M., Cowley County, Kansas.

**CL016.01**

The Northeast Quarter of Section 18, Township 34 South, Range 4  
East of the 6th P.M., Cowley County, Kansas.

See Exhibit "A" attached hereto and made part of this instrument by  
reference.

This Temporary Construction Easement shall terminate and revert to the Grantor, free and clear of any right, title or interest of Grantee under this Temporary Construction Easement, ninety (90) days after the completion of said project, or 12/31/2023, whichever comes first.

In the exercise of the rights under this Temporary Construction Easement, Grantee shall have the further right to erect and use gates in all fences that now or at any future time hereafter cross or obstruct the rights under this Temporary Construction Easement, and to trim, remove, eradicate, cut and clear away any trees, limbs, brush and vines ("Woody Vegetation") whenever in its reasonable judgment such Woody Vegetation will interfere with or endanger the exercise of

the rights under the Temporary Construction Easement. All such Woody Vegetation shall be burned or removed by the Grantee unless otherwise agreed to by Grantor.

In the event Grantee causes damage to Grantor or Grantor's real property from the exercise of the rights under the Temporary Construction Easement (with the exception concerning grading, Earthwork, and Woody Vegetation allowed herein), Grantee shall either cause the physical, material damage to be repaired or pay Grantor the reasonable cost of such work; said damages, if not mutually agreed upon, shall be appraised, ascertained and otherwise valued by three disinterested persons, one of whom shall be selected by each, Grantor and Grantee, their heirs or successors, assigns or lessees, and the third by the two so selected. The damages determined by such persons, or a majority of them, shall be conclusive. This shall be Grantee's only liability for damage.

This Temporary Construction Easement shall be binding upon the successors and assigns of the undersigned.

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

**IN WITNESS WHEREOF**, the parties have executed this Easement as of the \_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

The City of Arkansas City, Kansas,  
a Municipal Corporation of the State of Kansas

By: \_\_\_\_\_  
Randy Frazer, City Manager

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

SS: **CORPORATE ACKNOWLEDGMENT**

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me, \_\_\_\_\_, a Notary Public in and for said County and State aforesaid, personally appeared Randy Frazer, City Manager of

The City of Arkansas City, Kansas, a Municipal Corporation of the State of Kansas, and did say that said instrument was signed and delivered in the name and on behalf of said entity acknowledge said instrument to be the free and voluntary act and deed of said entity.

WITNESS my hand and seal the day and year last above written.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name Here

My appointment expires:  
\_\_\_\_\_

# EXHIBIT A

A Temporary Easement, being part of the Southeast Quarter of Section 18, Township 34 South, Range 4 East of the 6th Principal Meridian, Cowley County, Kansas, (Bearing & Distance Based on Kansas State Plane Coordinate System NAD83 South Zone), described as; commencing at the S.E. Corner of said Southeast Quarter; thence S88°31'46"W, along the South line of said Southeast Quarter, 73.34 feet; thence N02°21'18"W, 25.00 feet to the North Right-of-way line of N. Radio Lane and being the Point of Beginning; thence S88°31'46"W, along said North line, 100.00 feet; thence N02°21'18"W, 188.42 feet to the Southeasterly Right-of-way line of U.S. 77 Highway; thence N11°25'02"E, along said Right-of-way line, 57.54 feet; thence N26°08'02"E, along said Southeasterly Right-of-way line, 163.10 feet; thence N48°57'56"E, along said Right-of-way, 12.13 feet; thence S01°52'24"E, 115.78 feet; thence S02°21'18"E, 281.00 feet to the Point of Beginning.

Said parcel contains 30993.86 Sq. Ft./ 0.71± Acres.

Total Easement area contains 30993.86 Sq. Ft./ 0.71± Acres.





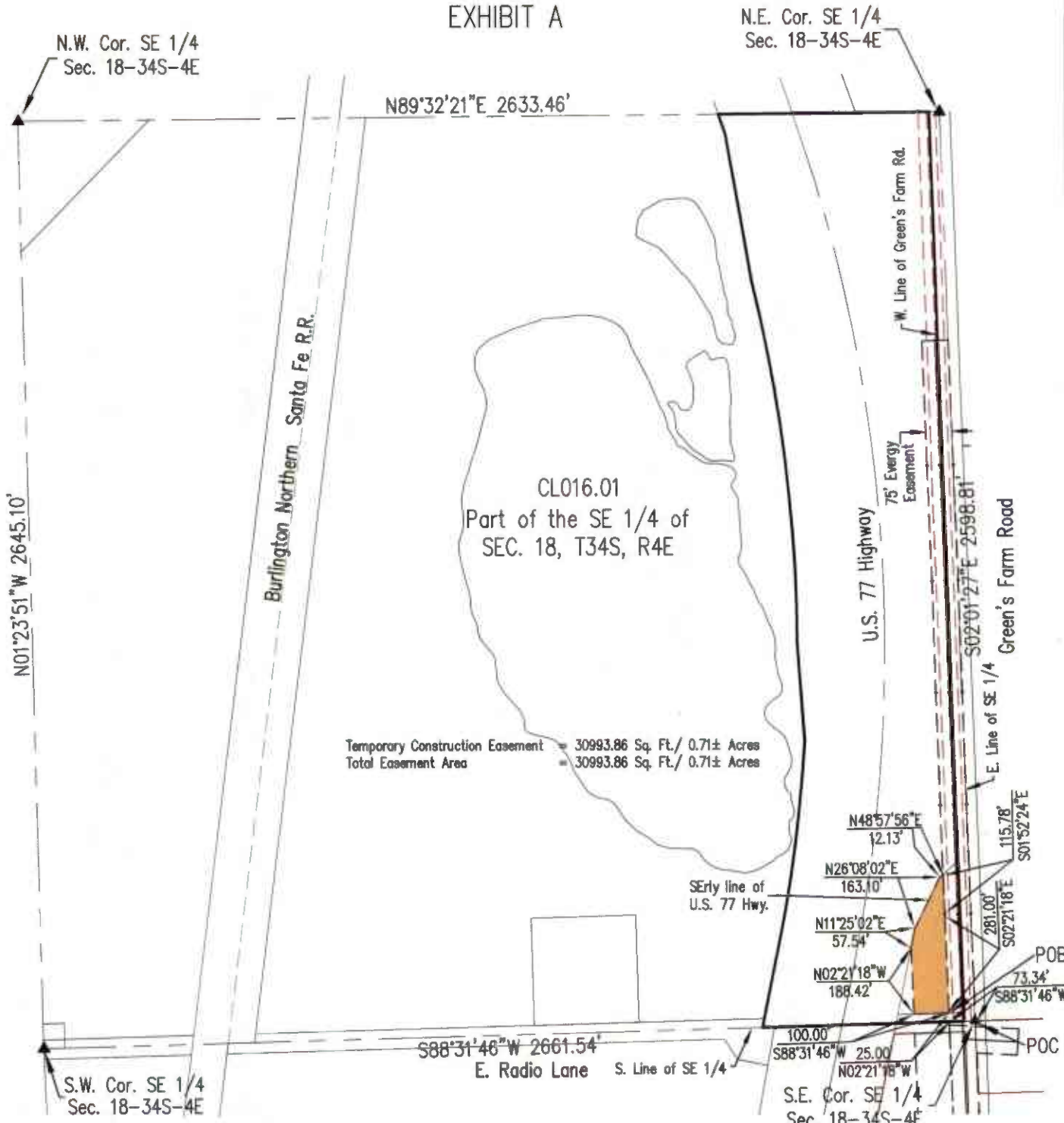
 <p><b>Savoy Company, P.A.</b> Land Surveyors 433 S. Hydraulic, Wichita, KS 67211-1911</p> <p><small>PH (316) 265-0005 - FAX (316) 265-0275 - www.savoyco.com</small></p>	Arkansas City – Silverdale			
	COUNTY	TRACT NO.	PROJ. NO.	20-107
	Cowley	CL016.01	DATE: June 10, 2022	

EXHIBIT A



LEGEND

- = Property Line
- = Easement on Private Property
- = Easement in Public R/W
- = Existing Eveyry Easement
- = Temporary Easement

- = Section Line
- = Section Corner
- POC = Point of Commencement
- POB = Point of Beginning



NOTE: This sketch does NOT constitute a Boundary survey but is intended for Right-of-Way purposes only. Distances and bearings are based on Kansas South Zone State Plane Coordinates.



**Savoy Company, P.A.**  
Land Surveyors  
439 S. Hydraulic, Wichita, KS 67211-1911

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Arkansas City – Silverdale

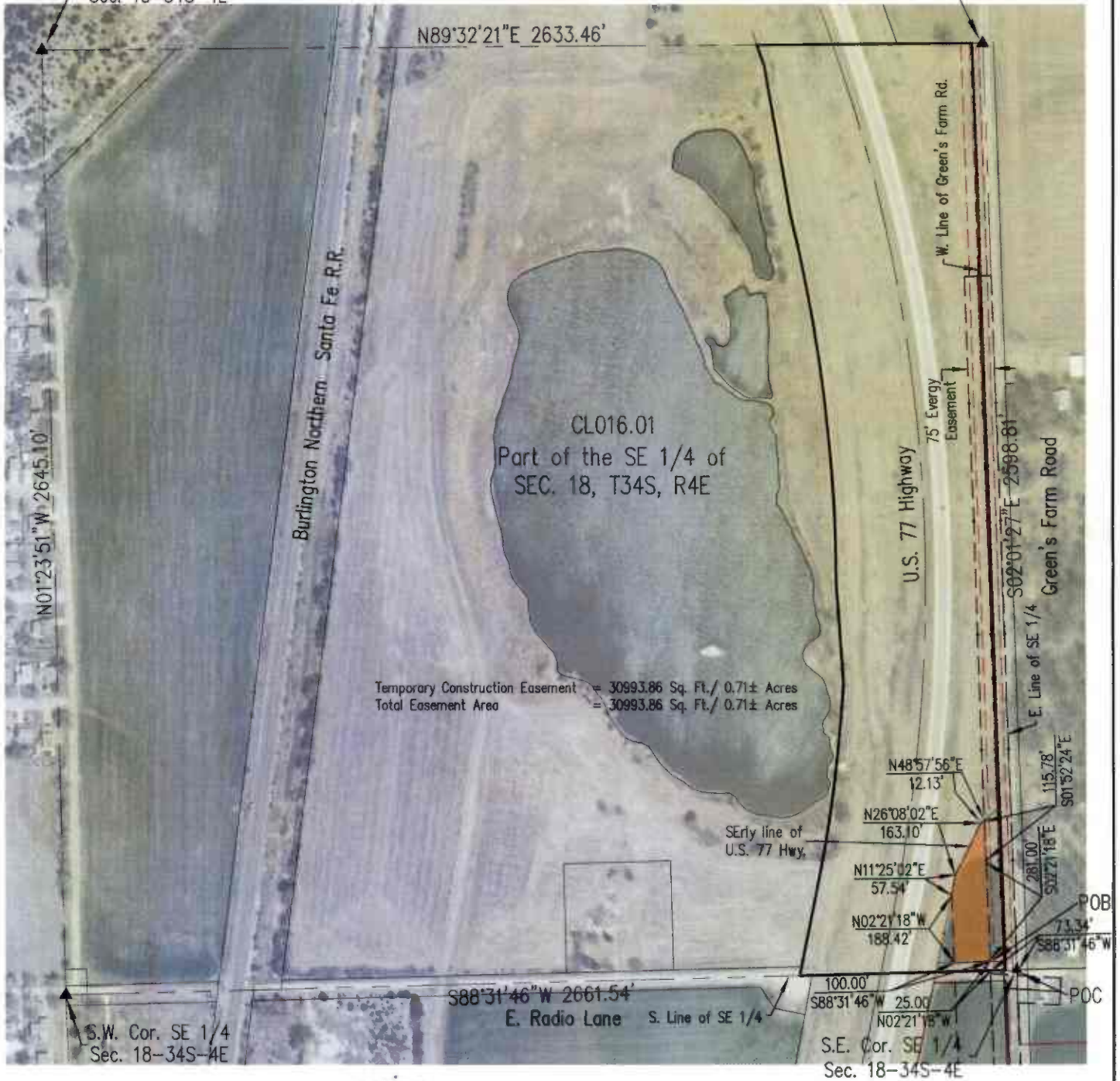


COUNTY	TRACT NO.	PROJ. NO.	20-107
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# AERIAL EXHIBIT



N.E. Cor. SE 1/4  
Sec. 18-34S-4E

N.W. Cor. SE 1/4  
Sec. 18-34S-4E



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COUNTY

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Cowley

CLO16.01

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# EXHIBIT A

A Temporary Easement, being part of the Northeast Quarter of Section 19, Township 34 South, Range 4 East of the 6th Principal Meridian, Cowley County, Kansas, (Bearing & Distance Based on Kansas State Plane Coordinate System NAD83 South Zone), described as; commencing at the N.E. Corner of said Northeast Quarter; thence S88°31'46"W, along the North line of said Northeast Quarter, 73.22 feet; thence S02°07'17"E, 30.00 feet to the South Right-of-way line of E. Radio Lane for a Point of Beginning; thence continuing S02°07'17"E, 400.00 feet; thence S87°52'43"W, 100.00 feet; thence N02°07'17"W, 401.14 feet to the the South line of said E. Radio Lane; thence N88°31'46"E, 100.01 feet to the Point of Beginning.

Said parcel contains 40055.71 Sq. Ft./0.92± Acres.

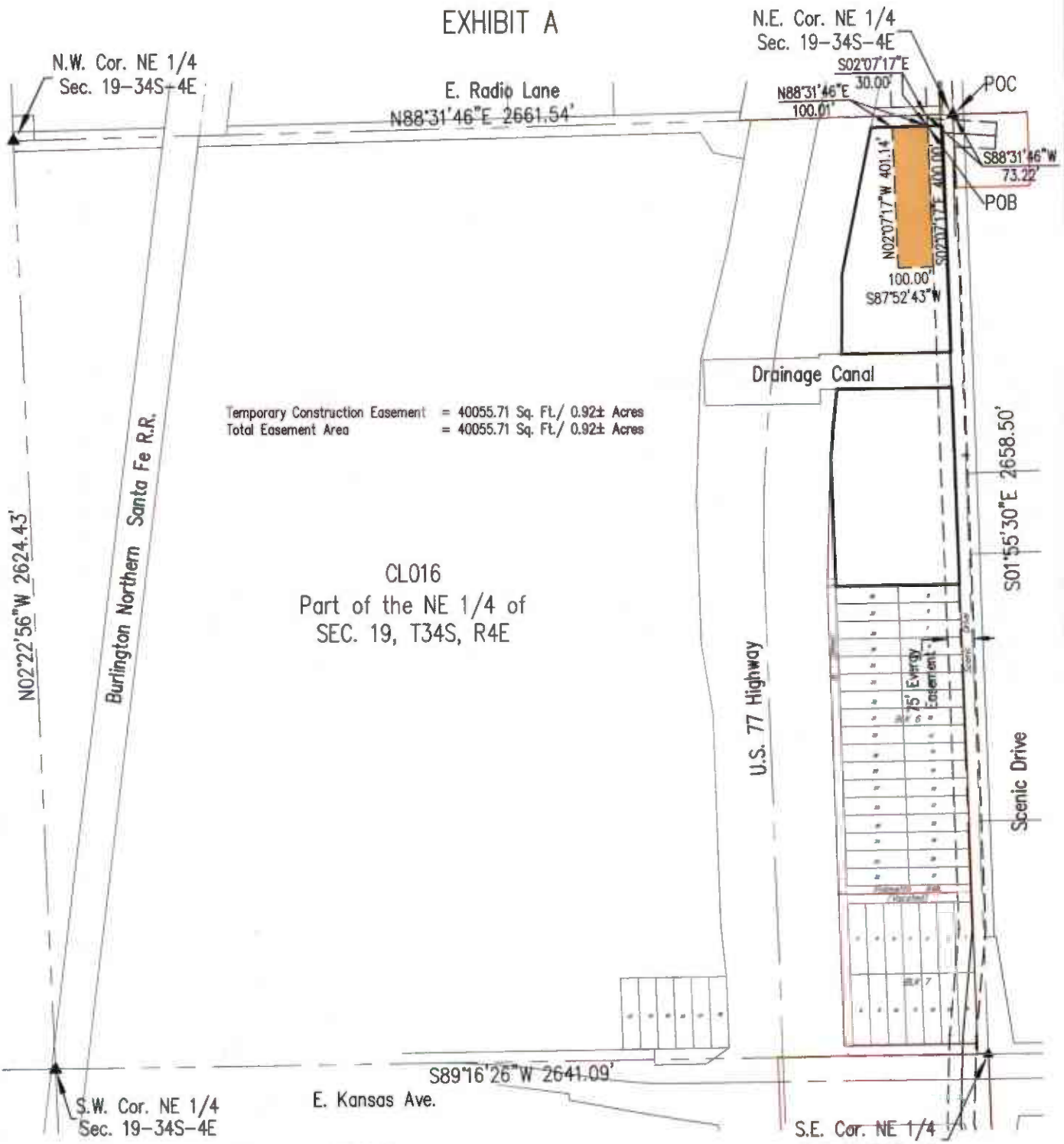
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# EXHIBIT A



Temporary Construction Easement = 40055.71 Sq. Ft./ 0.92± Acres  
 Total Easement Area = 40055.71 Sq. Ft./ 0.92± Acres

CL016  
 Part of the NE 1/4 of  
 SEC. 19, T34S, R4E

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